

Breckenridge Liquor and Marijuana Licensing Authority  
Regular Meeting  
Tuesday, July 16, 2019

- 1) Call to Order, Roll Call  
Chair Katz called the regular meeting of Tuesday, July 16, 2019, to order at 9:00 am. The following members answered roll call: Mr. Faust, Mr. Vatcher, Ms. Girvin, Mr. Blank, and Chair Katz.
- 2) Approval of Minutes  
With no changes or corrections to the meeting minutes of June 18, 2019 Chair Katz declared they would stand as approved.
- 3) Approval of Agenda  
Ms. Tara Olson stated there were no changes to the agenda. Chair Katz reversed the order of the Public Action Items, to hear the New Application first, as she will be recusing herself from the Show Cause Hearing due to a conflict of interest. Chair Katz declared the agenda would stand approved as amended.
- 4) Consent Calendar
  - a) Liquor Consent Calendar  

Chair Katz asked if there were any requests to call anything off the consent calendar. There were no requests.

With no objections, the consent calendar stood approved as presented.
  - b) Marijuana Consent Calendar  

Chair Katz asked if there were any requests to call anything off the consent calendar. There were no requests.

With no objections, the consent calendar stood approved as presented.
- 5) Public Hearing; Action Items
  - a) New License Application for GH Breckenridge F&B, LLC d/b/a Gravity Haus, as introduced by Chair Katz. Ms. Olson confirmed the application was received with all the proper documentation, the property was posted with the hearing date, and we received no comments or concerns from the community. Jim Deters spoke on behalf of Gravity Haus, along with Ben Foote, his manager, explaining their concept, a new fun, family, sports centric hotel. They will have a gym, restaurant, bar, coffee shop, serving breakfast, lunch & dinner. No opponents to the proposed are present. Mr. Deters explained the new layout of the building. Breakfast & lunch will be more casual, while dinner will be seated. Ms. Girvin asked what, specifically we are licensing. They explained it is the whole hotel – the bar, restaurant, room service throughout the hotel. Mr. Deters stressed that the hotel is also for the community, including the gym, a co-working space, an athletic training facility, as well as the food service.  

Mr. Faust moved to approve the new license, and approval was unanimous.
  - b) Show Cause Hearing for The Hungry Dog 2, LLC d/b/a H.D. Tavern, introduced by Dave Blank, acting chair, as Chair Katz recused herself due to a conflict of interest. Ms. Olson confirmed that notice went out in a timely manner and we received confirmation certificate of mailing. Bradley Somers is present and does not have an attorney present. The Town's prosecuting attorney, Robert Gregory, spoke of his goal to educate the licensee and prevent future infractions during a pretrial conference with the licensee, resulting in a mutually agreeable resolution and removing the need for a formal hearing. He reviewed the situations that prompted the show cause hearing, stemming from a failure to report, Jan 30, 2019, at Hungry Dog, in La Cima mall. An additional failure to report incident on March 17, 2019. Mr. Gregory is proposing a licensee suspension of 7 days, served consecutively, within 90 days, and a fine of \$1000, payable within 1 day, but is okay with 30 days, as requested by the licensee. All his employees must attend TIPS training within 90 days. Mr. Somers explained his version of the events to the Authority. He said he did not realize the seriousness of these incidences. He

agrees to the proposal Mr. Gregory offered him. Ms. Girvin asked him how he will train future employees, after the current five take the training, and asked him to make it a policy for all new employees, within 30 days of hire, or something like that. He said that sounds like a great idea. Mr. Vatcher has some concerns – for being in business for five years, he should understand the implications of this behavior, and closing for a few days during mud season does not seem like a strong enough penalty. Ms. Girvin commented that her concern is that he left when he found out police were arriving, instead of staying and dealing with the situation, and that being a red flag to his management style. Mr. Blank commented that he does believe that businesses that have had hearings before have not had issues again, that he knows about, so he believes the system is doing its job. Mr. Somers reiterated that when he left when the police were called, he was technically “off the clock”, so he was letting the people that were working, take care of it. Mr. Vatcher asked the PD if they were comfortable with it. Detective Johnson said she was. Assistant Chief Gress says ALL of their employees should be trained, as should bar owners, and the fact that none of them were/are TIPS trained is an issue, but he’s fine with it, as long as their behavior changes.

Ms. Girvin moved to accept the Stipulation Agreement recommended by Robert Gregory be accepted, with the change of the fine being due within 30 days, rather than 1 day. Unanimously approved by those members present, with Chair Katz having recused herself from this show cause hearing.

6) Informal Discussion

a) Police Department Update

Detective Johnson update included some concern about the Mine, regarding duty to report. She spoke with all of their staff last week, going over town code and strongly encouraging them all to attend TIPS training.

Ms. Girvin asked how much TIPS training costs a business. If the business is a member of the Breck Restaurant Association, it is free. If they are not a member, it is \$20/person, as she has to purchase books for them. TIPS training is not required, but strongly encouraged. Ms. Girvin asked if some states require it, and Detective Johnson said yes. Mr. Vatcher asked Mr. Berry if we could make it an ordinance to require businesses to be TIPS trained, and Mr. Berry said he would look into it. It would then be a part of Town Code, and would need to be passed by Town Council.

b) Town Clerk Update  
There was no update.

c) Public Comment  
There was no public comment.

d) Approved Special Events  
Ms. Girvin stated that she has issues with local non-profits being required to be the sponsor of these liquor related events. Mr. Faust responded it was a requirement of the state, and not our requirement.

7) Adjournment

With no further business to discuss, the meeting adjourned at 10:08 a.m.

The next regular meeting will be held on August 20, 2019. Submitted by Tara Olson, Deputy Town Clerk, Municipal Services.

ATTEST:

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Helen Cospolich, Town Clerk

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Jeri Beth Katz, Chair