

**Liquor Hearing Officer
Minutes of the October 25, 2022 Meeting
Carson City Community Development Conference Room A
108 East Proctor Street, Carson City, Nevada**

A Liquor Hearing Officer meeting was scheduled for 9:15 a.m. on Wednesday, October 25, 2022, in the Carson City Community Development Conference Room A, 108 East Proctor Street, Carson City, Nevada.

PRESENT

APPLICANT: Satish Kumar, Carson Petroleum Inc dba Eagle Gas and Food

STAFF: Hope Sullivan, Community Development Director – Liquor Hearing Officer
Heather Ferris, Planning Manager
Natalie Kiel, Business License Specialist
Danielle Howard, Public Meetings Clerk

NOTE: A recording of these proceedings and any written comments or documentation provided to the recording secretary during the meeting are public record. These materials are on file in the Clerk-Recorder's Office, and available for review during regular business hours. The hearing materials are on file in the Planning Division and are available for review during regular business hours.

1. CALL TO ORDER

Ms. Sullivan called the meeting to order at 9:15 a.m.

2. MODIFICATION TO THE AGENDA

Ms. Kiel noted that there were no modifications to the agenda.

3. PUBLIC COMMENT

None.

4. ACTION ITEMS

4.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A PACKAGED LIQUOR LICENSE (LIQUOR-007487-2022) WITH SATISH KUMAR AS THE LIQUOR MANAGER FOR CARSON PETROLEUM INC DBA EAGLE GAS AND FOOD LOCATED AT 1360 S CARSON STREET, CARSON CITY, NV 89701.

Ms. Sullivan introduced the item, and Ms. Kiel noted unpaid taxes from the Carson City Assessor's Office in the amount of \$41.86. Carson City Sheriff's Office Deputy Martha Tschetter indicated that there were no issues observed from the inspection of the business, which was conducted by the Sheriff's Office on October 20, 2022, that would warrant action to deny issuing a liquor license to the Applicant, Satish Kumar. Ms. Sullivan stated that she requested the presence of the Health Department during the meeting; however, no representative from the Health Department was in attendance at this time. Deputy Tschetter also informed Mr. Kumar about mandatory server training for individuals who were selling alcohol as well as the alcohol compliance checks

conducted by the Sheriff's Office, during which minors will enter a business to ensure that the business is not selling alcohol to minors. She recommended checking for identification of patrons and only selling to individuals that are legally old enough to consume alcohol. Additionally, she recommended keeping copies of the server training certificates at the establishment as proof that those selling alcohol completed the server training course.

Mr. Kumar confirmed that he read and agreed to the Conditions of Approval outlined in the Memorandum, which is incorporated into the record. Ms. Sullivan was concerned about Condition #7 of the Conditions of Approval, and Mr. Kumar indicated that he was assured by the Health Department that he could fulfill Condition #7 within a period of time. Ms. Sullivan was not comfortable issuing a liquor license to a business that has openings that would allow rodents to access the business. She also expressed concern about the unpaid taxes. Ed Kaufer introduced himself as the Agent for the Receiver and explained that the Receiver was appointed by the court at the request from the State to transfer responsibility from the previous owner of the business in question to the current owner. He stated that there were no taxes, liens, or encumbrances that he was aware of on the property, and taxes owed would be owed by the former owner instead of Mr. Kumar. Regardless of the responsible party, Ms. Sullivan explained that the liquor license was being considered for a piece of property where the taxes have not been paid in full, and Mr. Kaufer informed Ms. Sullivan that Mr. Kumar had a court order issued by Judge James T. Russell, which "sells this property free and clear of any liens or encumbrances to Mr. Kumar." In response to Ms. Sullivan's question, Mr. Kaufer stated that he was present at the property during the Health Department's inspection, and, because the Health Department had "signed off on the property," he had believed that the condition of the property was acceptable to the Health Department.

Ms. Sullivan recessed the meeting at 9:25 a.m. with the intention to locate a representative from the Health Department and reconvened the meeting at 9:45 a.m. Carson City Deputy Attorney General Katie Armstrong introduced herself, briefly provided some background regarding the property, and noted that Judge Russell approved the sale of two properties, one being the South Carson Street property purchased by Mr. Kumar, free of any encumbrances, liens, or taxes. She did not believe the unpaid tax amount applied to Mr. Kumar because of the court order, and the taxes were owed by the previous owner of the property.

Carson City Health and Human Services (CCHHS) Environmental Health Services Manager Maria Menjivar introduced herself and, upon confirmation from Mr. Kumar and Mr. Kaufer that the doors were sealed, stated that the requirement as indicated by Condition #7 had been satisfied. Mr. Kaufer added that a second Health Department inspection was performed, during which the property was approved, and he believed that the second inspection took place after the date of the first inspection noted in the CCHHS Memorandum and incorporated into the record. He confirmed that all the licenses on the property, other than the liquor license, were active. Ms. Sullivan modified Condition #7 to read:

"All gaps to the outside must be sealed to inhibit pest entry, and the Health Department must verify to the Business License Division by November 1."

Ms. Sullivan stated that the liquor license would not be effective until the Health Department has conducted the final inspection, and she requested a copy of Judge Russell's order from the Nevada Attorney General's Carson City office, as she wished to add the court order to the record for the liquor license application.

ACTION: Ms. Sullivan approved an application for a Packaged Liquor License with Satish Kumar as the Liquor Manager for Carson Petroleum Inc dba Eagle Gas and Food located at 1360 South Carson Street, Carson City, Nevada 89701 subject to the following Conditions of Approval as modified:

- **The Applicant must sign a sworn affidavit consistent with Carson City Municipal Code (CCMC) 4.13.060 regarding a server training course.**

- Alcohol sold must come from approved sources.
- The holder of the liquor license must maintain on the premises, evidence of employee server training certification for all employees that serve or sell alcohol.
- Facility is approved for packaged alcohol only.
- Adherence to FDA Food Code and Nevada Administrative Code (NAC) 446 for operational purposes.
- Remodeling and/or new construction must be reviewed by health authority to ensure compliance.
- All gaps to the outside must be sealed to inhibit pest entry, and the Health Department must verify to the Business License Division by November 1.
- The Applicant must obtain a pest control company for routine visits.
- Facility must be deep cleaned.

5. PUBLIC COMMENT

Ms. Sullivan entertained public comments; however, none were forthcoming.

6. ADJOURNMENT

Ms. Sullivan adjourned the meeting at 9:53 a.m.

The October 25, 2022 Liquor Hearing Officer meeting minutes are respectfully submitted on this 21st day of November 2022.

Aubrey Rowlatt, Clerk - Recorder

By: _____
Danielle Howard, Public Meetings Clerk