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: 9/8/25

License #/Type: 174 Package Store

Licensee: Safeway Inc.

Address: 502 Marine Way, Kodiak, AK

DBA: Safeway #2522

AMCO Case #: 25-1244

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 8-27-25, an inspection was conducted at your establishment. Clerk Ms. Posey could not provide proof of server training at which time I started to explain the new server laws taking effect January 1, 2024. Her manager, J. Hampton stated she has been working less than 30 days. New alcohol server rules where explained to him. Mr. Hampton retreated to the back of the store and was on the phone with an unknown person. I was able to speak with Ms. Posey further who stated she had been there since May and had not been to training, in fact, she had just received her booklet to study. Mr. Hampton returned and stated I would be sent a temporary card showing Ms. Posey had taken a server class. Mr. Hampton was advised about what Ms. Posey said; he basically stated he was relaying information and removed himself from further conversation about the server card. Later that day, a temporary server card was sent by Store Director Brian Hubbard. The card had a class date of 7-16-25, expiring 10-15-25. I contacted Anchorage Safeway TIPS coordinator Kim Moore who stated they have a employment start date of 5-15-25 for Ms. Posey but not any record of training. Contact was made with Muhammad Z. Arfeen, 360 Training, owner of the TIPS course,. He was asked to check their records for Ms. Posey's server training. They had no record of Ms. Posey taking a class on 7-16-25; or around that date. Contact again was made with Ms. Moore who stated they had a class scheduled on 7-16, but Kodiak's TIPS Trainer, Kathleen Zahanow, was unable to teach so an Anchorage trainer was assigned the class. Ms. Moore stated that class was initiated but since no one logged in, the class was canceled. On 9-3-25, Mr. Hubbard was asked if he could send the class roster of the 7-16 class. As of 9-8-25, Inv. Hamilton has not received the roster. Other than Ms. Zahanow saying somehow Ms. Posey's temp card was misplaced somewhere in paperwork on her desk, there is no record of Ms. Posey being to a TIPS class. Ms. Posey acknowledged at the time of contact that she had not been to a class.

Your attention is directed AS 04.21.025: Alcohol server training, AS 04.16.150: Licensee responsible for violations, and 3AAC 305.830: Communications and inspection

Prior disciplinary history within the past 5 years:

Violation on 6-4-25, AS 04.21.025: Server education and AS 04.15.150: Licensee responsible for violations

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 MAY 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 04/07/2025

Tracking #: 7021 0950 0001 6767 1196

CARRS | SAFEWAY

October 30, 2025

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

Joe,

This letter is a response to the Notice of Violation dated September 8, 2025, at store is #2522 502. West Marine Way, Kodiak, Alaska.

Our employee Lisa Posey, has since taken a Tips Class, received a temporary card valid for one calendar month. Her Tips cards will be sent to her next week.

We've taken this opportunity to refresh our program with 3 new instructors and rescheduled dates for classes. In Anchorage, we have classes twice a month, outlying stores once a month, and as needed on the Peninsula. We track expirations to help our stores as well. We take Tips seriously and work very hard to make sure all employees have their cards.

Thank you for the opportunity to respond.

Joe Rybak

District Manager
JR/km