



## Douglas County

### Minutes of the Local Liquor Licensing Authority

Friday, January 21, 2011

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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.

Don Bammes made a motion to approve the Minutes from October 29, 2010 and November 19, 2010. Chris Carlson seconded the motion and it was passed unanimously.

#### **SHOW CAUSE HEARING**

##### **Show Cause Hearing on Complaint of Liquor Code Violation Concerning Moira Restaurant Group, LLC, d/b/a Indulge, located at 1601 Mayberry Drive #101, Highlands Ranch, Colorado.**

Mr. Peter Fatianow appeared as the representative for Indulge. The Authority asked the licensee what is being done to correct the previous violations. Mr. Fatianow explained that the employee who served the underage patron was required to speak to the other employees about the affects the misdemeanor has had on her. All employees are TIPS trained and the liquor code and policies are discussed with staff at weekly meetings. The Authority suggested that Mr. Fatianow conduct regular refresher courses as well as investigate the possible use of a secondary identification checking device. Mr. Lemmon suggested that the licensee meet with Detective Mike Dieck, who was present, to discuss future training opportunities. Mr. Fatianow confirmed that he would explore and/or implement all three suggestions.

The Authority questioned Mr. Fatianow about posting for the first suspension date and explained that they have changed their policies and procedures to restrict businesses from choosing to serve suspension dates on holidays. Mr. Lemmon told Mr. Fatianow that posting requirements are now clearly defined in the letter that is sent out and that signs must be posted in the front door of the establishment. Mr. Fatianow stated that the dates that they chose to serve their suspension were dates in which they had planned to be open and offered documentation.

The Authority warned Mr. Fatianow that a third violation would be painful to the business and recommended that he do all that he can to avoid it.

### **NEW APPLICATION**

#### **New Application for a Tavern License for mUStard LLC d/b/a CJ's located at 10989 Sundial Rim Road, 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, Melanie Terry.

Ms. Terry appeared with Joe Harned, an employee who will be assigned to this location. They explained that ropes will be used to delineate the premises where alcohol can be consumed as well as verbal education. They intend to card everyone even though only registered guests or property owners within the gated community can enter the club house. If staff has any questions as to the identity of a patron they can use the security guard and property-owner data base available to them directly outside the premises. All staff members will be TIPS trained and Ms. Terry and Mr. Harned have extensive experience in the restaurant/bar industry. They understand that a violation of the liquor code within a tight-knit community would be disastrous to their business as well as their credibility.

Ms. Terry expressed an interest in potentially expanding their premises temporarily for special events pool side or in other areas within the community. Mr. Lemmon directed her to discuss the process with Ms. Carrell and Mr. Bammes warned her of the risk associated with such events and the impact that a violation would have.

The Authority was pleased with the petitioning results and the fact that Ms. Terry, Mr. Harned and many others surveyed the community themselves.

The Authority offered to accept any public testimony. Mr. James Flippen, Community Manager for the Back Country Homeowner's Association, testified that the subdivision is composed of mostly families with small children and retired residents. He stated that he is very supportive of CJ's coming into their community and offered to provide any assistance or support they need.

Ms. Carlson made a motion to grant the new license application and Mr. Bammes seconded it. 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 2:26 p.m.