

**Breckenridge Liquor Licensing Authority  
Regular Meeting  
Tuesday, March 16, 2010**

**CALL TO ORDER**

Chair Garrett called the regular meeting of Tuesday, March 16, 2010 to order at 9:01 a.m.

**ROLL CALL**

The following Liquor Licensing Authority members answered roll call: Mr. Blank, Ms. Katz, Mr. Montepare, Mr. Tatro and Chair Garrett.

**APPROVAL OF MINUTES**

With no changes or comments to the meeting minutes of the February 16, 2010 regular meeting and the March 1, 2010 special meeting, Chair Garrett declared they would stand approved as presented.

**APPROVAL OF AGENDA**

There were no changes to the agenda.

**CONSENT CALENDAR**

**RENEWALS**

1. Breckenridge Cheese and Chocolate LLC dba **Breckenridge Cheese and Chocolate**  
304A S. Main St.  
Beer & Wine License
2. Fatty's Pizzeria, Inc. dba **Fatty's**  
106 S. Ridge St.  
Hotel & Restaurant Liquor License
3. Fiesta Jalisco Numero Dos, LLC dba **Fiesta Jalisco**  
224 S. Main St  
Hotel & Restaurant Liquor License
4. Ten Mile Holdings, Ltd. dba **Fireside Lounge at River Mtn. Lodge**  
100 S. Park Ave.  
Tavern Liquor License
5. Jalapeno's Inc. dba **Jalapeno's Mexican Restaurant**  
100 S. Park Ave.  
Hotel & Restaurant Liquor License
6. Le Petit Paris LLC dba **Le Petit Paris**  
161 Adams Avenue  
Hotel & Restaurant Liquor License
7. Mauna Inc. dba **Relish**  
137 S. Main St.  
Hotel & Restaurant Liquor License
8. Steak & Rib, Inc. dba **Steak & Rib**  
208 N. Main St.  
Hotel & Restaurant Liquor License
9. Young - III LLC dba **Summit Wine & Liquors**  
110 S. Park Ave.  
Retail Liquor License

Chair Garrett asked if there were any questions or comments. There were none. He declared the consent calendar would stand approved as presented.

**HEARING FOR A NEW TAVERN LIQUOR LICENSE**

La Montana Linda Mexican Restaurant & Cantina LLC dba **La Montana Linda Mexican Restaurant & Cantina**  
110 S. Ridge St.  
Tavern Liquor License

Chair Garrett began by introducing this section of the meeting. He asked if the license application together with all supporting documents had been received by the Town Clerk? They had. He asked if the property had been posted and notice of this hearing published? Ms. Loufek responded they had. Chair

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Garrett asked if any communications in favor of, or in opposition to the application had been received? There were no communications received.

The following is an abbreviated summary of what transpired at the hearing. A verbatim digital recording was made of the entire hearing as required by the Rule 26.12 of the Rules of Procedure of the LLA.

Chair Garrett continued by asking the applicant to present any evidence in support of the application. Luke Salayandia, introduced himself. He stated the family had a restaurant in New Mexico which they sold but is still in operation. They also had a restaurant in Fort Lupton. The building was sold and they had to close. Mr. Blank asked what kind of food would be served? Luke responded they will be serving Northern New Mexican food, the hours of operation will be from 6:00 a.m. – 10:00 p.m. It has not determined, at this time, if the bar would stay open after the kitchen closes. The LLA asked that the employees be TIPS trained and that they work with Sgt. Hughes with the Safe Bar campaign. Mr. Salyandia presented the Authority with the petitions.

Chair Garrett asked if there was anyone present who would like to speak in opposition to the application. There was no one present.

Chair Garrett asked if the Authority had any further questions for the applicant. Chair Garrett declared the hearing on the application was considered closed.

Mr. Montepare moved to approve the application of La Montana Linda Mexican Restaurant & Cantina LLC d/b/a La Montana Linda Mexican Restaurant & Cantina for a new Tavern Liquor License for the premises to be located at 110 South Ridge Street, based on the applicant's showing of the reasonable requirements of the neighborhood and the desires of the citizens and subject to the applicant receiving a favorable background investigation. The motion passed with all members in favor of passage.

**OTHER MATTERS**

Red White and Blue Fire District – Jay Nelson was not present

**EXECUTIVE SESSION**

At 9:17 a.m. Mr. Montepare, moved to go into executive session pursuant to Paragraph 4(b) of Section 24-6-402, C.R.S., relating to conferences with the Town Attorney for purposes of receiving legal advice on specific legal questions; and Paragraph 4(d) of Section 24-6-402, C.R.S., relating to investigations.” Mr. Blank made the second.

Chair Garrett stated a motion has been made for the Liquor Licensing Authority to go into executive session pursuant to Paragraph 4(b) of Section 24-6-402, C.R.S., relating to conferences with the Town Attorney for purposes of receiving legal advice on specific legal questions; and Paragraph 4(d) of Section 24-6-402, C.R.S., relating to investigations.”

A roll call vote was taken with all members of the Authority in favor of the motion.

At 9:40 a.m., Ms. Katz moved to convene in the regular meeting. Mr. Blank made the second. All members were in favor of the motion.

**OTHER MATTERS**

Ms. Katz moved to amend the day's agenda to include a resolution finding probable cause to believe that Cox Enterprises Inc. c/b/a Cecilia's has violated a law, rule or regulation with respect to the operation of its license premises; setting a hearing with respect thereto; and directing the issuance and service of a notice of hearing and order to show cause as to why the tavern liquor license of such licensee should not be suspended or revoked. Mr. Montepare made the second. All members were in favor of the motion. Discussion continued in reference to scheduling a show cause hearing. It was determined that the LLA will aim for the May 18 meeting at 9:00 a.m. All members were in favor of the motion. For the Authority's next meeting, Mr. Berry will draft a memo in reference to this matter.

Police Department Update – Sgt. George Hughes had nothing further to report.

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Town Clerk Update – Ms. Loufek had no report.

**ADJOURNMENT**

With no further business to discuss, Chair Garrett adjourned the regular meeting at 9:50 a.m. The next regular meeting will be held on Tuesday, April 20, 2010.

ATTEST:

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Mary Jean Loufek, CMC, Town Clerk

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Dave Garrett, Chair