

**Breckenridge Liquor Licensing Authority
Regular Meeting
Tuesday, August 16, 2011**

CALL TO ORDER

Chair Garrett called the regular meeting of Tuesday, August 16, 2011 to order at 9:02 a.m.

ROLL CALL

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

APPROVAL OF MINUTES

With no comments or corrections to the meeting minutes of July 19, 2011, Chair Garrett declared they would stand approved as presented.

APPROVAL OF AGENDA

Mr. Berry, Town Attorney, requested an executive session before the Authority considers the item under Public Hearing; Action Items. He suggested the Authority go through all items on the agenda, go into Executive Session, and then come back into the scheduled meeting, conduct the Show Cause Hearing and/or any other subsequent business.

CONSENT CALENDAR

RENEWALS

1. B&R Inc. d/b/a **Burke & Riley's Pub**
520 S. Main St.
Hotel & Restaurant Liquor License
2. Keystone Food & Beverage Co. d/b/a **Great Divide Lodge**
550 Village Road
Hotel & Restaurant Liquor License
3. Keystone Food & Beverage Co. d/b/a **Mountain Thunder Lodge**
50 Mountain Thunder Drive
Hotel & Restaurant Liquor License
4. Nappers Inc. d/b/a **Salt Creek Steakhouse/Napper Tandy's at the Salt Creek Steakhouse**
110 E. Lincoln Ave
Tavern Liquor License
5. Swiss Haven LLC d/b/a **Swiss Haven & Mugs**
325 S. Main St.
Hotel & Restaurant Liquor License

RENEWAL OF AN ART GALLERY PERMIT

6. Art on a Whim LLC d/b/a **Art on a Whim**
100 N. Main St. #8
Art Gallery Permit
 - September 3, December 3, December 10, December 25, December 31, 2011;
January 14, January 28, February 11, March 10, March 24, April 14, July 7, July 14, August 11,
August 18, 2012,

MODIFICATION OF PREMISES

7. Harvest Catering LLC d/b/a **Harvest Catering at the Riverwalk Center**
150 W. Adams Ave
Hotel & Restaurant Liquor License
 - Add lawn area to licensed premises for the annual Duck Race Saturday, September 3, 2011
(delete the modified area on September 4)

OTHER MATTERS

Red White and Blue Fire District – Jackie Pike was present. She had nothing to report.

Police Department Update – Chief Holman did not have anything to report. He introduced Sergeant, Bryan Ridge who will be the LLA representative.

Town Clerk Update – Ms. Loufek had one item to bring to the Authority's attention. At the last meeting, a resolution was presented to the Authority to allow local approval of special events. The resolution was approved. At the meeting today she wondered if the Authority would consider adding an expedited or late fee for the town's processing of special event applications submitted less than 25 days before an event. She was

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contemplating a 5 day grace period. The late fee would be imposed on applications submitted 15-24 days before an event. Less than 15 days the town is not be able to process special event permits due to time constraints. She is proposing a \$100 late fee. All Authority members present were in favor of the proposal. At the September 20 meeting Mr. Berry will present a resolution for the Authority's consideration.

Public Comments - There was no public comment.

NEW BUSINESS

There was no new business.

PUBLIC HEARING; ACTION ITEMS

A Resolution Finding Probable Cause To Believe That Breck One, LLC Has Violated A Law, Rule Or Regulation With Respect To The Operation Of Its Licensed 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 Hotel And Restaurant Liquor License Of Such Licensee Should Not Be Suspended Or Revoked

This item was postponed until after an executive session.

EXECUTIVE SESSION

At 9:11 a.m. Ms. Katz moved that the Liquor Licensing Authority go into executive session pursuant to Paragraph 4(d) of Section 24-6-402, C.R.S., relating to details of investigations, and 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 relating to such investigations.

Chair Garrett stated a motion has been made for the Liquor Licensing Authority to go into an executive session pursuant to Paragraph 4(d) of Section 24-6-402, C.R.S., relating to details of investigations, and 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 relating to such investigations.

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

At 9:28 a.m. Mr. Blank moved for the Authority go out of executive session and reconvene in the regular meeting. A roll call vote was taken. All members were in favor of the motion.

REGULAR SCHEDULED MEETING

Ms. Katz moved to postpone indefinitely A Resolution Finding Probable Cause To Believe That Breck One, LLC Has Violated A Law, Rule Or Regulation With Respect To The Operation Of Its Licensed 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 Hotel And Restaurant Liquor License Of Such Licensee Should Not Be Suspended Or Revoked.

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

Shervin Rashidi, LLC member of Breck One LLC, was present. Chair Garrett asked if Mr. Rashidi had any questions. Mr. Rashidi was not 100% sure where the matter concerning Breck One LLC stood at this time. Chair Garrett explained the Authority would not like to take further action at this time. The Authority would like to send a message that service after hours will be considered seriously if it happens again. Mr. Rashidi explained Breck One LLC understands the seriousness of the offense and takes this very seriously.

With no further business to discuss, Chair Garrett moved to adjourn the regular meeting at 9:32 a.m. The next regular meeting will be held on Tuesday, September 20, 2011. Submitted by Wanda Creen, Deputy Town Clerk.

ATTEST:

Mary Jean Loufek, CMC, Town Clerk

Dave Garrett, Chair