

Item #2

***LIQUOR AND ENTERTAINMENT BOARD
DRAFT" MINUTES FOR THE FOLLOWING
DATES ARE INCLUDED IN THIS SECTION:***

October 18, 2007 - Regular Session

November 1, 2007 - Regular Session

CARSON CITY LIQUOR AND ENTERTAINMENT BOARD

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A meeting of the Carson City Liquor and Entertainment Board was held during the regularly scheduled Board of Supervisors session on Thursday, October 18, 2007, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, that began at 8:30 a.m.

PRESENT: Chairperson Marv Teixeira, Vice Chairperson Richard S. Staub, and Board Members Robin Williamson, Shelly Aldean, Pete Livermore, and Steve Schutte

STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Larry Werner	Development Services Director/City Engineer
	Walter Sullivan	Community Development Director
	Sue Johnson	Finance Director
	Kevin Haggarty	Information Services Director
	Roger Moellendorf	Parks and Recreation Director
	Melanie Bruketta	Chief Deputy District Attorney
	Jeff Sharp	Deputy City Engineer
	Ken Arnold	Public Works Operations Manager
	Cheryl Adams	Purchasing and Contracts Manager
	Jarrad Adams	Deputy Sheriff
	Katherine McLaughlin	Recording Secretary
	(BOS 10/18/07 Recording 8:48:44)	

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Agenda Report and/or supporting documentation. Staff members making the presentation are listed after the Department's heading. A recording of these proceedings is on file in the Clerk-Recorder's office. It is available for review and inspection during normal business hours.

Mayor Teixeira recessed the Board's of Supervisors session and immediately convened the Liquor and Entertainment Board. A quorum is present, including Member Schutte who represented the Sheriff's Office. For Minutes of the Board of Supervisors, see its folder for this date.

ACTION ON APPROVAL OF MINUTES - 9/6 AND 20/07 (8:49:03) - Member Aldean explained that pens had been distributed by Nevada Day Parade Committee President Reg Creasey. Member Aldean moved to approve the Minutes from the September 6th Meeting of the Carson City Liquor and Entertainment Board as presented together with the Minutes of the September 20th meeting of the Carson City Liquor and Entertainment as presented. Member Williamson seconded the motion. Motion carried 6-0.

DEVELOPMENT SERVICES - PLANNING - Director Walter Sullivan

A. ACTION TO APPROVE A PACKAGED BEER AND WINE LIQUOR LICENSE AND A DINING ROOM WITH BEER AND WINE LIQUOR LICENSE FROM GALENA FARMS, LLC, LIQUOR MANAGER: CHRISTINE MCDONALD, DOING BUSINESS AS BRUGOS TAKE AND

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BAKE PIZZA OF CARSON CITY, 3228 NORTH CARSON STREET, CARSON CITY, NEVADA (8:49:47) - Christine McDonald - Member Schutte indicated that the Sheriff's Office recommended approval of the licenses. Member Williamson welcomed her to Carson City. Ms. McDonald explained that the operation will be a take and bake pizzeria and the intent to have an upscale bistro. The location was explained. Chairperson Teixeira reminded her that the licenses are considered a privilege in Carson City and cautioned her against serving minors. Ms. McDonald responded by stating that "we agree completely". Member Williamson moved to approve a packaged beer and wine liquor license and a dining room with beer and wine liquor license from Galena Farms, LLC, Liquor Manager Christine McDonald, doing business as Brugos Take and Bake Pizza of Carson City, 3228 North Carson Street, Carson City, Nevada, including the Non-Refundable Investigation Fee of \$500, the Original New Application Fee of \$500, and the Liquor License per Quarter Fee of \$350. Member Aldean seconded the motion. Motion carried 6-0. Comments wished her success with the operation and indicated an intent to open within five weeks.

B. ACTION TO APPROVE A COMBO PACKAGE AND ON-PREMISE LIQUOR LICENSE FOR CHAD SCOTT MENA, OWNER/LIQUOR MANAGER, DOING BUSINESS AS BELLA FIORE WINES, 2310 SOUTH CARSON STREET, CARSON CITY, NV (8:53:14) - Chad Scott Mena, Randy Lee King - Member Schutte indicated that the Sheriff's Office recommended approval of the license. Discussion explained the location and the business plan. Chairperson Teixeira cautioned them against serving minors and urged them to take the privileged license seriously. Mr. Sullivan explained the Sheriff's training program and encouraged them and their employees to attend the classes. Chairperson Teixeira suggested that this information be included in the application packet. Member Schutte supported his suggestion. Discussion indicated that Mr. Sullivan and Development Services Director Werner were working on the application packet. Member Williamson moved to approve a Combo Package and On-Premise Liquor License for Chad Scott Mena, Owner/Liquor Manager, doing business as Bella Fiore Wines, 2310 South Carson Street, Carson City, Nevada, including the Non-Refundable Investigation Fee of \$575, the Original New Application Fee of \$500, and the Liquor License Per Quarter Fee of \$225, and wished them luck. Member Staub seconded the motion. Motion carried 6-0. Discussion noted that there is a downtown business group which has a wine walk on the first Saturdays of each month.

C. ACTION TO APPROVE A (PACKAGED) LIQUOR LICENSE AND A (PACKAGED) BEER AND WINE LIQUOR LICENSE FOR BERRY-HINCKLEY INDUSTRIES, LIQUOR MANAGER: JERRY EDWARD HERBST, DOING BUSINESS AS WINNERS CORNER LOCATED AT 1615 EAST 5TH STREET, CARSON CITY, NEVADA; 1400 RAND AVENUE, CARSON CITY, NEVADA; AND 1102 NORTH CARSON STREET, CARSON CITY, NV (8:40:14) - Pulled.

There being no other matters for consideration, Chairperson Teixeira adjourned the Liquor and Entertainment Board.

The Minutes of the October 18, 2007, Carson City Liquor and Entertainment Board meeting

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ARE SO APPROVED ON _____, 2007.

Marv Teixeira, Chairperson

ATTEST:

Alan Glover, Clerk-Recorder

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A meeting of the Carson City Liquor and Entertainment Board was held during the regularly scheduled Board of Supervisors session on Thursday, November 1, 2007, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, that began at 8:30 a.m.

PRESENT: Chairperson Marv Teixeira and Board Members Robin Williamson, Shelly Aldean, and Ken Furlong

STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Larry Werner	City Engineer/Development Services Director
	Walter Sullivan	Community Development Director
	Sue Johnson	Finance Director
	Kevin Haggarty	Information Technology Director
	Melanie Bruketta	Chief Deputy District Attorney
	Juan Guzman	Open Space Manager
	Cheryl Adams	Purchasing and Contracts Manager
	John Simms	Juvenile Services Program Coordinator
	Jarrad Adams	Deputy Sheriff
	Katherine McLaughlin	Recording Secretary

(BOS 11/1/07 Recording 8:39:40)

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Mayor Teixeira recessed the Board's of Supervisors session and immediately convened the Liquor and Entertainment Board. A quorum is present, including Member Furlong, although Members Livermore and Staub were absent. For Minutes of the Board of Supervisors, see its folder for this date.

ACTION ON APPROVAL OF MINUTES - 10/4/07 (8:39:50) - Member Aldean moved to approve the Minutes of the October 4, 2007, Carson City Board of Supervisors meeting as presented. Member Williamson seconded the motion. Motion carried 4-0.

3. **DEVELOPMENT SERVICES - PLANNING (8:40:20)** - Director Walter Sullivan

A. ACTION TO APPROVE A PACKAGED LIQUOR AND A PACKAGED BEER AND WINE LIQUOR LICENSE FOR CHHOUN RETH (RETH INVESTMENT, INC.), OWNER/LIQUOR MANAGER, DOING BUSINESS AS CR GAS CO, 4340 NORTH CARSON STREET, CARSON CITY, NEVADA (8:40:20) - Chhoun Reth was present. Member Furlong advised that the Sheriff's investigation had been completed. The Department had no objections to his having a license. Chairperson Teixeira noted the license was for packaged off-sale alcoholic beverages. He stressed the

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Board's seriousness about not selling alcoholic beverages to juveniles. He hoped that it did not occur at Mr. Chhoun's establishment. Mr. Chhoun concurred. He also indicated that he would be onsite full time. Member Williamson moved to approve a packaged liquor and a packaged beer and wine liquor license for Chhoun Reth, Reth Investment, Inc., owner/liquor manager, doing business as CR Gas Co., 4340 North Carson Street, Carson City, Nevada, including the nonrefundable investigation fee of \$500, the original new application fee of \$1,000, and the liquor license per quarter fee of \$200, and, as a condition of approval of the liquor license, all sellers or servers of liquor must attend the Sheriff's Office Servers Education Class within three months of the opening of the business. Member Aldean seconded the motion. Motion carried 4-0.

B. ACTION TO APPROVE A WHOLESALE LIQUOR LICENSE FOR BLANCA ELIZABETH GUTIERREZ, OWNER/LIQUOR MANAGER, DOING BUSINESS AS NOVEDADES GUTIERREZ, 1501 EAST 5TH STREET, CARSON CITY, NEVADA (8:42:40) - Blanca Elizabeth Gutierrez was present. Member Furlong advised that the Sheriff's Investigation had been completed. The Department had no objections to her having a license. Discussion explained that Ms. Gutierrez intends to sell packaged liquor for off-site use as a retailer. Mr. Sullivan indicated that he would change the license to indicate she is a retailer rather than a wholesaler. Chairperson Teixeira cautioned her against the sale of liquor to minors and stressed the Board's seriousness about such incidents. Ms. Gutierrez indicated that she understood. Discussion indicated that Ms. Gutierrez is obtaining the business from her father and had been working in the business. She hoped that the addition of liquor will provide a better business plan for the establishment. She agreed that neither she nor her employees can sell to minors. She also indicated that she had worked at a gas station previously and had some training regarding the sales. She plans to attend the Sheriff's Servers Training Classes. Member Aldean moved to approve a packaged liquor license for Blanca Elizabeth Gutierrez, owner and liquor manager, DBA Novedades Gutierrez, 1501 East Fifth Street, Carson City, Nevada, including the nonrefundable investigation fee of \$500, the original new application fee of \$1,000, and the liquor license per quarter fee of \$200, and, as a condition of approval of the liquor license, all sellers or servers of liquor must attend the Sheriff's Office Servers Education Class within three months of opening. Member Williamson seconded the motion. Motion carried 4-0.

C. DISCUSSION AND POSSIBLE ACTION ON 90 DAY REVIEW AS ORDERED BY THE LIQUOR BOARD ON JULY 19, 2007, OF THE LIQUOR LICENSE ISSUED TO BHUPINDER LALLY, DBA WINNIE LIQUOR (8:46:29) - Chairperson Teixeira explained the reasons the item was agendaized. Member Furlong indicated that there have been no issues since the last meeting on this license. Bhupinder Lally's Attorney Paul Crater advised that there had been two compliance checks conducted by the Sheriff's Office without any incidents. The sale of the firm has been delayed in escrow due to money issues. It is now scheduled to close next Wednesday. Discussion indicated that formal action was not required at this time. A status report was being provided to the Board. Member Williamson hoped that Mr. Lally will be able to move on upon escrow's closure. Development Services Director Larry Werner questioned the procedure if escrow does not close. He advised that staff had had discussions with the buyer, however, there is uncertainty regarding closure of the escrow. Chairperson Teixeira indicated that as long as the establishment is in compliance, it can continue to

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operate. The license has been suspended for 90 days. Due diligence has been provided. Mr. Carter concurred with his comments. He also believed that no further action is required. Discussion pointed out that the 90-day suspension occurred due to the pending sale of the establishment. Chairperson Teixeira felt that the Board had no other options regarding the sale. Member Aldean agreed that the Board could not force the sale if the establishment is complying with the liquor laws. Mr. Carter agreed. He also pointed out that Mr. Lally has no control over the buyer's financing. The buyer, Mr. Haskins, was not present. Chairperson Teixeira noted that escrow cannot close without the funds. Mr. Lally can keep the establishment or sell it. If Mr. Lally keeps the business, he hoped he would be successful and a recurrence of the incidents does not happen.

Sam Dehne opined that the Board must take action as it is already outside the 90-day suspension period. He recommended that the Board extend the suspension. Mr. Werner explained that the suspension will expire several days after the meeting. His reasons for bringing the matter to the Board were explained. Mr. Dehne then explained the reasons the Board had suspended the license for individuals watching the meeting on television. He also explained the availability of wine over the internet and questioned the reasons one needs to purchase wine/alcoholic beverages from a store. Chairperson Teixeira acknowledged his point regarding the availability of alcohol through the internet and urged Mr. Dehne not to give juveniles any ideas.

Mr. Lally thanked his customers for remaining loyal to him. He took responsibility for the incident and indicated that he is a full-time employee there now. He will not sell liquor to minors and urged them to forget about his store. Chairperson Teixeira thanked him for his comments. No formal action was taken. Chairperson Teixeira then adjourned the Liquor and Entertainment Board session.

The Minutes of the November 1, 2007, Carson City Liquor and Entertainment Board meeting

ARE SO APPROVED ON _____, 2008.

Marv Teixeira, Chairperson

ATTEST:

Alan Glover, Clerk-Recorder