



Douglas County

Minutes of the Local Liquor Licensing Authority

Friday, March 11, 2011

The Douglas County Local Liquor Licensing Authority met in the Philip S. Miller Building, 100 Third Street, Castle Rock, Colorado.

Present

Scott Lemmon, Chair

Don Bammes

Chris Carlson

Kelly Dunnaway, Deputy County Attorney

Holly Carrell, Project Coordinator/Liquor Clerk

Call to Order

The Chair called the meeting to order at 1:30 p.m.

The Pledge of Allegiance was recited.

All those who would be testifying were sworn in.

Chris Carlson made a motion to approve the Minutes from the Pre-Hearing Meeting on January 21, 2011 and the Pre-Hearing Meeting and Hearing on February 11, 2011. Don Bammes seconded the motion and it was passed unanimously.

SHOW CAUSE HEARING

Show Cause Hearing on Complaint of Liquor Code Violation Concerning Apple Seven Hospitality Management, Inc., d/b/a Hilton Garden Inn Highlands Ranch, located at 1050 Plaza Drive, Highlands Ranch, Colorado.

Kelly Dunnaway, Deputy County Attorney, stated that he had spoken with the licensee who agreed to accept the violation and the suspension. Mr. Dunnaway recommended that the Authority impose a 15-day suspension, with 12 days held in abeyance and 3 days served to be completed on March 18, March 19 and March 20, 2011 as chosen by the licensee.

Mr. Bill Verity appeared representing the Hilton Garden Inn and wished to address the Authority. He explained their understanding of the severity of the violation and made changes to policy as a result of it. They are now going to card everyone, instead of just those customers who appear to be under 25 years of age, and have

scheduled a refresher training course with Detective Mike Dieck of the Douglas County Sheriff's Office.

The Authority discussed the details of the violation with Mr. Verity and the training policy currently in place as well as previous training model. Mr. Verity stated that he informed all other staff of the violation immediately and that the employee is still working there.

Mr. Verity informed the Authority that their business is slow at this time and that they have minimal liquor sales, usually just with dinner during the week for business people who are traveling through the area. They have a few banquets, but most of their alcohol sales are due to weekday bookings.

Mr. Bammes made a motion to impose a 15-day suspension with 12 days held in abeyance for 18 months from the date of the offense. The three days to be served will be March 18, March 19 and March 20, 2011. Ms. Carlson seconded the motion and it passed unanimously.

Show Cause Hearing on Complaint of Liquor Code Violation Concerning It's All About Jack, Inc., d/b/a Anthony's Pizza and Pasta, located at 3506 Town Center Drive, Highlands Ranch, Colorado.

Kelly Dunnaway, Deputy County Attorney, stated that he had spoken with the licensee who admitted the violation and agreed to accept a suspension. Mr. Dunnaway recommended that the Authority impose a 15-day suspension, with 12 days held in abeyance and 3 days to be served on March 13, March 14 and March 15, 2011.

Mr. Scott Connors and Ms. Alexandra Grier appeared to represent Anthony's Pizza and Pasta and address the Authority. They explained that the violation happened because of understaffing. Mr. Connors said that they practice carding everyone who requests to purchase alcohol, have trained their staff and test them. They were experiencing financial difficulties and cut labor to the bare minimum. The general manager, Mr. Dave McGrath, was overextended by working many hours that week and juggling multiple duties simultaneously, which contributed to him calculating the purchaser's age incorrectly. He had not received any prior training in his career, but would be attending soon and the rest of the staff would receive a refresher course and was notified of the incident.

The Authority asked Mr. Dave McGrath to explain the events which contributed to the underage sale. Mr. McGrath relayed the same facts as Mr. Connors and testified that the flip chart that is usually displayed showing the date in which someone is 21 years old from that day had fallen behind the counter. In his haste, he calculated the purchaser's age incorrectly.

Ms. Carlson made a motion to impose a 15-day suspension with 12 days held in abeyance for 18 months from the date of violation. The 3 days served would be completed on March 13, March 14 and March 15, 2011. Mr. Bammes seconded the motion and it passed unanimously.

NEW APPLICATION

New Application for a Hotel and Restaurant Liquor License for Rocky Mountain Restaurant Group, Inc., d/b/a Salsa Brava Fresh Mexican Grill located at 52 W. Springer Drive, Highlands Ranch, Colorado.

Holly Carrell, Project Coordinator, provided an overview of the application and Mr. Dunnaway confirmed that the County Attorney's Office reviewed all affidavits of posting and public notice and found them to be in compliance with the Liquor Code. Ms. Carrell introduced the applicant, Randy Price.

Mr. Price provided a summary of his experience in the restaurant industry as well as the history of Rocky Mountain Restaurant Group and their five existing locations. He stated that they have never had a violation during their eight years in existence and all staff are TIPS trained before the restaurant opens. They are very community and family oriented and demonstrate this by organizing local athletic events and giving an outstanding achievement award in the elementary and middle schools.

Mr. Max Scott from Oedipus, Inc. presented the petitioning results and stated that he would also be conducting training for Mr. Price in advance of the restaurant opening. He went on to explain the report and the methods used in surveying as well as some anecdotal support for license approval. In his opinion, the results of 97% favoring the issuance of the license showed that the area had a need and desire for an additional liquor establishment.

The Authority asked questions about restaurant lay-out, preventative measures in place to reduce underage service and signage.

Mr. Bammes made a motion to approve the new license application and Ms. Carlson seconded the motion. There was no additional public testimony given, a vote was taken and the motion passed unanimously.

Adjournment

There being no further business to come before the Authority, the Chair adjourned the meeting at 2:12 p.m.