

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: 6/23/21

License #/Type: 207

Beverage Dispensary - Tourism

Licensee: Tustumena Lodge, LLC

Address: 58840 Sterling Hwy, Kasilof, AK

DBA: Tustumena Lodge

AMCO Case #: 21-0683

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 6-15-21 an inspection was conducted at your establishment. Bartender Rose M. Nunay was asked how long she worked as a bartender. She replied four months. She was then asked for proof of alcohol server education to which she could not provide. Contact was then made with licensee Teresita Myers who was asked to provide proof of alcohol server education. Myers presented a TAP card #163181 with an expiration of 5-9-21.

Your attention is directed to AS 04.21.025: Alcohol server education

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:



Alaska Alcoholic Beverage Control Board

Form AB-37: Tourism Statement

A new, transfer, or renewal application for a Beverage Dispensary – Tourism or Restaurant/Eating Place – Tourism license must be accompanied by a written statement that explains how the establishment encourages tourism and meets the requirements listed under AS 04.11.400(d) and 3 AAC 304.325.

This document must be completed and submitted to AMCO's Anchorage office before any tourism license application will be reviewed.

Section 1 – Establishment Information

Enter information for the licensed establishment or the business seeking to be licensed.

Doing Business As:	Tustumena Lodge	License #:	207
License Type:	Beverage Dispensary - Tourism		

Section 2 – Tourism Statement

2.1. Explain how issuance of a liquor license at your establishment has/will encourage tourism.

Tustumena Lodge provides lodging, food & beverages. We host events (Live music, Karaoke, etc) Tourist enjoy coming in for a meal and alcoholic beverages. They also enjoy attending our live music events while enjoying cold beverages.

2.2. Explain how the facility was/will be constructed or improved as required by AS 04.11.400(d)(1):

We will be renovating our rooms next summer. The giant "T" outside is a huge attraction. We are also considering incorporating a pizza place in our kitchen.

2.3 Does the licensee or applicant for this liquor license also operate the tourism facility in which this license is located?

YES

NO

2.4 If "no" who operates the tourism facility?

[Empty box for answer]

AMCO

DEC 8 8 2022



Alaska Alcoholic Beverage Control Board

Form AB-37: Tourism Statement

2.5 Do you offer room rentals to the traveling public? YES NO

If "yes" answer the following questions:

How many rooms are available?

9

How many of the available rooms (if any) have kitchen facilities (defined as: a separate sink for food preparation along with refrigeration and cooking appliance devices, including a microwave)?

0

Do you stock or plan to stock alcoholic beverages in guest rooms? YES NO

If "no" is your facility located within an airport terminal? YES NO

2.6 If your establishment includes a dining facility, please describe that facility. If it does not please write "none".

Our bar includes a restaurant with sit down dining available.

2.7 If additional amenities are available to your guests through your establishment (eg: guided tours or trips, rental equipment for guests, other activities that attract tourists), please describe them. If they are not offered, please write "none".

NONE

AMCO
DEC 08 2022



Alaska Alcoholic Beverage Control Board
Form AB-37: Tourism Statement

Section 3 – Certification

Read the statement below, and then sign your initials in the box to the right of the statement:

Initials

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.

X

Teresita Myers
Printed name of licensee/affiliate

xT Myers
Signature of licensee/affiliate

AMCO
DEC 08 2022

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED

05/17/2023

ABC BOARD

LIQUOR LICENSE

2023 - 2024

TEMPORARY

207

LICENSE RENEWAL APPLICATION DUE
DECEMBER 31, 2024 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT
FEBRUARY 28, 2025 UNLESS DATED BELOW

TYPE OF LICENSE: Beverage Dispenser

[Empty box for license type details]

LICENSE FEE: \$2,500.00

1106

CITY / BOROUGH: Outside City Limits
Kenai Peninsula Borough

D/B/A: Tustumena Lodge
58840 Sterling Highway (Kasilof)

Mail Address:
TUSTUMENA LODGE LLC
P.O. Box 183
Kasilof, AK 99610

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board

[] Special restriction - see reverse side

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD

Joan M. Wilson
DIRECTOR

04-900 (REV 10/20/22)

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED

05/17/2023

ABC BOARD

LIQUOR LICENSE

2023 - 2024

TEMPORARY

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ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD

COPY

DIRECTOR

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

04-900 (REV 5/9/22)



Alaska Alcoholic Beverage Control Board

2023-2024 Master Checklist: Renewal License Application

Doing Business As:	Tustumena Lodge	License Number:	207
License Type:	Beverage Dispensary - Tourism		
Examiner:	DBS	Transaction #:	100518408 100518414

Document	Received	Completed	Notes
AB-17: Renewal Application	12/08	5/17	5/17 - Incomplete Sent
App and License Fees	12/28	5/17	5/17 - corrections new

Supplemental Document	Received	Completed	Notes
AB-25: Supplier Certification			
AB-33: Restaurant Receipts Aff	12/08		
AB-36: Rec Site Statement			
AB-37: Tourism Statement	12/08		
AB-39: Change of Officers			
COI / COC / 5 Star / FAA Cert			
FP Cards & Fees / AB-08a			
Late Fee (after 12/31/2022)			
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 checked="" type="checkbox"/>
Special Consideration: <u>Tourism / NOV</u> Board Meeting Date: _____			
LGB Sent Date: <u>5/17</u> LGB Deadline Date: _____			
LGB 1 Name: <u>KPB</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			



Alcohol and Marijuana Control Office
550 W 7th Avenue,
Suite 1600
Anchorage, AK 99501

Phone: 907.269.0350

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):		License #:	207
License Type:	Beverage Dispensary - Tourism		
Doing Business As:	Tustumena Lodge		
Local Governing Body:	Kenai Peninsula Borough		
Community Council:	N/A		

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

Mailing Address:	PO Box 183				
City:	Kasilof	State:	AK	ZIP:	99610

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:	Teresita Myers	Contact Phone:	907-953-7411
Contact Email:	TLodge907@outlook.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:	N/A	Contact Phone:	
Contact Email:			

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

DEC 08 2022



Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 License Renewal Application

Section 4 – Ownership Structure Certification

YES NO

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

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.

TW1

Section 5 – License Operation

that best describes how this liquor license was operated:

2021 2022

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)

If your operation dates have changed, list them below:

_____ to _____

3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year. A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.

4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.

If you have not met the minimum number of hours of operation in _____, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "Other" and COVID is listed as the reason.

Section 6 - Violations and Convictions

YES NO

Have Notices of Violation been issued for this license?

Has 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?

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 and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
- 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 and I have provided AMCO with all required changes of the ownership structure of the business license, and have provided all required documents for any new or changes of officers.

DEC 08 2022



Alaska Alcohol 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.

x T. Myers
Signature of licensee

Chelsea L. Lemes
Signature of Notary Public

x Teresita Myers
Printed name of licensee

Notary Public in and for the State of ALASKA

My commission expires: 12/25/2024

Subscribed and sworn to before me this 5TH day of DECEMBER, 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>



12/28
#100518408 #100518414

FOR OFFICE USE ONLY

License Fee:	\$ <u>2500</u>	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$

AMCO
DEC 08 2022

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	TUSTUMENA LODGE LLC
Previous Legal Name	FISH' N HOLE LODGE, LLC

Entity Type: Limited Liability Company

Entity #: 10022897

Status: Good Standing

AK Formed Date: 8/14/2014

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2024

Entity Mailing Address: PO BOX 183, KASILOF, AK 99610-0183

Entity Physical Address: 58840 STERLNG HWY, KASILOF, AK 99610

Registered Agent

Agent Name: TERESITA MYERS

Registered Mailing Address: PO BOX 183, KASILOF, AK 99610-0183

Registered Physical Address: 58840 STERLNG HWY MP 111, KASILOF, AK 99610

Officials

Show Former

AK Entity #	Name	Titles	Owned
	TERESITA MYERS	Manager, Member	100.00

Filed Documents

Date Filed	Type	Filing	Certificate
8/14/2014	Creation Filing	Click to View	Click to View
1/27/2015	Initial Report	Click to View	
1/01/2016	Biennial Report	Click to View	
3/21/2018	Biennial Report	Click to View	
11/21/2019	Entity Address Change	Click to View	
11/21/2019	Agent Change	Click to View	
11/21/2019	Biennial Report	Click to View	
11/10/2020	Amendment	Click to View	Click to View
12/04/2021	Biennial Report	Click to View	

Alaska Business License # 1012671

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing

PO Box 110806, Juneau, AK 99811-0806

This is to certify that

TUSTUMENA LODGE

PO BOX 183, KASILOF, AK 99610

owned by

TUSTUMENA LODGE LLC

is licensed by the department to conduct business for the period

December 4, 2021 to December 31, 2023
for the following line(s) of business:

72 - Accommodation and Food Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Anderson
Commissioner

Department of Commerce, Community, and Economic Development
DCCED RECEIPTING

State of Alaska / Commerce / Intranet / Receipting / Receipt / #100518408

RECEIPT #100518408

Net Total: \$2,500.00

Comment:

Actions

- Edit Receipt
- Internal Receipt
- Customer Receipt
- Email Receipt

Transaction #1

Type: Credit Card

Received: 12/28/2022

Amount: \$2,500.00

Payer Tustumena Lodge

Name:

CC Last 4: 0089

Auth 850297

Code:

Created: 12/30/2022

Owner: soalsfcarrell

Close Out 18825

#:

AG #: 12461

Account Item(s)

Type	Amount	Applicant	Ref #
ALC - Alcohol License Fees	\$2,500.00	Tustumena Lodge	207

Department of Commerce, Community, and Economic Development
DCCED RECEIPTING

State of Alaska / Commerce / Intranet / Receipting / Receipt / #100518414

RECEIPT #100518414

Net Total: \$300.00

Comment:

Actions

- [Edit Receipt](#)
- [Internal Receipt](#)
- [Customer Receipt](#)
- [Email Receipt](#)

Transaction #1

Type: Check or Warrant

Received: 12/8/2022

Amount: \$300.00

Payer: Tustumena Lodge

Name:

Check #: 4248

Created: 12/30/2022

Owner: soa\sfcarrll

Close Out: 18824

#:

AG #: 12427

Account Item(s)

Type	Amount	Applicant	Ref #
ALC - Renewal Application Fee	\$300.00	Tustumena Lodge	207