

CARSON CITY LIQUOR AND ENTERTAINMENT BOARD

Minutes of the May 3, 2007, Meeting

Page 1

A meeting of the Carson City Liquor and Entertainment Board was held during the regularly scheduled Board of Supervisors session on Thursday, May 3, 2007, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, that began at 8:30 a.m.

PRESENT: Chairperson Marv Teixeira, Vice Chairperson Richard S. Staub, and Board Members Robin Williamson, Shelly Aldean, Pete Livermore, and Ken Furlong

STAFF PRESENT: Linda Ritter City Manager
Alan Glover Clerk-Recorder
Al Kramer Treasurer
Larry Werner Development Services Director/City Engineer
Sue Johnson Finance Director
Daren Winkelman Health Director
Ann Silver Human Resource Director
Roger Moellendorf Parks and Recreation Director
Melanie Bruketta Chief Deputy District Attorney
Ken Arnold Public Works Operations Manager
Cheryl Adams Purchasing and Contracts Manager
Nick Providenti Senior Accounting Manager
Steve Schutte Chief Deputy Sheriff
Katherine McLaughlin Recording Secretary
(BOS 5/3/07 Recording 8:58:30)

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Agenda Report and/or supporting documentation. Staff members making the presentation are listed after the Department's heading. A recording of these proceedings is on file in the Clerk-Recorder's office. It is available for review and inspection during normal business hours.

Mayor Teixeira recessed the Board's of Supervisors session and immediately convened the Liquor and Entertainment Board. A quorum was present, including Member Furlong. For Minutes of the Board of Supervisors, see its folder for this date.

ACTION ON APPROVAL OF MINUTES - 3/15/07 AND 4/5/07 (8:38:40) - Member Aldean corrected the spelling of Carmen Gonzalez' name at the bottom of Page 1 in the April 5 Minutes. Member Aldean moved to approve the Minutes from the Carson City Liquor and Entertainment Board dated March 15, 2007, and the Minutes from the meeting of April 5, 2007, as amended. Member Williamson seconded the motion. Motion carried 6-0.

3. TREASURER - Al Kramer - ACTION TO APPROVE A REQUEST BY THE TREASURER TO HAVE AN INVESTIGATION CONDUCTED OF THE LIQUOR LICENSE HELD BY BHUPINDER S. LALLY, DOING BUSINESS AS WINNIE LIQUOR, TO DETERMINE WHETHER GROUNDS EXIST FOR REVOCATION OF THE LIQUOR LICENSE (8:39:30) -

CARSON CITY LIQUOR AND ENTERTAINMENT BOARD

Minutes of the May 3, 2007, Meeting

Page 2

Bhupinder Lally, Sam Dehne - Member Furlong described the two incidents during which the same Clerk sold alcoholic beverages to minors. The last incident resulted in the arrest of the clerk. The motion will allow the Sheriff's Office to pursue an investigation into the incidents. Mr. Lally explained that he had been out of town for an extended period due to the death of his grandfather. He was unaware of the incidents until Mr. Kramer called him last week. He "removed" the clerk involved in the incidents and is now on site 16 hours a day. He had put all of his funds into the business and felt that he should not suffer because of the clerk's mistake. He understood that the liquor license is a privileged license. He would not want his 13-year-old son to be able to acquire alcoholic beverages. He is now attempting to resolve the damage the clerk has done. Discussion between Mr. Lally and the Board indicated that none of his clerks have attended the Sheriff's identification training program. Mr. Lally also indicated that he had not been notified about the classes nor had he received any notification regarding the first citation. He advised that he is the manager. Members Aldean and Furlong supported conducting an investigation as it would provide a better understanding of the incidents and emphasize the importance of avoiding similar incidents in the future. Discussion also indicated that stings may have been conducted at the establishment, however, they were not included in the Board's packet. Member Livermore supported conducting the investigation as it may indicate whether the employee had exceeded his/her authority. Mr. Lally indicated that he had passed two or three compliance checks previously. One of his employees had been given two tickets in two weeks. Chairperson Teixeira stressed the point that having the license is considered a privilege in Carson City. The Sheriff's Office monitors the licensees to make sure that the holder is performing his/her due diligence. He could not comment on Mr. Lally's awareness of the incidents, however, Mr. Lally is responsible for what happens in his business. His training had failed. There could be extenuating circumstances which Chairperson Teixeira is not aware of at this time. The Board's responsibility to the community is to do the best it can to emphasize the need to adhere to the Code and Statutes regarding the license and to work with the Sheriff and his personnel who are on the street. Mr. Lally requested that the Board check into his past operation of the business. Chairperson Teixeira indicated that this is part of the Sheriff's responsibility. There will be findings made to which Mr. Lally will be allowed to respond. He thanked Mr. Lally for his comments. Comments were solicited.

Mr. Dehne indicated that he did not know Mr. Lally. He questioned the precedence for the action and whether the investigation is automatic. He felt that Mr. Lally had "covered his bases" if his comments are true. Mr. Lally should not be held responsible for the acts of his employee(s) beyond the fines. He questioned the cost of the investigation. He felt that one should be conducted and the fines could be "good for Mr. Lally in the long run". Additional comments were solicited but none were given.

Member Staub moved to approve a request to have an investigation conducted of the liquor license held by Bhupinder S. Lally, dba Winnie Liquor, to determine whether grounds exist for revocation of the liquor license. Member Livermore seconded the motion. Motion carried 6-0.

There being no other matters for consideration, Chairperson Teixeira adjourned the Liquor and Entertainment Board meeting.

The Minutes of the May 3, 2007, Carson City Liquor and Entertainment Board meeting

CARSON CITY LIQUOR AND ENTERTAINMENT BOARD
Minutes of the May 3, 2007, Meeting
Page 3

ARE SO APPROVED ON June 7, 2007.

/s/
Marv Teixeira, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder