



All Attachments can be obtained at the Town Administration Building, 4800 Goodman Street

**TOWN OF TIMNATH
LIQUOR LICENSING BOARD
Tuesday, November 11, 2014, 6:00 p.m.
Meeting will be held at *Timnath Administration Building,*
*4800 Goodman Street, Timnath, Colorado***

1. CALL TO ORDER AND ROLL CALL

Chair	Jill Grossman-Belisle
Commissioner	Bill Neal
Commissioner	Aaron Pearson
Commissioner	Paul Steinway
Commissioner	Bryan Voronin

2. BUSINESS:

- a. DISCUSSION/POSSIBLE ACTION:** Tasting Permit Approval for Sunset Wine and Spirits, D/B/A Costco Liquors at Timnath

3. ADJOURNMENT



DILL DILL CARR STONBRAKER & HUTCHINGS, P.C.
ATTORNEYS AT LAW

455 Sherman St., Suite 300
Denver, Colorado 80203
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303-777-3823 FAX
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H. Alan Dill
Robert A. Dill
Thomas M. Dunn
John A. Hutchings
Stephen M. Lee
Fay M. Matsukage**
Dudley W. Morton
Adam P. Stopen
Jon Stonbraker
Craig A. Stoner
Frank W. Suyat
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of counsel

*Also licensed in Washington
** Also Licensed in Nevada

Direct Dial (303) 282-4135
E-Mail: browe@dillanddill.com

October 30, 2014

VIA U.S. MAIL

VIA EMAIL: mpeters@timnathgov.com

Ms. Milissa Peters, CMC
Town Clerk
4800 Goodman Street
Timnath, CO 80547

RE: SUNSET WINE AND SPIRITS INC. dba COSTCO LIQUORS AT TIMNATH
4705 Weitzel Street, Suite A; Timnath, CO 80547
Retail Liquor Store License #4703115
Application for Tastings Permit

Dear Milissa:

On behalf of our client, we file an application for a tastings permit and respectfully request that this matter be on the agenda for the November 11, 2014 Town Council meeting. The three required attachments will be forthcoming. Our check for the \$50 application fee is also enclosed.

After your review, please advise of any additional requirements or questions. Thank you.

Respectfully,

Brenda J. Rowe, Paralegal
/bjr

Enclosures: Tastings Permit Application
Check / \$50.00 / Town of Timnath – Tastings Permit Application Fee

100068

DILL DILL CARR STONBRAKER & HUTCHINGS PC

455 SHERMAN STREET, SUITE 300
DENVER, COLORADO 80203
(303) 777-3737

KEYBANK NATIONAL ASSOCIATION
DENVER, CO 80203

82-7026-3070



Oct 30, 2014

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\$ 50.00

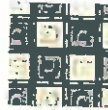
00/100 DOLLARS

PAY TO THE
ORDER OF

Town of Timnath

*** Fifty *****

Town of Timnath



Robert A. Dill

AUTHORIZED SIGNATURE

MEMO

HERRT.001a

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DILL DILL CARR STONBRAKER & HUTCHINGS PC

Town of Timnath

October 30, 2014

CHECK #: 100068 100068

Bank # 1

\$50.00

For: Town of Timnath

CLIENT : Tracy Lynn Herrmann
MATTER : HERRT.001a

DILL DILL CARR STONBRAKER & HUTCHINGS PC

100068

PAID TO : Town of Timnath
DATE: Oct 30, 2014
CHECK # 100068
AMOUNT : \$50.00
Bank # 1



Town of Timnath



CLIENT : Tracy Lynn Herrmann
MATTER : HERRT.001a

LAWYER : Kevin M. Coates
//15875//Tastings Permit/Sunset Wine and Spirits Inc. dba Costco





TASTINGS PERMIT APPLICATION

Date: 10-31-14

Licensee Name: SUNSET WINE AND SPIRITS INC.

DBA: COSTCO LIQUORS AT TIMNATH

Premises Address: 4705 WEITZEL STREET, SUITE A; TIMNATH CO 80547

Mailing Address (if different): 414 W. RHAPSODY; SAN ANTONIO TX 78216

Business Phone: 210-343-6000

Business Fax: 210-341-7645

State License Number: 4703115

License Expiration: 08/08/2015

ATTACH list of employees who have completed the State of Colorado Liquor Enforcement server training.

ATTACH a written control plan to establish that the Licensee will conduct the tastings without violating the provisions of State and Local Liquor codes.

ATTACH list of tasting dates and times, deviation from which is permissible with seven (7) days written notice to the Town of Timnath Town Clerk and provided that no violation of the permit or violation of state or local laws would occur..

CERTIFICATION:

- I hereby certify that the information in this application is true, correct and complete to the best of my knowledge.
- I further certify that it is my responsibility to ensure that all current and future employees complete the State of Colorado server training.
- I certify that it is my responsibility and the responsibility of my agents and employees to comply with all applicable State and Local laws.

If approved, this permit will run and expire concurrent with the license issued by the State of Colorado and the Town of Timnath.

Tracy L. Herrmann
Signature of Licensee

SUNSET WINE AND SPIRITS INC.

By: Tracy L. Herrmann / President

Print Name

OFFICE USE ONLY

Received on: _____ Hearing Date: _____

Approval/Denial Date: _____ Approval Conditions: _____

**Sunset Wine & Spirits, Inc.
dba Costco Liquors at Timnath**

10/31/14

List of current employees who have completed the State of Colorado Liquor Enforcement server training –

Tracy Herrmann	9/17/14
Jessica Ellis	9/17/14
Brady Wisott	9/29/14
Alex Bostic	9/29/14

Attached are certificates evidencing their training.

- PETITION & TELEPHONE SURVEYS
 - Liquor & 3.2 Beer Licensing
 - Rezoning
 - Opinion Poll
 - Venue
 - Special Tax Districts
- LIQUOR LICENSE SITE & ECONOMIC ANALYSIS

Certificate of Training

Pursuant to the recommended server training of Liquor Enforcement (Colorado Department of Revenue), and per C.R.S. 12-46, C.R.S. 12-47, The Colorado Liquor Code, the Colorado Code of Regulations, the United States and Canada Version 2014 I.D. Checking Guide, and *Oedipus, Inc.* training and testing procedures,

Brady Wisott, Assistant Manager/Cashier
Alex Bostic, Key Holder/Cashier
Rick Shafer, Cashier

COSTO LIQUORS AT TIMNATH
4700 Weitzel Street, Suite A, Timnath, CO 80547

Have been trained, tested and certified on 29 September 2014, to dispense to dispense all classes of retail alcohol licenses, to include off-premise alcoholic beverages and tastings.



Max J. Scott, President
Oedipus, Inc.

Certificate of Training

This certifies that

COSTCO LIQUORS AT TIMNATH

4700 Weitzel Street, Suite A, Timnath, CO 80547

has successfully completed the training
program requirements for

RESPONSIBLE VENDOR AS TO LIQUOR DISPENSING TRAINING, ALL CLASSES OF RETAIL

LICENSES INCLUDE RETAIL LIQUOR STORE AND TASTINGS

Awarded on this 17TH day of September 2014



Matt

Max J. Scott, President, *Oedipus, Inc.*

- PETITION & TELEPHONE SURVEYS
 - Liquor & 3.2 Beer Licensing
 - Rezoning
 - Opinion Poll
 - Venue
 - Special Tax Districts
- LIQUOR LICENSE SITE & ECONOMIC ANALYSIS

Certificate of Training

Pursuant to the recommended server training of Liquor Enforcement (Colorado Department of Revenue), and per C.R.S. 12-46, C.R.S. 12-47, The Colorado Liquor Code, the Colorado Code of Regulations, the United States and Canada Version 2014 I.D. Checking Guide, and *Oedipus, Inc.* training and testing procedures,

Tracy Herrmann, Owner
Jessica Ellis, Manager
Cristina Triscori, Operations
George Farias, Jr., Buyer
Joshua Page, Sales Associate

COSTO LIQUORS AT TIMNATH
4700 Weitzel Street, Suite A, Timnath, CO 80547

Have been trained, tested and certified on 17 September 2014, to dispense to dispense all classes of retail alcohol licenses, to include off-premise alcoholic beverages and tastings.



Max J. Scott, President
Oedipus, Inc.

**Sunset Wine and Spirits Inc. d/b/a Costco Liquors at Timnath
Tastings Control Plan**

I. Alcohol Service Policy and Procedures

A. Verification of Legal Drinking Age. All persons entering Costco Liquors for tastings must be at least twenty one (21) years of age and will be required to be checked for proof of age. Any customer appearing under age thirty five (35) will be checked by all staff the first time that they request any alcoholic beverage at any tasting. This includes without exception: family members, friends, and people you know. Please ensure that you do not take a tasting request from anyone who appears under age thirty five (35) without first checking for identification.

1. Acceptable Identification. Acceptable identification is limited to the following types of identification and in all cases, the identification presented must be currently valid (not expired) and contain a picture that appears to be the same as the person ordering the drink. Acceptable identification includes:

- A Colorado driver's license or Colorado identification card issued by the State of Colorado Department of Revenue;

- A driver's license or state identification card issued by another state, U.S. territory, Canadian province, or Mexican state. Note: if you are unfamiliar with the type of identification card or identification presented, please check the ID checking guide booklet;

- A military identification card. Be sure to check military identification cards closely and verify age and date of birth. As you are aware, many members of the military are under the age of twenty one (21). Be sure to check their identification card to ensure that they are over the age of twenty one (21);

- A valid passport - note: foreign driver licenses (except Canadian or Mexican) are not acceptable forms of identification;

- An alien registration card; or

- An employment authorization card issued by the U.S. Department of Justice Immigration and Naturalization Services.

B. ID Checking Techniques

- **Ask for ID and Then Ask Age.** For all persons who appear to be under the age of thirty five (35), ask them their age while you are checking their identification. Asking age gives you a point of reference for computing their age on the identification and it will also give you a hint about whether or not they are lying to you about their age.

- **Verify it's Valid.** Check expiration date. Expired licenses are not valid under state liquor law. Persons with expired identification are not allowed entry into Costco Liquors for tasting, nor will they be served any alcohol.

- **Visually Verify the Person Appears to be the same as the Person on the ID.** Look at their face first before looking at the face on the identification. Note facial characteristics.

- **Vertical Drivers Licenses.**

OUR GENERAL RULE IS NO SERVICE OR ENTRY. Most states now issue under twenty one (21) years of age driver licenses in a vertical format. No service of alcoholic beverages will be allowed for anyone presenting a vertical formal license without having the identification checked by management.

- a. A punched vertical format license along with a paper driver's license that indicates that the person is waiting to obtain their permanent, age twenty one (21), driver's license may be an acceptable form of identification.

- b. When presented with a vertical format driver's license, first check with management before serving that person. In this situation, back up identification should be requested to verify that they are not using someone else's identification.

C. False Identification.

- Colorado law allows liquor licensees to confiscate false identification and then turn it over to law enforcement within seventy-two (72) hours.

- If you find what appears to be false identification, or someone using another person's identification, you are permitted under Colorado Liquor Law to confiscate it. The authorization to confiscate false identification is printed on the State Minor Warning sign. If this person, that you confiscate false identification from, wants to argue about the validity of the identification, tell them we will call the police to come check it. If an officer will not respond, return the identification to the person, and do not serve them.

- It is our policy not to get involved in a fight over any suspected false identification. We would rather turn them away than have the situation result in a fight.

- Call management to assist you in any suspected false identification.

II. **Service to Intoxicated Persons.** It is the policy of Costco Liquors that we do not serve alcohol to persons who appear to be visibly intoxicated. We also do not let persons who already appear to be visibly intoxicated to enter Costco Liquors. If you need help, get a manager involved. If a customer starts showing signs of visible intoxication do not serve them any more alcoholic beverages. Tell them that we are going doing this for their own good and to protect our liquor license. If a person has physical or speech related limitations that might simulate an intoxicated behavior, but you feel that they are not intoxicated, let management know. Management will make a determination about whether or not the sale of alcohol to them will be appropriate. If a patron appears to be intoxicated, management will call a cab for them.

III. **Multiple Drinks.** It is the policy of Costco Liquors not to serve more than one (1) tasting sample at a time to a single customer. If a person is with another person and orders two (2) or more samples, ask to see identification for each sample ordered. Verify and check each ID before taking the request for any sample.

Sunset Wine & Spirits, Inc. dba Costco Liquors at Timnath
Tasting Schedule

2014			2015			2015 (continued)		
11/14/2014	Fri	2-6pm	1/2/2015	Fri	2-6pm	5/29/2015	Fri	2-6pm
11/15/2014	Sat	12-4pm	1/3/2015	Sat	12-4pm	5/30/2015	Sat	12-4pm
11/21/2014	Fri	2-6pm	1/9/2015	Fri	2-6pm	6/5/2015	Fri	2-6pm
11/22/2014	Sat	12-4pm	1/10/2015	Sat	12-4pm	6/6/2015	Sat	12-4pm
11/28/2014	Fri	2-6pm	1/16/2015	no tasting		6/12/2015	Fri	2-6pm
11/29/2014	Sat	12-4pm	1/17/2015	Sat	12-4pm	6/13/2015	Sat	12-4pm
12/5/2014	Fri	2-6pm	1/23/2015	Fri	2-6pm	6/19/2015	Fri	2-6pm
12/6/2014	Sat	12-4pm	1/24/2015	Sat	12-4pm	6/20/2015	Sat	12-4pm
12/12/2014	Fri	2-6pm	1/30/2015	Fri	2-6pm	6/26/2015	Fri	2-6pm
12/13/2014	Sat	12-4pm	1/31/2015	Sat	12-4pm	6/27/2015	Sat	12-4pm
12/19/2014	Fri	2-6pm	2/6/2015	Fri	2-6pm	7/3/2015	Fri	2-6pm
12/20/2014	Sat	12-4pm	2/7/2015	Sat	12-4pm	7/4/2015	Sat	12-4pm
12/26/2014	Fri	2-6pm	2/13/2015	Fri	2-6pm	7/10/2015	Fri	2-6pm
12/27/2014	Sat	12-4pm	2/14/2015	Sat	12-4pm	7/11/2015	Sat	12-4pm
			2/20/2015	Fri	2-6pm	7/17/2015	Fri	2-6pm
			2/21/2015	Sat	12-4pm	7/18/2015	Sat	12-4pm
			2/27/2015	Fri	2-6pm	7/24/2015	Fri	2-6pm
			2/28/2015	Sat	12-4pm	7/25/2015	Sat	12-4pm
			3/6/2015	Fri	2-6pm	7/31/2015	Fri	2-6pm
			3/7/2015	Sat	12-4pm	8/1/2015	Sat	12-4pm
			3/13/2015	Fri	2-6pm			
			3/14/2015	Sat	12-4pm			
			3/20/2015	Fri	2-6pm			
			3/21/2015	Sat	12-4pm			
			3/27/2015	Fri	2-6pm			
			3/28/2015	Sat	12-4pm			
			4/3/2015	Fri	2-6pm			
			4/4/2015	Sat	12-4pm			
			4/10/2015	Fri	2-6pm			
			4/11/2015	Sat	12-4pm			
			4/17/2015	Fri	2-6pm			
			4/18/2015	Sat	12-4pm			
			4/24/2015	Fri	2-6pm			
			4/25/2015	Sat	12-4pm			
			5/1/2015	Fri	2-6pm			
			5/2/2015	Sat	12-4pm			
			5/8/2015	Fri	2-6pm			
			5/9/2015	Sat	12-4pm			
			5/15/2015	Fri	2-6pm			
			5/16/2015	Sat	12-4pm			
			5/22/2015	Fri	2-6pm			
			5/23/2015	Sat	12-4pm			