MINUTES OF THE MEETING OF THE UTAH

ALCOHOLIC BEVERAGE CONTROL COMMISSION,

COMPLIANCE, LICENSING AND ENFORCEMENT

SUBCOMMITTEE HELD TUESDAY, SEPTEMBER 29, 2015,

AT 1625 SOUTH 900 WEST, SALT LAKE CITY, UTAH.

*[Copies of the proposed agenda for this meeting were emailed to all persons on the regular email list (a copy of which is located in the front of the minute book) and to all of the individuals and groups on the agenda (applicants, those with violations, etc.) on Wednesday, September 23, 2015. A copy of the final agenda was posted on the bulletin board at the DABC Administrative Office, emailed to the Salt Lake Tribune and the Deseret News, and posted on the Utah Public Notice Website by 9:00 a.m. on Monday, September 28, 2015.]*

Kathleen McConkie Collinwood, Subcommittee Chair, called the meeting to order at 9:00 a.m.

Commissioners Present: John T. Nielsen, Kathleen McConkie Collinwood, and Amanda Smith.

Staff Present: Nina McDermott, Compliance, Licensing and Enforcement Director.

Also Present: Sheila Page, Asst. Attorney General.

APPROVAL OF MINUTES:

Ms. Smith moved to approve the minutes of the Compliance, Licensing and Enforcement Subcommittee meeting held August 25, 2015. Mr. Nielsen seconded the motion which passed unanimously.

VIOLATIONS:

\* Referral Source – State Bureau of Investigation (SBI)

a. Consent Calendar:

*[The following Consent Calendar items include uncontested letters of admonishment (written warnings) and settlement agreements that have been agreed to and accepted by the licensees. They are considered as a block with one vote unless one of the commissioners request that any item be removed for individual discussion. A summary of consent calendar items was distributed to the commissioners and is attached and made part of these minutes.]*

(1) The Quarry, Vernal, and Margo Murray \*SBI (RE)

(employee).

(2) Gloria’s Little Italy, Provo, and Clark \*SBI (RL)

Holmes (employee).

(3) Los Hermanos, Provo, and Matthew \*SBI (RB)

Palmer (employee).

(4) Café Sabor, Garden City, and Armando \*SBI (RE)

Rebollar (employee).

(5) Copper Canyon Grill House, Salt Lake, \*SBI (RE)

and Edgar Solis (employee).

(6) Eagles 3582, West Valley, and Ginger \*SBI (CL)

Harding (employee).

(7) La Frontera, Tooele, and Carla Sprouse \*SBI (RE)

(employee).

(8) Oquirrh Hills Golf Course, Tooele, and \*SBI (BE)

Dee Ortega (employee).

(9) Pizza Rev (Valley Fair), West Valley, and \*SBI (RL)

Alex Colong and “Ciro” (employees).

Sheila Page asked the subcommittee to approve the consent calendar with the condition that #7 La Frontera be given until 5:00 p.m. today to submit all their documents.

Mr. Nielsen moved to recommend that the full commission approve the consent calendar with the provision that #7 La Frontera has until 5:00 p.m. today to submit the appropriate documents. Ms. Smith seconded the motion which passed unanimously.

b. Orders to Show Cause:

(1) Buca Di Beppo, St George. (RE)

Rob Hansen explained that Buca Di Beppo has a manager with a disqualifying offense.

Kelly Colton, Charles Stewart, Jeremy Colton and Jon Butler came forward to address the subcommittee on behalf of Buca Di Beppo. Mr. Stewart explained that he represented Ms. Colton during the criminal proceedings. He gave an overview of the charges, her substance abuse treatment program and their efforts to get her record expunged.

Mr. Nielsen explained that the commission may take action on the license, not the employee.

Mr. Nielsen moved to recommend that the full commission take no action against the licensee, Buca Di Beppo in St. George. Ms. Smith seconded the motion which passed unanimously.

(2) ~~Happy Sumo @ Riverwoods, Provo~~. *STRIKE*

COMPLIANCE UPDATE:

Ms. McDermott reported that Stephne Hanson and Abe Kader gave an alcohol licensing presentation to the members of the Utah Business Licensing Association. One of the topics discussed was local consent for single event permits.

REQUEST FOR EXTENDED CLOSURE:

a. Tokyo Sushi & Grill, Salt Lake City. (RE)

Margaret Hardie explained that Tokyo Sushi & Grill has had two extended closures as their restaurant is in a hotel that is still being renovated. Ms. Hardie noted that she has a complete license transfer application for a new location.

Ms. Page clarified that they are not on the agenda for a license transfer. Notice would have to be given on the agenda in order for the commission to grant a license transfer.

Ms. McDermott stated that they will need an extended closure until the October meeting.

Mr. Nielsen moved to recommend that the full commission give Tokyo Sushi & Grill in Salt Lake City an extended closure until the October meeting. Ms. Smith seconded the motion which passed unanimously.

MANUFACTURE WINERY APPLICATION:

a. Mountain West Hard Cider, Salt Lake City.

Abe Kader gave an overview of the application stating staff recommends approval.

Jeff Carlton, one of the owners, came forward and gave an overview of their business and the history of the cider industry.

Ms. Smith moved to recommend that the full commission approve a manufacture winery license for Mountain West Hard Cider in Salt Lake City. Mr. Nielsen seconded the motion which passed unanimously.

MANUFACTURE DISTILLERY APPLICATION:

a. Rocky Mountain Distilling & Bottling, Salt Lake City.

Abe Kader gave an overview of the application stating staff recommends approval. He noted they are currently not distilling but need a distilling license to blend.

Keenan Beaty and Dave Parson from Rocky Mountain Distilling and Bottling came forward and gave an overview of the business.

Ms. Smith moved to recommend that the full commission approve a manufacture distillery license for Rocky Mountain Distilling & Bottling in Salt Lake City. Mr. Nielsen seconded the motion which passed unanimously.

INDUSTRIAL MANUFACTURING APPLICATION:

a. Alera Technologies, Salt Lake City.

Abe Kader gave an overview of the application for a special use permit stating staff recommends approval. He noted that they are using ethanol to compound herbs and botanicals for use in pain relief supplements.

Jodi Adams from Alera Technologies came forward and gave an overview of their business. She noted that the finished product does not contain alcohol. The ethanol is used as an extraction solvent.

Ms. Smith moved to recommend that the full commission approve a special use industrial manufacturing permit for Alera Technologies in Salt Lake City. Mr. Nielsen seconded the motion which passed unanimously.

LICENSE APPLICATIONS:

a. Full Service Restaurant Applications:

*License Transfers:*

(1) Roots Grill @ Yarrow Hotel, Park City. *(Conditional)*

*New Applications:*

(1) Blue Poblano, Salt Lake City.

(2) Summit at Snowbird, Salt Lake City. *(Conditional)*

Stephne Hanson gave an overview of the license transfer stating the application is conditional and staff recommends approval. Chris Nelson from #1 Roots Grill @ Yarrow Hotel addressed the subcommittee stating that they now have their business license.

Ms. Hanson gave an overview of the new applications noting #2 Summit at Snowbird is conditional.

Mr. Nielsen moved to recommend that the full commission approve a conditional full service restaurant license transfer for #1 Roots Grill @ Yarrow Hotel in Park City; a full service restaurant license for #1 Blue Poblano in Salt Lake City; and a conditional full service restaurant license for Summit at Snowbird in Salt Lake City. Ms. Smith seconded the motion which passed unanimously.

b. On-Premise Beer Applications:

*New Applications:*

(1) Summit at Snowbird, Salt Lake City. *(Conditional)*

(2) Utah Cultural Celebration Center, West Valley City. *(Conditional)*

Stephne Hanson gave an overview of the new applications noting both are conditional and stating that staff recommends approval.

Ms. McDermott explained that West Valley City is taking over licensing for #2 Utah Cultural Celebration Center. She added that the attorney general’s office is recommending background checks on the city manager and city council. The application is complete with the condition that the background checks be completed in 30 days.

Ms. Smith moved to recommend that the full commission approve a conditional on-premise beer license for #1 Summit at Snowbird in Salt Lake City; and a background check conditional on-premise beer license for #2 Utah Cultural Celebration Center in West Valley City. Mr. Nielsen seconded the motion which passed unanimously.

c. On-Premise Beer Only Restaurant Application:

*New Application:*

(1) Maria’s Mexican Restaurant, Ogden. *(Conditional)*

Stephne Hanson gave an overview of the application noting it is conditional and staff recommends approval.

Ms. Smith moved to recommend that the full commission approve a conditional on-premise beer only restaurant license for #1 Maria’s Mexican Restaurant in Ogden. Mr. Nielsen seconded the motion which passed unanimously.

d. On-Premise Banquet Catering Applications:

*License Transfer:*

(1) ~~DT Park City Hotel @ Yarrow Hotel, Park City~~. *STRIKE*

*New Application:*

(1) Utah Cultural Celebration Center, West Valley City. *(Conditional)*

Steve Wallenda asked the subcommittee to strike #1 DT Park City Hotel and gave an overview of the new application for #1 Utah Cultural Celebration Center. He noted it will have the same background check condition as the on premise beer application.

Ms. Smith moved to recommend that the full commission approve an on-premise banquet catering license subject to the background check conditions for #1 Utah Cultural Celebration Center in West Valley City. Mr. Nielsen seconded the motion which passed unanimously.

e. Limited Service Restaurant Applications:

*License Transfer:*

(1) Thai House, Restaurant, Tooele.

*New Applications:*

(1) Mizu, Salt Lake City. *(Conditional)*

Steve Wallenda gave an overview of the license transfer and new applications noting #1 Mizu is now complete and no longer conditional. Staff recommends approval.

Mr. Nielsen moved to recommend that the full commission approve a limited service restaurant license transfer for #1 Thai House Restaurant in Tooele; and a limited service restaurant license for #1 Mizu in Salt Lake City. Ms. Smith seconded the motion which passed unanimously.

Ms. McDermott noted that restaurant licenses received today will have to be immediately renewed.

QUESTIONS/COMMENTS FROM COMMISSIONERS AND PUBLIC:

None.

The meeting adjourned at 9:40 a.m.