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: 7/29/24

License #/Type: 708 Beverage Dispensary

Licensee: Cynthia Lee Day

Address: 44698 Sterling Hwy, Soldotna, AK

DBA: Maverick Saloon

AMCO Case #: 24-1704

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 7-24-24, an inspection was conducted at your establishment. Bartender Candace M. Hordeman said she was a three month employee. She was asked for her server education card. She then spoke with a man on the customer side of the bar and returned to my location stating she was a three week employee. She was asked to provide proof of being employed only three weeks which she could not. She was then issued a citation for no server education, P00355199. She was told if she provided proof of her work status prior to 7-26-24, the citation would be voided. She was told to stop serving alcoholic beverages until she provided a board representative proof of current server training. As of 7-29-24, she had not provided proof of her work status.

Your attention is directed to AS 04.21.025: Alcohol server education, 3AAC 305.700: Alcohol server education course and AS 04.16.150: Licensee responsible for violations

Certified Mail 7021 0950 0001 6766 6833

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:

cyndi day

44698 Sterling Hwy
Soldotna, AK 99669
maverick@alaskan.com
Phone: (907)252-9756

Investigator Hamilton, Alcohol & Marijuana Control Board

550 W. 7th Ave, Suite 1600
Anchorage, AK 99501
Amco.enforcement@alaska.gov

In regards to Notice of Violation dated 7/29/24 License #708

At the end of June I had asked Candace Hordeman if she could work for a few months through the tourist season (July, Aug & part of Sept). She agreed and began working for me 7/3/24. I had asked Miss Hordeman for her TAPS card so I could make a copy for her file. She told me that her card was in her file at the Amvets where she had been working previously and the person who had access was out of town. As I had employed Miss Hordeman previously without issue I did not expect there to be a problem.

After receiving the citation and looking into this further I became aware that Miss Hordeman's TAPs card was expired for quite some time. She was immediately suspended from working any shifts until such time as she could produce a current card. This was effective beginning 7/26/24 until 8/4/24 when she did provide her certificate of completion.

I would like to also mention that the person sitting at the bar she spoke to was also a returning employee who had not been scheduled to work yet as he had informed me that he had let his TAPs card lapse while living in Arizona.

In the future I will not allow anyone to begin work without presenting a current TAPs card, regardless of my history with them. All employees cards have been double checked, copies are in my office and I have set alerts on the POS system to remind employees before their certification expires.

Sincerely,

cyndi day
Maverick Saloon
License # 708
8/7/24

RECEIVED
AUG 12 2024
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA