



Liquor License Authority Regular Meeting

June 11, 2024 - 2:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

MINUTES

A. CALL TO ORDER

Hearing Officer Ablao called the meeting to order at 1:57 p.m.

B. CONSENT CALENDAR

1. Approval of the May 9, 2024, Liquor License Authority Regular Hearing Minutes - K. Cinnamon, Deputy Town Clerk

The Authority has reviewed the minutes and approves them as written.

C. ACTION ITEMS

1. **NEW - Beer & Wine License (City)**
Sip n' Flip Arcade & Soda Bar LLC
DBA Sip n' Flip Arcade & Soda Bar
516 Main Street, Windsor, CO 80550

Hearing Officer Ablao opened the public hearing for a Beer & Wine License for Sip n' Flip Arcade & Soda Bar. Officer Ablao swore in owners Michael and Andrea Botkin, plus Patrick Maroney with Alcohol Petitioning Services.

Mr. Botkin presented to the Liquor License Authority.

Mr. Maroney presented the needs and desires findings to the Authority.

Town Prosecutor, Amy Penfold, stated that the town has no concerns.

Hearing Officer Ablao opened the meeting for public comment, to which there was none.

The Authority finds that the evidence presented, and the documents submitted with the application support the approval of this Beer and Wine license and therefore conditionally approves the granting of the license with the following conditions:

- Issuance of the Certificate of Occupancy by the Town Building Department
- Satisfactory inspection of the finished premises by the Windsor Police Department
- Satisfactory results of any background checks
- A new diagram showing entrances and exits, placement of cameras, and a photo of the gates and outdoor fence.
- Compliance with the Liquor Code, rules, regulations, and municipal ordinances

Pursuant to state law, the license will not actually issue until such time as the building has been inspected by the Windsor Police Department to determine compliance with the diagram submitted with the application.

2. **TRANSFER - Hotel & Restaurant License (City)**

MNE Foods LLC

DBA The Border 2

404 Main Street, Windsor, CO 80550

Hearing Officer Ablao opened the public hearing for a Hotel and Restaurant License Transfer for The Border 2 and swore in owners, Erick, and Mario Dominguez.

Erick and Mario Dominguez presented to the Liquor License Authority.

Erick stated that there would be no changes to the concept. Judge Ablao stated that if there were to be any changes from the diagram submitted, a Modification of Premises application would need to be submitted.

Town Prosecutor, Amy Penfold, asked for clarification on the submitted diagram as to where the entrances and exits are in the restaurant, to which Erick answered. Prosecutor Penfold stated that the town has no other concerns.

Hearing Officer Ablao opened the meeting for public comment, to which there was none.

The Authority finds that the evidence presented, and the documents submitted with the application support the approval of this Hotel and Restaurant License Transfer and the applicant, at this time, is qualified to conduct the type of business proposed. The Authority therefore conditionally approves the granting of the license upon satisfactory inspection of the premises by the Town, satisfactory results of any background checks, compliance with the liquor code, rules, regulations and municipal ordinances, and a new diagram with dimensions be submitted.

3. **NEW - Special Event Permit**

Windsor Gives

500 Main Street, Windsor, CO 80550

Event Date: June 15, 2024

Hearing Officer Ablao opened the public meeting for the New Special Event Permit for Windsor Gives and swore in Mandy Mullen, President, and Michelle Vance, Windsor Downtown Alliance Executive Director.

Mandy Mullen and Michelle Vance presented to the Liquor License Authority.

Town Prosecutor, Amy Penfold, stated that the town has no concerns.

Hearing Officer Ablao opened the meeting for public comment, to which there was none.

A rain date was not requested for this Special Event.

The Authority finds that the evidence presented, and the documents submitted with the application support the approval of this Special Event Permit and therefore conditionally approves the granting of the license upon amendment of the application, contracts from both vendors hired for security, and the issued Weld County Temporary Food Permit.

4. **SHOW CAUSE - Hotel & Restaurant/ Optional Premise License (City)**

Pelican Lakes LLC

DBA Pelican Lakes Golf & Country Club

1600 Pelican Lakes Point, Windsor, CO 80550

Hearing Officer Ablao opened the Show Cause item for a Hotel and Restaurant/ Optional Premise License for Pelican Lakes Golf and Country Club.

Officer Ablao asked prosecutor, Amy Penfold, if there would be a Show Cause Hearing, to which Prosecutor Penfold stated no. Officer Ablao asked for the status of the matter, to which Prosecutor Penfold stated that the seventy-two-hour deadline for a written stipulation was not met. Prosecutor Penfold stated that to her knowledge Pelican Lakes has come into compliance with what was outlined in the Motion to Show Cause.

Bradley Nelson, Food and Beverage Director, and Chris Carr, Attorney for Water Valley, presented to the Liquor License Authority.

Officer Ablao asked Prosecutor Penfold if there were any concerns from the town regarding the Modification of Premises application that was submitted, to which she stated that the town has no concerns.

Officer Ablao called a five-minute recess at 2:45 p.m.

The recess ended at 2:55 p.m. and Officer Ablao called the meeting back to order.

The Authority finds that the evidence presented, and the documents submitted support the approval of the Modification of Premises and therefore approves the granting of the permit.

See attached Reprimand/Warning for Stipulated Violation Order.

D. COMMUNICATIONS

Deputy Town Clerk, Kaitlyn Cinnamon, gave a reminder that the July Liquor License Authority Hearing will be on Tuesday, July 9, 2024, at 2:00 p.m.

E. ADJOURN

Having no further business, the hearing was adjourned at 3:02 p.m.

A handwritten signature in black ink, appearing to read "Kaitlyn Cinnamon", with a stylized flourish at the end.

Kaitlyn Cinnamon, Deputy Town Clerk

TOWN OF WINDSOR LIQUOR LICENSING AUTHORITY
WINDSOR, COLORADO

ORDER re: REPRIMAND/WARNING FOR STIPULATED VIOLATION

IN THE MATTER OF:

PELICAN LAKES, LLC
d/b/a PELICAN LAKES GOLF & COUNTRY CLUB

This matter came before the Authority June 11, 2024 for a Show Cause Hearing regarding alleged violations of the Liquor Code for failing to conspicuously post license on premises and modifying premises without filing an application therefor. The Licensee appeared through manager Bradley Nelson and attorney Christopher Carr. The Town was represented by prosecutor Amy Penfold. Having reviewed the file, heard the oral stipulation of the parties, and statements of the parties at the hearing, the Authority makes the following FINDINGS AND ORDERS:

FACTUAL FINDINGS

1. The Licensee made substantial changes to the premises, but did not file a modification of premises application. Upon receiving the Notice and Order to show cause, the Licensee filed a modification of premises application and submitted much clearer diagrams of the premises, showing the premises both before and after the modification. The Licensee concedes that the license was not posted when the liquor enforcement officer inspected the premises.
2. Notice of the show cause hearing was properly provided to the Licensee. At the hearing, the Licensee presented statements of explanation and in mitigation. The Licensee has not had a violation of this sort in the past.
3. The Licensee, through Mr. Bradley and with advice of counsel, knowingly, voluntarily, and intelligently admitted the violation of failing to have the license conspicuously posted on the premises and the Town withdrew the allegation of failing to timely file a modification of premises.

APPLICABLE LAW AND REGULATIONS

CRS 44-3-301 and Regulation 302(a)(3) requires a licensee to apply for permission to substantially modify a licensed premises prior to commencing modification. CRS 44-3-301(4)(a) requires a Licensee to conspicuously post its license on the premises.

CONCLUSIONS AND ORDER

1. The Parties have stipulated that upon the Licensees admission to violating CRS 44-3-301(4)(a) for failing to conspicuously post its license on the premises at the time of the Town's inspection of the premises.
2. The parties have stipulated that the Licensee is to receive a written reprimand/warning for the violation admitted. The Authority finds that a written reprimand/warning is appropriate as the Licensee has had no violations in the past.
3. The Authority's Secretary shall forward a copy of this order to the State Liquor Enforcement Division and to both parties.

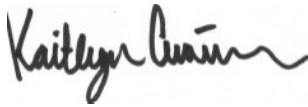
Done and ordered this 12th day of June 2024.



Teresa Ablao, Local Licensing Authority

Certificate of Mailing

I, hereby certify that I sent a copy of the forgoing to the Licensee via email, to the Town via email and the State Liquor Enforcement Divion via their online portal this 13th day of June 2024.



Kaitlyn Cinnamon, Windsor LLA Secretary