

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

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: *J.R. Hamilton*

SIGNATURE:

Delivered VIA: Mail

Date:

Davies, Jason M (CED)

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](#)

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 earlier if you wish.

Joe Hamilton
AMCO Investigator

February 9, 2021

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

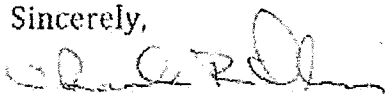
Dear Sir or Madam:

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



Alaska Alcoholic Beverage Control Board

2023-2024 Master Checklist: Renewal License Application

Doing Business As:	Channel Club	License Number:	212
License Type:	Beverage Dispensary - Seasonal		
Examiner:	KMS S.	Transaction #:	100489747, 100489767

Document	Received	Completed	Notes
AB-17: Renewal Application	11/9/22	11-23-22	11-29-22
App and License Fees	11/14/22	11-17-22	

Supplemental Document	Received	Completed	Notes
AB-25: Supplier Certification			
AB-33: Restaurant Receipts Aff			
AB-36: Rec Site Statement			* No temp issued -
AB-37: Tourism Statement			current licensee has
AB-39: Change of Officers			lost proof of right. title.
COI / COC / 5 Star / FAA Cert			interest. in licensed
FP Cards & Fees / AB-08a			premises.
Late Fee (after 12/31/2022)			In transfer process
Additional Documents:			
Names on FP Cards:			

	Yes	No	N/A
CBPL Entity Printout included?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Business License Copy included?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Background(s) Completed & Date: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special Consideration: <u>NOV</u>	Board Meeting Date: <u>12-12-2022</u>		
LGB Sent Date: <u>11-29-2022</u>	LGB Deadline Date: _____		
LGB 1 Name: <u>Sitka</u>	LGB 2 Name: _____		
<input type="checkbox"/> Waive	<input type="checkbox"/> Protest	<input type="checkbox"/> Lapsed	<input type="checkbox"/> Waive
<input type="checkbox"/> Protest	<input type="checkbox"/> Lapsed	<input type="checkbox"/> Waive	<input type="checkbox"/> Protest
<input type="checkbox"/> Lapsed	<input type="checkbox"/> Waive	<input type="checkbox"/> Protest	<input type="checkbox"/> Lapsed



Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2022 per AS 04 11 270, 3 AAC 304 160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any application for renewal or any fees for renewal that have not been postmarked by 2/28/2023 will be expired per AS 04 11 540, 3 AAC 304 160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04 11 270, 3 AAC 304 105.
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Section 1 - Establishment Contact Information

Licensee (Owner):	The Channel LLC	License #:	212
License Type:	Beverage Dispensary - Seasonal		
Doing Business As:	Channel Club		
Local Governing Body:	Sitka		
Community Council:			

If your mailing address has changed, write the NEW address below:

Mailing Address:			
City:	State:	ZIP:	

Section 2 - Licensee Contact Information

Contact Licensee: The individual listed below must be part of the ownership structure of the licensee listed in Section 1. This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

Contact Licensee:	Sidney Kinney	Contact Phone:	907-738-1614
Contact Email:	sidneyj410@hotmail.com		

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee (such as legal counsel) about your license, list their information below:

Name of Contact:	Darryl L. Thompson, Esq.	Contact Phone:	907-272-9322
Contact Email:	darryl@akdltlaw.com		

Section 3 - for Package Stores ONLY: Written Order Information

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2022 and/or 2023?

YES NO

AMCO Received 11/9/2022



Section 4 – Ownership Structure Certification

YES [X] NO []

Did the ownership structure of the licensed business change in 2021/2022?

* Verified KRIS

If Yes, and you have NOT notified AMCO, list the updated information on form AB-39: Change of Officers and submit with your renewal application.

If No, certify the statement below by initialing the box to the right of the statement.

I certify that the ownership structure of the business who owns this alcohol license did not change in any way during the calendar years 2021 or 2022.

[]

Section 5 – License Operation

Check ONE BOX for EACH CALENDAR YEAR that best describes how this liquor license was operated:

- 1. The license was operated for more than 240 hours throughout each year. (Year-round)
2. The license was only operated during a specified time each year. (Not to exceed 6 months per year)
3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.
4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year...

2021 2022
[] []
[X] [X]
[] []
[] []

Section 6 - Violations and Convictions

Have ANY Notices of Violation been issued for this license?

YES [X] NO []

Has ANY person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2021 or 2022?

[] [X]

If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2)

If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.

Section 7 – Certifications

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application...
I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current...



Alaska Alcoholic Beverage Control Board

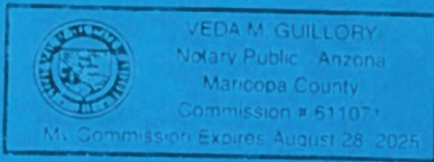
Form AB-17: 2023/2024 License Renewal Application

- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04 21.025 and 3 AAC 304.465.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11 56 210 to falsify an application and commit the crime of unsworn falsification.

Sidney Kinney
Signature of licensee
Sidney Kinney
Printed name of licensee

Veda M. Guillory
Signature of Notary Public
Notary Public in and for the State of Arizona
My commission expires: 08/28/2025



Subscribed and sworn to before me this 28th day of October, 2022.

- Restaurant and Eating Place applications must include a completed AB-33: Restaurant Receipts Affidavit
- Recreational Site applications must include a completed AB-36: Recreational Site Statement
- Tourism applications must include a completed AB-37: Tourism Statement
- Wholesale applications must include a completed AB-25: Supplier Certification
- Common Carrier applications must include a current safety inspection certificate

All renewal and supplemental forms are available online:
<https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx>

FOR OFFICE USE ONLY

License Fee:	\$	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$

100489767 11/14 ck

100489747 11/14 cc

Details

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	The Channel Limited Liability Company

Entity Type: Limited Liability Company

Entity #: 104003

Status: Good Standing

AK Formed Date: 10/17/2006

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2024

Entity Mailing Address: 103 KRAMER AVE, SITKA, AK 99835

Entity Physical Address: 103 KRAMER AVE, SITKA, AK 99835

Registered Agent

Agent Name: Sidney Kinney

Registered Mailing Address: 3009 HALIBUT PT RD, SITKA, AK 99835

Registered Physical Address: 3009 HALIBUT PT RD, SITKA, AK 99835

Officials

Show Former

AK Entity #	Name	Titles	Owned
	Charles Olson	Member	50.00
	Sidney Kinney	Member	50.00

Filed Documents

Date Filed	Type	Filing	Certificate
10/17/2006	Creation Filing	Click to View	
6/11/2007	Initial Report	Click to View	
2/02/2010	Biennial Report	Click to View	
2/02/2010	Biennial Report	Click to View	
1/13/2012	Biennial Report	Click to View	
1/13/2012	Agent Change	Click to View	
1/20/2014	Biennial Report	Click to View	
1/10/2016	Biennial Report	Click to View	

Date Filed	Type	Filing	Certificate
10/05/2017	Biennial Report	Click to View	
10/22/2019	Biennial Report	Click to View	
11/25/2019	Change of Officials	Click to View	
2/19/2021	Agent Change	Click to View	
2/19/2021	Change of Officials	Click to View	
5/14/2021	Change of Officials	Click to View	
11/03/2021	Biennial Report	Click to View	

[Close Details](#)

[Print Friendly Version](#)

License Detail

LICENSE DETAILS

License #: 738561

[Print Business License](#)

Business Name: CHANNEL CLUB

Status: Active

Issue Date: 10/25/2006

Expiration Date: 12/31/2023

Mailing Address: 103 KRAMER AVE
SITKA, AK 99835

Physical Address: 2906 HPR
9077381614
Sitka, AK 99835-9614

Owners

THE CHANNEL LIMITED LIABILITY COMPANY

Activities

Line of Business	NAICS	Professional License #
72 - Accommodation and Food Services	722110 - FULL-SERVICE RESTAURANTS	

Endorsements

No Endorsements Found

License Lapse(s)

If this business license lapsed within the last four years the lapsed periods will appear below. Lapsed periods are the unlicensed period between an expiration date and renewal date.

No Lapses on record for the last 4 years.

[Close License Detail](#)

[Print Friendly Version](#)