

**LIQUOR AND BEER MEETING
LOCAL LICENSING AUTHORITY
CITY OF GRAND JUNCTION, COLORADO
MUNICIPAL HEARING ROOM, CITY HALL, 250 NORTH 5TH STREET**

MINUTES

WEDNESDAY, SEPTEMBER 5, 2012, 2:00 P.M.

HEARING OFFICER MICHAEL GRATTAN

- I. **CALL TO ORDER** – The meeting convened at 2:00 p.m. Those present were Hearing Officer Mike Grattan, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

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

1. Hong Luong Inc. dba Bamboo City, 2472 Patterson #2, Grand Junction, CO 81505, Beer and Wine

No one was present representing the applicant. Ms. Peterson said she is waiting for an approval from the Health Department; all other reports were in compliance.

The application for renewal for Hong Luong dba Bamboo City was found to be in order approved contingent on a satisfactory report from the Health Department.

2. Rosco's Inc. dba Kannah Creek Brewing Company, 1960 N. 12th Street, Grand Junction, CO 81501, Brew Pub

Mr. Jim Jeffryes, Owner, was present.

The application for renewal for Rosco's Inc. dba Kannah Creek Brewing Company was found to be in order and approved.

III. **APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND TASTING PERMIT WITH LATE FILING – 44 DAYS LATE**

1. The Denville Corporation dba Cottonwood Liquors, 1040 Independent Avenue, Grand Junction, CO 81505, Retail Liquor Store with Tasting Permit

Mr. Dennis Barbour, President, was present. Ms. Peterson said Mr. Barbour did submit a letter as to the late filing. Mr. Barbour spoke and said it was due to the change of location and just got misplaced and this has never happened before in the 28 years he has been in business. Ms. Peterson said that Mr. Barbour has not opened up at the new location as of yet.

Hearing Officer Grattan asked Mr. Barbour when he was going to open. Mr. Barbour responded he hoped by October 1st but it has been a financial issue regarding the move.

Hearing Officer Grattan asked City Attorney Shaver if he had anything to add. City Attorney Shaver said no. Hearing Officer Grattan found good cause for the late filing due to circumstances related to the relocation. The application for renewal and Tasting Permit we approved.

IV. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND REGISTRATION OF NEW MANAGER – This item was moved to the end of the Agenda per Hearing Officer Grattan

The applicant for the Transfer of Ownership approved on May 16, 2012 to Whiskey River Saloon LLC dba Whiskey River Saloon has vacated the premises at 490 28 ¼ Road, abdicated the lease, and left no forwarding information. The owner took the property back.

1. Tyluk Inc. dba Whiskey River, 490 28 ¼ Road, Grand Junction, CO 81501, Tavern

Registration of Manger:

Lloy Dean Miller, 601 Susan St., Clifton, CO 80631 replaces Louis (Rusty) H. Boyd, Jr.

V. APPLICATION FOR REGISTRATION OF MANAGER

1. Blazin Wings, Inc. dba Buffalo Wild Wings Grill & Bar, 2412 Highway 6&50, Grand Junction, CO 81505

Milton Michael Watson, 629 ½ Broken Spoke Road, Grand Junction, CO 81504 replaces Matthew K. Brokl

Mr. Milton Watson, General Manager, was present. Ms. Peterson said the paperwork was in order, the local background came back but the City is still waiting for the C.B.I./F.B.I. report. When the applicant applied with the new license, one of the owners was named as the General Manager until they could get someone local hired.

Hearing Officer Grattan approved the registration of the new manager contingent on a clear C.B.I./F.B.I. report.

VI. APPLICATION FOR SPECIAL EVENTS PERMIT

1. St. Nichols Greek Orthodox Church of Grand Junction, 3585 N. 12th Street, Grand Junction, CO 81501- "St. Nicholas Greek Festival-2012" on September 22, 2012 from 10:00 a.m. to 10:00 p.m., located at 3585 N. 12th Street, Malt, Vinous, and Spirituous

Officer Fred Fowler: 2485 Sage Run Court, Grand Junction, CO 81506
Event Manager: Georgann Joufflas, 743 Wedge Drive, Grand Junction, CO
81506

Mr. Fred Fowler, was present.

Ms. Peterson said the application was in order and met the requirements for the Special Event Permit.

City Attorney Shaver passed Mr. Fowler a packet of documents and asked Mr. Fowler if he was familiar with these in Exhibit 1 (see attached). Mr. Fowler said he has seen them but he did not complete them. City Attorney Shaver asked Mr. Fowler to describe the event. Mr. Fowler said they have had this event off and on for over 10 years but not consecutive years. Mr. Fowler said it is a great way to promote the church and to highlight the art work in the church facility. The public starts calling the church to see if they are going to have it each year around mid-summer. Mr. Fowler said they have an admission fee and if over 21 they provide a wristband. They have a retired judge who over sees this part of the event.

Hearing Officer Grattan approved the application for a Special Events Permit for St. Nicholas Greek Festival-2012 on September 22, 2012.

2. Grand Junction Air Show Inc. 819 Pitkin Avenue, Grand Junction, CO 81501 - "Grand Junction Air Show - 2012" – September 21, 2012 from 6:00 p.m. to 10:00 p.m., September 22 and 23, 2012 from 9:00 a.m. to 4:00 p.m., located at Grand Junction Regional Airport, 2828 Walker Field Drive, Malt, Vinous, and Spirituous

President, Michael P. Anton, 2111 Desert Hills Road, Grand Junction, CO
81504
Event Manager, Wayne Hammack, 6132 Robb St., Arvada, CO 80004

Mr. Mike Anton, President, was present.

City Attorney Shaver passed Mr. Anton a packet of information and asked him to take a look at Exhibit 1 (see attached). City Attorney Shaver asked Mr. Anton to describe the event and if he was familiar with the information completed on the questionnaire. Mr. Anton said he was and gave a brief description of the events of the air shows in the past and described how much goes into having this event. City Attorney Shaver asked Mr. Anton to look at Exhibit 2 (see attached) and ask him about where the alcohol would be located. Mr. Anton said in the blue cross hatched area and in a VIP section within that area.

Hearing Officer Grattan asked how they will be checking I.D.'s. Mr. Anton said that age will be verified and everyone will be identified by a wristband who are of age. Mr. Anton did say there has never been an incident in all the years having the air show.

Hearing Officer Grattan approved the application for the Special Events Permit for the Grand Junction Air Show 2012 on September 21, 22, and 23, 2012.

3. Loyal Order of Moose Grand Junction #270 dba Loyal Order of Moose Grand Junction Lodge 270, 567 25 ½ Road, Grand Junction, CO 81505 – "Comedy Club Night" on September 22, 2012 from 6:00 p.m. to 10:30 p.m., located at 567 25 ½ Road, Grand Junction, CO 81505, Malt, Vinous, and Spirituous

Event Manager: Dennis Tobin, 2676 H Road, Grand Junction, CO 81506

Mr. Dennis Tobin, Event Manager and Administrator, was present.

Mr. Tobin explained they were bringing in three comedians from Long Beach for this event; he described the permit area and noted that non members will only be allowed in this area.

City Attorney Shaver asked Mr. Tobin to look at Exhibit 1 (see attached) and if he knew who completed the questionnaire. Mr. Tobin said he did. City Attorney Shaver asked Mr. Tobin to describe the security that will be in place. Mr. Tobin said it will be provided by Moose Officers who all have been through the City's Seller Server Training.

Hearing Officer Grattan approved the application for the Special Events Permit for the Comedy Club Night on September 22, 2012.

4. Loyal Order of Moose Grand Junction #270 dba Loyal Order of Moose Grand Junction Lodge 270, 567 25 ½ Road, Grand Junction, CO 81505 – "3rd Annual Taste of Riverside" on October 6, 2012 from 10:00 a.m. to Midnight, located at 567 25 ½ Road, Grand Junction, CO 81505, Malt, Vinous, and Spirituous

Event Manager: Dennis Tobin, 2676 H Road, Grand Junction, CO 81506

Mr. Dennis Tobin, Event Manager and Administrator, was present for this item.

Mr. Tobin explained that they have contracted with Riverside School to use the Moose Lodge for their fundraiser for the 3rd Annual Taste of Riverside. He said the alcohol will be donated with a zero invoice.

After a brief discussion, Hearing Officer Grattan and City Attorney Shaver said they believed the applicant should be Riverside School, not the Moose. Hearing Officer Grattan set this over for two weeks and asked Mr. Tobin to have someone with Riverside School present. All agreed.

VII. REVIEW AND AUTHORIZE STIPULATION, AGREEMENT AND ORDER

1. El Tapatio, LLC dba El Tapatio, 1145 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

Pursuant to Colorado Revised Statutes §12-47-901(1)(a.5)(I), it is unlawful for any person, including a licensee, manager, or agent of any licensed establishment to sell, serve, exchange, or permit the sale and procurement of any alcohol beverage to or for any person under the age of twenty-one years.

Owner Mr. Francisco Espinoza-Blas and his wife Claudia were present along with Marisol Gutierrez as their interpreter.

Staff Attorney DeLayne Merritt was also present and said that since the violation the licensee has required all customers have their identification cards checked prior to service of alcohol, posts a calendar that is visible to both staff and the public regarding the legal age for service showing the dates in which parties must be born, and will have managers that strictly observe and monitor staff.

The licensee agrees to a seven day suspension of its license as penalty for the violation. Five days of the suspension shall be held in abeyance for a period of one year from the date of the approval of this agreement. The Licensee may pay a fine equivalent to 20% of the Licensee's estimated gross revenue from the sale of alcohol beverages during a period of two days, except that the fine shall not be less than \$200 or more than \$5,000. The fine shall be calculated on the average days' sales for the month of July, 2012 and based on the financial report provided by the licensee. The fine is determined to be \$200 which will be required to be paid on or before September 5, 2012.

Hearing Officer asked Mr. Espinoza-Blas if he agreed with the contents of the stipulation. Mr. Espinoza-Blas said he did. Hearing Officer Grattan made sure that he understood what he was saying through the interpreter. Hearing Officer Grattan signed the presented Stipulation, Agreement, and Order and asked the Clerk to submit it in accordance with the Certificate of Mailing.

2. Fins Grill LLC dba Fins Grill, 420 Main Street, Grand Junction, CO 81501, Beer and Wine – **This was continued due to no one being present until September 19, 2012.**

Pursuant to Colorado Revised Statutes §12-47-901(1)(a.5)(I), it is unlawful for any person, including a licensee, manager, or agent of any licensed establishment to sell, serve, exchange, or permit the sale and procurement of any alcohol beverage to or for any person under the age of twenty-one years.

3. Brightstar Golf Redlands Mesa, LLC dba Redlands Mesa Golf Course, 2325 West Ridges Blvd., Grand Junction, CO 81507

Pursuant to Colorado Revised Statutes §12-47-901(1)(a.5)(I), it is unlawful for any person, including a licensee, manager, or agent of any licensed establishment to sell, serve, exchange, or permit the sale and procurement of any alcohol beverage to or for any person under the age of twenty-one years.

Mr. Carson Rhyne, General Manager, was present.

Staff Attorney DeLayne Merritt was also present and said that Mr. Rhyne is a new General Manager for the licensee. The licensee has reviewed the policies regarding service of alcohol; currently 50% of the staff are certified alcohol servers; they have completed two weeks on the job training with new employees; and a core managing team and one manager is on duty at all times.

The licensee agrees to a seven day suspension of its license as penalty for the violation. Five days of the suspension shall be held in abeyance for a period of one year from the date of the approval of this agreement. The Licensee may pay a fine equivalent to 20% of the Licensee's estimated gross revenue from the sale of alcohol beverages during a period of two days, except that the fine shall not be less than \$200 or more than \$5,000. The fine shall be calculated on the average days' sales for the month of July, 2012 and based on the financial report provided by the licensee. The fine is determined to be \$214.44 which will be required to be paid on or before September 30, 2012.

Hearing Officer Grattan asked Mr. Rhyne if he agreed with the contents of the stipulation. Mr. Rhyne said he did. Hearing Officer Grattan signed the presented Stipulation, Agreement, and Order and asked the Clerk to submit it in accordance with the Certificate of Mailing.

4. Pete's House of Spirits, Inc. dba Pete's House of Spirits, 1560 North Avenue, Grand Junction, CO 81501, Retail Liquor Store

Pursuant to Colorado Revised Statutes §12-47-901(1)(a.5)(I), it is unlawful for any person, including a licensee, manager, or agent of any licensed establishment to sell, serve, exchange, or permit the sale and procurement of any alcohol beverage to or for any person under the age of twenty-one years.

Mr. Pete Martinez, Owner, was present.

Staff Attorney DeLayne Merritt was also present and said that Mr. Martinez was very cooperative regarding the conduct and policies of his establishment. The licensee has required all staff attend the City of Grand Junction alcohol server responsibility program within 60 days of hire; licensee utilizes two identification verification machines along with identification card reference books. The licensee has participated in "Cops in Shops" program with the State Enforcement Division. The licensee has also implemented a no tolerance policy regarding liquor violations and any violation by staff will result in immediate termination.

The licensee agrees to a seven day suspension of its license as penalty for the violation. Five days of the suspension shall be held in abeyance for a period of one year from the date of the approval of this agreement. The Licensee may pay a fine equivalent to 20% of the Licensee's estimated gross revenue from the sale of alcohol beverages during a period of two days, except that the fine shall not be less than \$200 or more than \$5,000. The fine shall be calculated on the average days' sales for the month of July, 2012 and based on the

financial report provided by the licensee. The fine is determined to be \$1,404.34 which will be required to be paid in three installments of \$468.12 each due on October 15, November 15, and December 15, 2012.

Hearing Officer Grattan asked Mr. Martinez if he agreed with the contents of the stipulation. Mr. Martinez said he did. Hearing Officer Grattan signed the presented Stipulation, Agreement, and Order and asked the Clerk to submit it in accordance with the Certificate of Mailing.

Mr. Martinez said he would encourage all other Retail Liquor Stores to participate in the "Cops in Shops" program.

VIII. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND REGISTRATION OF NEW MANAGER – This item was moved to the end of the Agenda per Hearing Officer Grattan

The applicant for the Transfer of Ownership approved on May 16, 2012 to Whiskey River Saloon LLC dba Whiskey River Saloon has vacated the premises at 490 28 ¼ Road, abdicated the lease, and left no forwarding information. The owner took the property back.

1. Tyluk Inc. dba Whiskey River, 490 28 ¼ Road, Grand Junction, CO 81501, Tavern

Registration of Manger:

Lloy Dean Miller, 601 Susan St., Clifton, CO 80631 replaces Louis (Rusty) H. Boyd, Jr.

Hearing Officer Grattan thanked Ms. Miller for staying until the end of the agenda to address this matter. City Attorney Shaver asked Ms. Peterson if the temporary permit was still in effect. Ms. Peterson said yes. City Attorney Shaver read "12-47-303 (6) A temporary permit may be canceled, revoked, or summarily suspended if the local or state licensing authority determines that there is probable cause to believe that the transferee has violated any provision of this article or article 46 of this title or has violated any rule or regulation adopted by the local or state licensing authority or has failed to truthfully disclose those matters required pursuant to the application forms required by the department of revenue".

Hearing Officer Grattan asked Ms. Miller how she became aware of this. Ms. Miller said that there is an ATM machine in the establishment and you must have a current phone line. After going to the premises they found out the phone had been disconnected and that the premises had been abandoned.

Ms. Miller said after numerous attempts by the owner of the building to contact the tenants and having no luck finding them, they contacted the City Clerk's office. Ms. Peterson reported after speaking with the State Liquor Enforcement Division that they have not even reviewed this transfer.

Hearing Officer Grattan said after finding of facts in the matter he concurred with City Attorney Shaver that this temporary permit can be revoked. Hearing Officer Grattan asked Ms. Miller if she believed that Whiskey River Saloon LLC will attempt any legal action. Ms. Miller said she did not believe so as they have not spoken of that. Hearing Officer Grattan revoked the temporary permit (T-07-12) issued to Whiskey River Saloon LLC dba Whiskey River Saloon located at 490 28 ¼ Road.

Next order of business will be to renew the current tavern liquor license for Tyluk Inc. dba Whiskey River, 490 28 ¼ Road, Grand Junction, CO 81501, Tavern

Ms. Peterson reported that the paperwork was in order and all the reports came back in compliance. Due to the situation Hearing Officer Grattan found the application for renewal for Tyluk Inc. dba Whiskey River in order and approved.

Hearing Officer Grattan then asked about the registration of new manager which Ms. Peterson said the local background is in order but the C.B.I./F.B.I. reports are still pending on Ms. Miller. Hearing Officer Grattan approved the registration of new manager contingent a clear report from C.B.I./F.B.I.

VIII. OTHER BUSINESS

There was none.

IX. ADJOURNMENT

The meeting adjourned at 3:08 p.m.

NEXT REGULAR MEETING – September 19, 2012

10

**SPECIAL EVENT PERMIT
QUESTIONNAIRE AND AFFIDAVIT**

1. Name of Event: St. Nicholas Greek Festival

2. How many attendees are expected at this event?
1500 - 2500

3. Describe the premises at which this event will take place.
Church parking lot, fenced, with one
exit/entrance id's will be checked

4. What type of security will be provided at this event?
CC's traffic control will provide
crossing, Security will be provided by trained
volunteers

5. How many security personnel will be on hand?
5- volunteers, with 1 traffic control-hired

6. How will security personnel be identified?
Uniform or t-shirt.

7. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?
Orange-fencing

8. What method will be used in checking identification for proper age of attendees (i.e., at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)
id's checked (id reference guide
available) Patrons will be given
colored wrist bands

9. How will the conduct and level of intoxication of attendees be monitored and by whom?

Volunteers serving and others throughout the festival will be trained on guidelines

10. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?

yes

11. What types of alternate beverages and food/snacks will be available?

water, coffee, soft drinks

12. Has a State and City Sales Tax Number been initiated by you or a member of your organization? If so, provide those numbers in the space provided.

yes - applied for

I hereby certify, under penalty of perjury, that the information provided to the Grand Junction Liquor Licensing Authority contained in this affidavit is true and accurate to the best of my knowledge.

[Signature]
Applicant's Signature

Date 7-9-12

STATE OF COLORADO)
COUNTY OF MESA) SS.
CITY OF GRAND JUNCTION)

Subscribed and sworn to before me this 9th day of July, 2012.

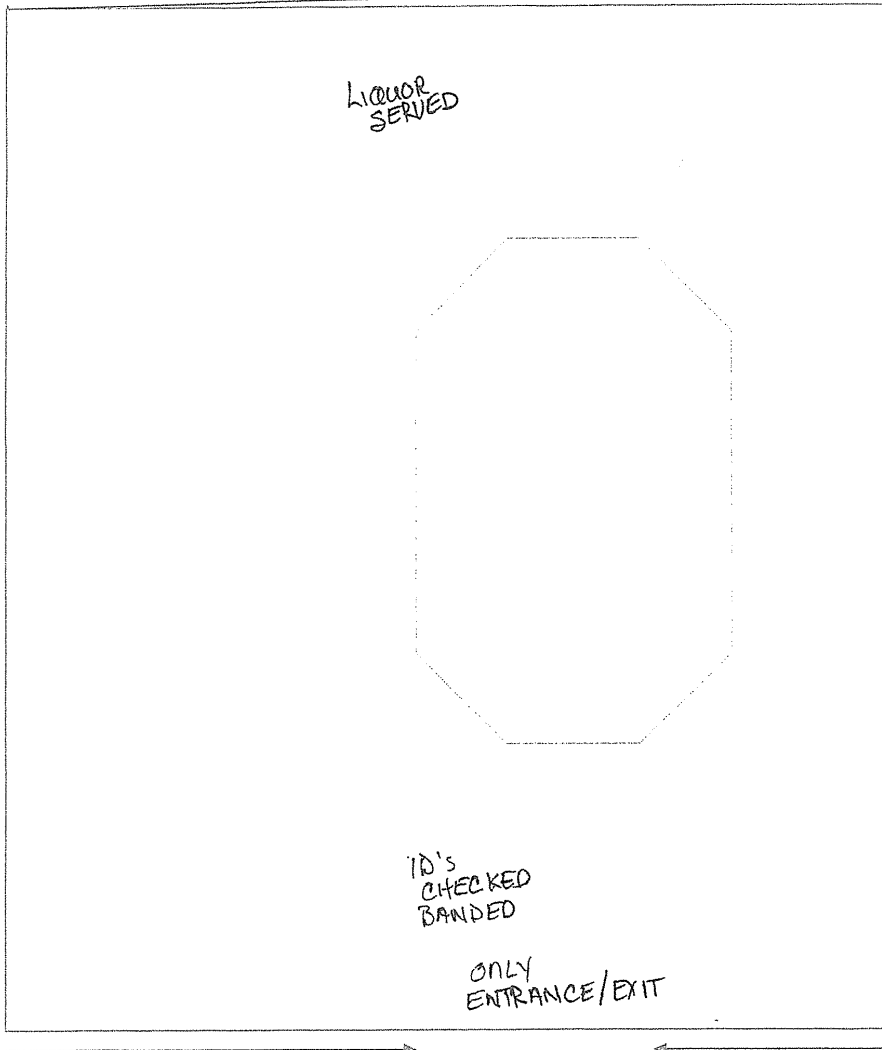
Witness my hand and official seal.

Stephanie Lun
Notary Public

My commission expires 1/3/2015

Submitted by:
St Nicholas Greek Orthodox Church
242-9590 Or
Georgann Jouflas 260-9500

PERIMETER
FENCED



1

SPECIAL EVENT PERMIT QUESTIONNAIRE AND AFFIDAVIT

1. Name of Event: WEST STAR AVIATION AIR SHOW! GRAND JUNCTION, CO
2. How many attendees are expected at this event?
APPROXIMATELY 40,000 OVER THREE DAYS
3. Describe the premises at which this event will take place.
AIRPORT RAMP AREA - GRAND JUNCTION REGIONAL AIRPORT
4. What type of security will be provided at this event?
BADGED LAW ENFORCEMENT AND PRIVATE SECURITY
5. How many security personnel will be on hand?
12
6. How will security personnel be identified?
UNIFORMED AND BADGED
7. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?
THE EVENT IS OUTDOORS AND THE BOUNDARIES WILL BE MARKED WITH FENCING
8. What method will be used in checking identification for proper age of attendees (i.e., at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)
A GOVERNMENT ISSUED ID WILL BE REQUIRED (PHOTO) - LEGAL AGE ATTENDEES WILL BE GIVEN WRIST BANDS EACH DAY

9. How will the conduct and level of intoxication of attendees be monitored and by whom?
 CONDUCT INCLUDING APPARENT INTOXICATION WILL BE MONITORED BY SERVERS
 AND SECURITY
10. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?
 ALL VOLUNTEERS SERVING ALCOHOL MUST COMPLETE A TRAINING PROGRAM
11. What types of alternate beverages and food/snacks will be available?
 WATER AND SOFT DRINKS ARE AVAILABLE AS WELL AS FOOD INCLUDING
 HAMBURGERS, BRATS, ETC
12. Has a State and City Sales Tax Number been initiated by you or a member of your organization? If so, provide those numbers in the space provided.
 74-2528367

I hereby certify, under penalty of perjury, that the information provided to the Grand Junction Liquor Licensing Authority contained in this affidavit is true and accurate to the best of my knowledge.

Applicant's Signature *Clay H. Tully, Treasurer* Date 7/24/12

STATE OF COLORADO)
 COUNTY OF MESA) SS.
 CITY OF GRAND JUNCTION)

Subscribed and sworn to before me this 24th day of July, 20 12.

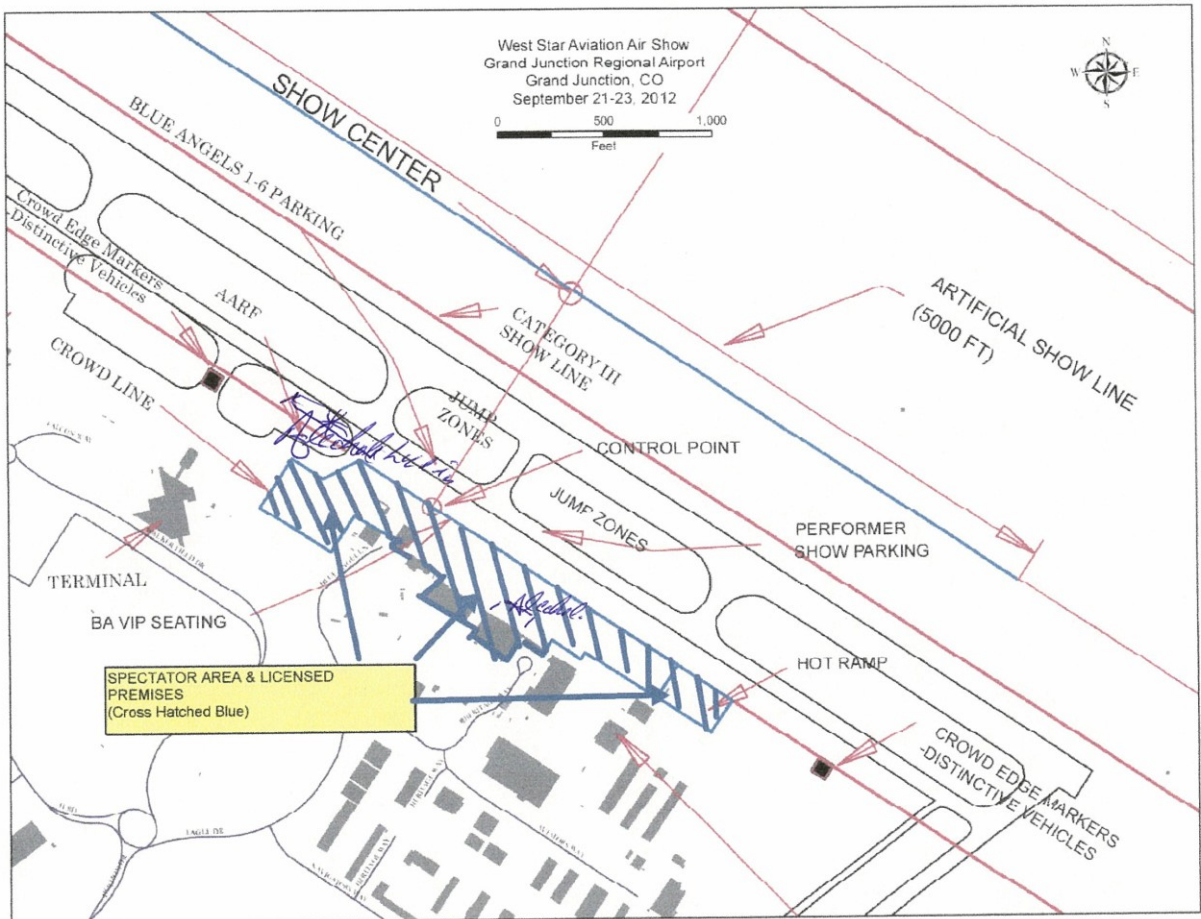
Witness my hand and official seal.
Wanda L. Schlervogt
 Notary Public

My commission expires 9/18/12



My Commission Expires
 09/18/2012

2



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**SPECIAL EVENT PERMIT
QUESTIONNAIRE AND AFFIDAVIT**

1. Name of Event: Comedy Club-Night

2. How many attendees are expected at this event?
450

3. Describe the premises at which this event will take place.
Moose Lodge 220

4. What type of security will be provided at this event?
state certified security guards
& moose lodge officers

5. How many security personnel will be on hand?
4

6. How will security personnel be identified?
Uniform or region Red Vests

7. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?
No

8. What method will be used in checking identification for proper age of attendees (i.e., at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)
hand stamps

9. How will the conduct and level of intoxication of attendees be monitored and by whom?

Tips Trained Bartenders

10. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?

Yes

11. What types of alternate beverages and food/snacks will be available?

Hamburgers / Sloppy Joes / Nachos / coffee & Tea

12. Has a State and City Sales Tax Number been initiated by you or a member of your organization? If so, provide those numbers in the space provided.

401369

I hereby certify, under penalty of perjury, that the information provided to the Grand Junction Liquor Licensing Authority contained in this affidavit is true and accurate to the best of my knowledge.

Dennis Tolo
Applicant's Signature

Date 8/7/12

STATE OF COLORADO)
COUNTY OF MESA) SS.
CITY OF GRAND JUNCTION)

Subscribed and sworn to before me this 7 day of August, 2012.

Witness my hand and official seal.

Joanna L. Adams
Notary

My commission expires 8.12.14

