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: 8/12/24

License #/Type: 4308 Beverage Dispensary - Tourism Seasonal

Licensee: Westmark Hotels Inc.

Address: MM 238.9 Parks Hwy., Denali Park, AK

DBA: Nenana View Bar and Grille

AMCO Case #: 24-1806

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.

On 8-8-24, an inspection was conducted at your establishment. All servers were asked to provide proof of server education. Server Adriana C. Garcia did not have current server education. General Manager (GM) Ryan A. Aguirre, said she was a mid-summer (June) hire. Garcia was issued citation, P00527129, and told not to serve until she provided an Alcoholic Beverage Control Board representative proof of current server education. The GM was not sure of the licensed premises boundaries but did state that customers were allowed to consume their alcoholic beverages in the lobby. Sign placement was discussed and shown where to post; depending on what was believed to be the licensed premises boundaries. An e-mail was sent to the contact information on file to schedule a meeting regarding the licensed premises boundaries. Finally, the doing business as changed from what is on the license file to Canyon Steakhouse.

Your attention is directed to AS 04.21.025: Alcohol server education; AS 04.16.120: Removal or introduction of alcoholic beverages, AS 04.21.065: Posting of warning signs and 13AAC 305.630: Licensed premises

Certified Mail 7021 0950 0001 6766 6857

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. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: F.R. Hamilton

SIGNATURE:

Delivered VIA: Mail

Date:

updated 4/23/19

Bankowski, Joe (CED)

From: Hebard, Yvette (HAP) <yhebard@hagroup.com>
Sent: Wednesday, August 21, 2024 10:10 PM
To: CED AMCO Enforcement (CED sponsored)
Cc: Ducharme, Marc (HAP); Pipkin, Michelle (PCL); Hebard, Yvette (HAP)
Subject: AMCO Case# 24-1806, License#/Type 4308, Licensee: Westmark Hotels Inc.

You don't often get email from yhebard@hagroup.com. Learn why this is important

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

To Whom It May Concern,
Regarding inspection conducted on 8/8/24 by Joe Hamilton, we offer the below resolutions to the findings.

Marc Ducharme {Vice President of Hotel Operations} and Yvette Hebard {Director, Hotel Operations, Holland America Lodges} met with Joe Hamilton on Friday, August 16th, 2024, to discuss the inspection. Employee Garcia was immediately taken off of the work schedule until appropriate training is completed.

In the violation, Ryan Aguirre is noted as the property General Manager, but his position is the property Food and Beverage Manager. Ryan began his position with the property in April and had a level of confusion regarding the new Large Resort Endorsement and our current license. The food and beverage teams have been reminded that guests may not move outside of the licensed areas with alcohol until the appropriate endorsements have been received (which are currently a work in progress). In addition to the updated licensing submissions, the property will also update the DBA from the previous name of Nenana View Bar and Grill to Canyon Steakhouse.

Noted signs have been added per Joe Hamilton's instructions in the required areas to clarify licensed premise.

Thank you.

Yvette Hebard
Director, Hotel Operations
Holland America Lodges
HAP Alaska/Yukon
907-590-7676

The information contained in this email and any attachment may be confidential and/or legally privileged and has been sent for the sole use of the intended recipient. If you are not an intended recipient, you are not authorized to review, use, disclose or copy any of its contents. If you have received this email in error