

LIQUOR AND BEER MEETING  
LOCAL LICENSING AUTHORITY  
CITY OF GRAND JUNCTION, COLORADO  
CITY/COUNTY AUDITORIUM, 520 ROOD AVENUE

M I N U T E S

WEDNESDAY, MARCH 5, 1997, 8:00 A.M.

I. **CALL TO ORDER** - The meeting was convened at 8:03 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and City Clerk Stephanie Nye.

II. **APPLICATION TO RENEW LIQUOR AND BEER LICENSES**

1. Harley and Caryl Rudofsky dba The Crystal Cafe & Bake Shop, 314 Main Street, Hotel-Restaurant

The application was in order and approved.

2. K & E Ventures, Inc., dba Valley Grocery, 484 28 Road, 3.2% Beer

The application was in order and approved.

III. **SHOW CAUSE HEARING**

1. Larry Evenson dba Earl's House of Spirits, 1560 North Avenue, Retail Liquor

i. On or about December 6, 1996, Larry Evenson, owner and licensee of The House of Spirits, was cited for selling alcohol to an underage person on or about November 20, 1996, at 1560 North Avenue, Grand Junction, Colorado on the premises of the House of Spirits, in violation of 12-47-128(1)(a) C.R.S. UNLAWFUL ACTS

ii. On or about December 6, 1996, Rineld Conrad Rohrig, Jr., an employee of The House of Spirits, was cited for selling alcohol to an underage person on or about November 20, 1996, at 1560 North Avenue, Grand Junction, Colorado on the premises of The House of Spirits, in violation of 12-47-128(1)(a) C.R.S. UNLAWFUL ACTS

Mr. Joe Hambright, attorney for Mr. Evenson, was present.

Assistant City Attorney Shaver stated this licensee had a previous complaint filed in August, 1996 of an event in June, 1996. This matter was resolved with the licensee paying a fine in lieu of suspension which was tendered to the Authority in October, 1996. This agreement provided for the payment of a fine and for a 2-day suspension which was held in abeyance for 6 months. If there were any other violations, the suspension would be actively imposed. In late November or early December, 1996, there were 2 allegations of violations: the charge is sale to an

intoxicated person. The second one involved the sale to an underage person. There were two counts on the complaint filed January 9, 1997. Of the two counts, one pertains to the owner of the establishment and the other specifically to the employee of the establishment. Mr. Shaver has been in contact with Mr. Joe Hambright, attorney for the licensee, and has arrived at a proposed stipulation to present to the Authority this morning. This stipulation requires the licensee to serve an active 3-day suspension; two days from the previous stipulation and agreement on the events of June, 1996, and an additional 1-day suspension on the events of late November/December, 1996. In addition to this, the licensee would have to comply with the Colorado Liquor Regulations pertaining to posting the premises and non-sale of merchandise. The licensee must also complete, for himself and all employees, appropriate training. Mr. Hambright informed Mr. Shaver that the licensee has been in contact with the Police Department and has agreed to comply with the training. Mr. Shaver requested the licensee make himself available to be questioned as to the sufficiency of the training. The licensee does understand the gravity of the matter and that any further violations can cause the revocation of the license.

Mr. Hambright agreed with the statements of Mr. Shaver. He did have an executed stipulation and agreement to tender to the Authority today. Mr. Evenson contacted Lisa DiCamillo who conducted the necessary training. All the employees did attend except for the employee involved in this matter who was terminated. Mr. Hambright submitted the executed stipulations to the Authority.

There was some confusion as to who would pick the days of suspension, with Mr. Evenson proposing a Monday, Tuesday and Wednesday. Hearing Officer Coebergh stated the 3-day suspension would not be low volume days. Mr. Coebergh proposed the Wednesday, Thursday and Friday of next week which would be March 12, 13 and 14, 1997. Mr. Hambright requested a few minutes to confer with Mr. Evenson which Mr. Coebergh approved.

Back on record at 8:27 am. Mr. Hambright stated Mr. Evenson agreed to the Authority's recommendation of the 3-day suspension. Mr. Shaver had no objection to this. Mr. Coebergh stated the suspension would take place on the Wednesday, Thursday and Friday of March 12, 13 and 14, 1997. Mr. Coebergh cautioned the licensee that this type of problem can not continue. Mr. Shaver presented Mr. Coebergh with the signed stipulations from the licensee.

**IV. ADJOURNMENT** - The meeting adjourned at 8:30 a.m.

**NEXT REGULAR MEETING** - March 19, 1997