

# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 2/8/21

License #/Type: 212 Beverage Dispensary

Licensee: The Channel LLC

Address: 2906 Halibut Point Road, Sitka, AK

DBA: Channel Club

AMCO Case #: 21-0104

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

**Note: This is not an accusation or a criminal complaint.**

You have an unreported change of officers, unreported change of ownership percentage and unapproved transfer of controlling interest. Details are as follows:

AMCO records show:

Patrick O' Donnell 33.33% Member  
Sidney Kinney 33.33% Member  
Charles Olson 33.33% Member

CBPL records show:

Charles Olson 66.66% Member (Increased ownership to majority ownership)  
Sidney Kinney 33.333% Member

Change in Majority Ownership: Charles Olson originally 33%, changed to 66%  
Patrick O'Donnell originally 33%, changed to 0% & removed as member, shares sold to Charles Olson

Date of Change in CBPL: 10/22/2019  
Renewal application received in our office: 12/7/2020

Your attention is referred to AS 04.11.040(c): Board Approval of Transfers and AS 04.11.045(a): Reports required of limited liability organizations

If you have any questions about the violation please direct them to [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)

**You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

**\*Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

**Alcohol & Marijuana Control Office**  
**ATTN: Enforcement**  
**550 W. 7<sup>th</sup> Ave, Suite 1600**  
**Anchorage, Alaska 99501**  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: *J.R. Hamilton*

SIGNATURE:

Delivered VIA: Mail

Date:

**Davies, Jason M (CED)**

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**From:** Sidney Kinney <sidneyj410@hotmail.com>  
**Sent:** Wednesday, February 10, 2021 3:59 PM  
**To:** CED AMCO Enforcement (CED sponsored)  
**Subject:** Re: Channel Club, lic 212, NOV  
**Attachments:** ABC Board Letter.pdf

Good Afternoon,

Attached you will find a letter in regards to our Notice of Violation.

Regards,

Sidney Kinney

Sent from [Outlook](#)

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**From:** Hamilton, Joe (CED) <joe.hamilton@alaska.gov>  
**Sent:** Monday, February 8, 2021 11:56 AM  
**To:** sidneyj410@hotmail.com <sidneyj410@hotmail.com>  
**Subject:** Channel Club, lic 212, NOV.pdf

Please read the notice of violation and respond according to the red highlighted paragraph. A hard copy of this notice will be sent via USPS. Your ten days response time will start when you receive the hard copy, however, if you wish, you may respond to [amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov) earlier if you wish.

Joe Hamilton  
AMCO Investigator

February 9, 2021

Alcohol & Marijuana Control Board  
Attn: Enforcement  
550 w. 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
amco.enforcement@alaska.gov

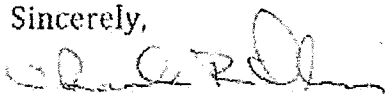
Dear Sir or Madam:

We are writing this letter in response to a Notice of Violation dated 2/8/21, AMCO case # 21-0104.

We apologize for not understanding the rules that we needed to follow to transfer ownership within The Channel LLC as regards our license type 212, DBA as Channel Club. We thought that since the license is owned by The Channel LLC it wouldn't make a difference since we weren't adding another member to the LLC thus requiring additional fingerprints for another member. We are a family owned LLC working hard to make a living in the current circumstances and we did not realize we were creating a problem for ourselves by not filling out the proper paperwork.

We will immediately start working on the necessary applications to correct the problem. Please accept our apology and know that we will make sure we follow the procedures if we have any changes in the future.

Sincerely,



Charles Olson and Sidney Kinney  
Members: The Channel LLC















