



STATE OF ARIZONA
ARIZONA STATE LIQUOR BOARD
800 WEST WASHINGTON, 5TH FLOOR
PHOENIX, AZ 85007
PHONE: (602) 542-9789 FAX: 602-542-5707
Website: www.azliquor.gov
Website: www.azliquor.gov/liquor_board.asp

DOUGLAS A. DUCEY
Governor

J. D. GHELFI
Board Chair

JOHN COCCA
Director

Arizona State Liquor Board Hearing Minutes
April 2, 2015

Members Present: J.D. Ghelfi - Chairman, Bill Du Pont, Robin Cantrell, Jim Carruthers, Pud Colquitt, and Vikki Scarafiotti
Members Absent: Cyndy Valdez - Vice Chairman
Counsel Present: Michael Raine, Assistant Attorney General
Christopher Munns, Assistant Attorney General
Staff Present: Denise Bale, Board Administrator

A. Call to Order

The hearing of the Arizona State Liquor Board was called to order on April 2, 2015 at 10:00 a.m. with Mr. Ghelfi presiding.

Roll Call

Ms. Valdez was absent. All other board members were present.

B. 10:00 a.m. Agenda: Review, consideration and action

1. Beer and Wine Bar Liquor License No. 07070351 - Person Transfer Application

From:	To:
Margarita Maricela Madrigal, Agent	Alvaro Bolanos Neria
El Ranchero of Traditional Mexican Food & More	El Ranchero
3030 N. 68th Street	3030 N. 68th Street
Scottsdale, AZ 85251	Scottsdale, AZ 85251

This matter is set for hearing because the Department is protesting the application. There is an interim permit in place. The Applicant, Alvaro Bolanos Neria, appeared at the hearing and was not represented by counsel. The Applicant requires the services of an interpreter and he did not bring an interpreter with him.

Motion to convene in executive session for legal advice -	Ghelfi
Seconded -	Colquitt
Yay -	Ghelfi, Colquitt, Scarafiotti, Du Pont, Cantrell, Carruthers,
Nay -	None
Abstained -	None
Disposition -	Convene in executive session

The Board convened in executive session at 10:07 a.m. and reconvened in open session at 10:11 a.m.

Mr. Carruthers made a motion to continue the hearing to the May 7, 2015 meeting. Mr. Du Pont asked to amend the motion with the stipulation that the Applicant bring a court certified interpreter and possibly an attorney.

Motion to continue to the May 7 Board meeting -	Carruthers
Seconded -	Cantrell
Yay -	Carruthers, Cantrell, Du Pont, Colquitt, Ghelfi, Scarafiotti
Nay -	None
Abstained -	None
Disposition -	Continued to the May 7, 2015 Board meeting

2. Restaurant Liquor License No. 12123137 - Original Application

Jonathan Marshall Bollin
Found Bliss LLC
Vineyard Café Sonoita
3252 Hwy 82
Sonoita, AZ 85637

This matter is set for hearing due to public protest. The Applicant, Jonathan Marshall Bollin, appeared at the hearing and was represented by counsel, Clare Hollie Abel. The Applicant was sworn and testified. Francis Donn Ivey and Jennifer Azevedo appeared on behalf of the Applicant. Public protestor Anita Kay was present at the hearing and was sworn and testified. Ms. Kay stated that her protest was based on location and saturation.

Motion to convene in executive session for legal advice -	Du Pont
Seconded -	Scarafiotti
Yay -	Du Pont, Scarafiotti, Ghelfi, Colquitt, Cantrell, Carruthers,
Nay -	None
Abstained -	None
Disposition -	Convene in executive session

The Board convened in executive session at 10:20 a.m. and reconvened in open session at 10:22 a.m.

Ms. Abel made an opening statement and called the Applicant to testify. Mr. Bollin described his educational background. He was formally educated in law enforcement through the United States Air Force Police Academy and served as a military policeman in U.S. Marine Corps. He later served with the Sierra Vista Police Department. Following his public service, he attended the Culinary Institute of American in Hyde Park, New York. Part of the curriculum is wine and spirit management. Mr. Bollin has also completed the state administered liquor training three times. Mr. Bollin described his concept to be the only breakfast and lunch restaurant that serves only wine made in the Sonoita area. It will be the only place where every wine in the area can be tasted at one location.

Ms. Kay is the owner of Tia 'Nita's Cantina. She distributed maps of the Sonoita and Elgin area to demonstrate the number of vineyards and establishments with liquor licenses in the area. There were Board questions and discussion.

Mr. Du Pont made a motion regarding Liquor License No. 12123137. Based on the Applicant's background in law enforcement, based on that he has received the training three times in the past as far as basic and management liquor law training, and based on a restaurant management plan, I move that we find the Applicant is capable, qualified and reliable as required by A.R.S. § 4-203(A). And based upon the location being in a destination point for wineries in the Arizona area, that he has had support from residents in the area, that he has prepared a menu that invites basically wine tasting to be part of the venue, and has had the support of those operating tasting rooms to distribute or allow tasting of their wine there, we find that the public convenience does require that the best interest of the community will be served as required by A.R.S. § 4-203 by granting the liquor license and that the Board grant the application.

Motion to grant license -	Du Pont
Seconded -	Cantrell
Yay -	Du Pont, Cantrell, Carruthers, Colquitt, Ghelfi, Scarafiotti
Nay -	None
Abstained -	None
Disposition -	License granted

3. Restaurant Liquor License No. 12123136 - Original Application

Bobby Eugene Douglas
 Sonoita Chuck Wagon Grill, LLC
 Sonoita Chuck Wagon Grill
 3176 Hwy 83
 Sonoita, AZ 85637

This matter is set for hearing due to public protest. The Applicant, Bobby Eugene Douglas, appeared at the hearing and was represented by counsel, Thomas R. Aguilera. The Applicant was sworn and testified. Public protestor Anita Kay was present at the hearing and was sworn and testified.

Mr. Aguilera made an opening statement and called the Applicant to testify. Mr. Douglas described his 30 years experience in the hospitality industry.

Motion to convene in executive session for legal advice -	Scarafiotti
Seconded -	Cantrell
Yay -	Du Pont, Scarafiotti, Ghelfi, Colquitt, Cantrell, Carruthers,
Nay -	None
Abstained -	None
Disposition -	Convene in executive session

The Board convened in executive session at 11:03 a.m. and reconvened in open session at 11:17 a.m.

Mr. Douglas described his menu and compared it with other establishments in the area. He testified that he is developing his menu and that customers have requested beer or wine with their meal. Mr. Douglas currently has four employees and will employ more if the liquor license is granted. Mr. Douglas responded to questions about his floor plan, hours of operation, customers and previous violations.

Ms. Kay is the owner of Tia 'Nita's Cantina. She argued that there are too many liquor licenses in the Sonoita area. Mr. Aguilera cross-examined Ms. Kay. There were no Board questions for Ms. Kay. Mr. Aguilera made a closing statement. There was Board discussion.

Mr. Du Pont made a motion regarding Liquor License No. 12123136. Based on the Applicant has had both sets of training, has trained current and possibly potential employees in liquor laws, that the Applicant has 30 years experience in different areas of the restaurant business, I move that we find the Applicant is capable, qualified and reliable as required by A.R.S. § 4-203. And based upon this is in a location that is a destiny location based on the wine country, that it does have the ability to service the needs of all family members, that it has had some support from local residents in the area. We find that the public convenience does require and that the best interest of the community will be served as required by A.R.S. § 4-203 by granting the liquor license and that the Board grant the application.

Motion to grant license -	Du Pont
Seconded -	Cantrell
Yay -	Du Pont, Cantrell, Carruthers, Colquitt, Ghelfi
Nay -	Scarafiotti
Abstained -	None
Disposition -	License granted

C. 1:00 p.m. Agenda: Review, consideration and action

The hearing of the Arizona State Liquor Board was called to order at 1:02 p.m. with Mr. Ghelfi presiding. Ms. Valdez was absent. All other board members were present.

4. Bar Liquor License No. 06100063 - Person and Location Transfer Application

From:
Stanley P. Abrams, Agent
S R R Management Corp.
Challenge At Santa Rita
16461 S. Houghton Road
Corona, AZ 85641

To:
Scott James Cummings
Corbett Beverage Ltd.
Corbett Brewing Company
417 N. Herbert
Tucson, AZ 85705

This matter is set for hearing because of public protest. The Applicant, Scott James Cummings, appeared at the hearing and was represented by counsel, Stephen P. Waitt. The Applicant was sworn and testified. Public protestors Kate Randall and Trudy Mills were not present at the hearing. Mr. Du Pont disclosed that Stanley P. Abrams, the agent from whom the license is being transferred, lives in his neighborhood and this will not impact his decision. Mr. Waitt had no objection. Mr. Waitt drew a diagram of the premises and addressed the parking and congestion concerns raised by the protestors. There were Board questions regarding previous violations at another liquor licensed establishment. Mr. Cummings testified that there had been increased training on fake IDs and an electronic card reader had been purchased.

Mr. Du Pont made a motion regarding Liquor License No. 06100063. Based on the Applicant's qualifications, having completed training, having approximately 30 years business experience, addressing several issues that happened in former years, working in a close relationship with the Tucson Police Department, I move that we find the Applicant is capable, qualified and reliable as required by A.R.S. § 4-203(A). And that based upon the location being in an entertainment district in the Tucson area, that parking has been addressed, that the streetcar is also used as a vehicle to bring in clientele, this is in a highly populated area which services the clientele in this location, i.e., the University and many of the business offices in the downtown area, we find that the public convenience does require that the best interest of the community will be served as required by granting the liquor license and that the Board grant the application. Ms. Cantrell seconded with the modification as it relates to location. There is already an existing series 3 at that location.

Motion to grant license -	Du Pont
Seconded -	Cantrell
Yay -	Du Pont, Cantrell, Carruthers, Colquitt, Ghelfi, Scarafiotti
Nay -	None
Abstained -	None
Disposition -	License granted

5. Liquor Store Liquor License No. 09110070 - Person Transfer Application

From:
David Leonard Hutchins, Agent
Makalovi, LLC
Ruins Village Store
1140 N. Arizona Blvd.
Coolidge, AZ 85128-3204

To:
Flynn Francis Neelamkavil
Blue Eye Communications LLC
The Ruins
1140 N. Arizona Blvd.
Coolidge, AZ 85128

This matter is set for hearing because of public protest. There is an interim permit in place. The Applicant, Flynn Francis Neelamkavil, appeared at the hearing and was represented by counsel, Andrea Dahlman Lewkowitz. Rachel Neelamkavil appeared on behalf of the Applicant and was sworn and testified. David L. Hutchins appeared on behalf of the Applicant. Public protestor Bradley Alan Levy was not present at the hearing.

Ms. Lewkowitz gave an opening statement. Mr. Neelamkavil testified that all employees have received liquor training and that it is store policy to ask for ID with alcohol and tobacco sales. He responded to questions about the protest. Ms. Neelamkavil described the change in the clientele of the store.

There was Board discussion. Mr. Du Pont made a motion regarding Liquor License No. 09110070. We find that the Applicant is qualified based on his training, basic and management; that he has required his employees to fill out new applications and go through training; that he is on the premises for six days and has worked 10 and 12 hours a day. They have found a change in the clientele that fulfills a community need. I move that we find the Applicant is capable, qualified and reliable as required by A.R.S. § 4-203(A) and that the Board grant this application for person transfer.

Motion to grant license -	Du Pont
Seconded -	Cantrell
Yay -	Du Pont, Cantrell, Carruthers, Colquitt, Ghelfi, Scarafiotti
Nay -	None
Abstained -	None
Disposition -	License granted

The Board recessed from 1:43 p.m. to 2:16 p.m.

6. Beer and Wine Store Liquor License No. 10076620 - Original Application

Mohammed J. Abdul Kareem
Moer LLC
Discount King Market
2101 W. Adams Street
Phoenix, AZ 85009

This matter is set for hearing because the City of Phoenix has recommended disapproval of this application. There is an interim permit in place. The Applicants, Mohammed J. Abdul Kareem and Moer LLC, appeared at the hearing and were represented by counsel, Harvey M. Yee. Mr. Abdul Kareem was sworn and testified. Assistant City Prosecutor Elizabeth Sugges appeared on behalf of the City of Phoenix. Officer Armida Gonzales appeared on behalf of the City of Phoenix and was sworn and testified.

Mr. Yee gave an opening statement. This location has been previously licensed. Ms. Sugges said the City of Phoenix is not protesting location.

Motion to convene in executive session for legal advice -	Ghelfi
Seconded -	Scarafiotti
Yay -	Ghelfi, Scarafiotti, Du Pont, Colquitt, Cantrell, Carruthers
Nay -	None
Abstained -	None
Disposition -	Convene in executive session

The Board convened in executive session at 2:21 p.m. and reconvened in open session at 2:27 p.m.

Mr. Yee questioned Mr. Abdul Kareem about underage violations that occurred at 1901 W. Bethany Road. Ms. Sugges cross-examined the Applicant. Mr. Abdul Kareem testified that he cannot read English sufficiently to complete a liquor license application and that someone completed the application for him. He responded to questions regarding his other businesses and citations for liquor violations. There were Board questions.

Ms. Sugges questioned Officer Gonzales about her interview of Mr. Abdul Kareem for the pending liquor license application. Mr. Yee cross-examined Officer Gonzales. There were Board questions. Ms. Sugges presented a police report as evidence. Mr. Yee objected.

Motion to convene in executive session for legal advice -	Ghelfi
Seconded -	Du Pont
Yay -	Ghelfi, Du Pont, Scarafiotti, Colquitt, Cantrell, Carruthers
Nay -	None
Abstained -	None
Disposition -	Convene in executive session

The Board convened in executive session at 3:43 p.m. and reconvened in open session at 3:48 p.m.

Ms. Sugges and Mr. Yee stepped outside of the Board Room to review the police report. The Board recessed from 3:49 p.m. to 3:55 p.m.

Ms. Scarafiotti excused herself from the hearing. Ms. Sugges introduced City's Exhibit A, containing a portion of a police report. Mr. Yee objected to the exhibit. Mr. Yee made a closing statement. Ms. Sugges made a closing statement.

There was Board discussion. Mr. Du Pont made a motion regarding Liquor License No. 10076620. Personal qualifications: regarding question 12, we found information as to ownership and prior employment missing on this application; explanation given was that Applicant found it not relevant to the case. We find that the police department has also been concerned about the person's qualifications as to holding a liquor license and the importance of that. I move that we find the Applicant is not capable, qualified and reliable as required by A.R.S. § 4-203, and that the Board deny the application based on person only.

Motion to deny license -	Du Pont
Seconded -	Colquitt
Yay -	Du Pont, Colquitt, Carruthers, Ghelfi, Cantrell
Nay -	None
Abstained -	None
Disposition -	License denied

Motion to revoke interim permit -	Cantrell
Seconded -	Colquitt
Yay -	Cantrell, Colquitt, Carruthers, Du Pont, Ghelfi
Nay -	None
Abstained -	None
Disposition -	Interim permit revoked

D. Minutes: Review, consideration and action

Motion to approve the March 5, 2015 minutes -	Carruthers
Seconded -	Colquitt
Yay -	Valdez, Carruthers, Du Pont, Ghelfi,
Nay -	None
Abstained -	Cantrell
Disposition -	March 5, 2015 minutes approved

Motion to approve the March 5, 2015 Executive Session minutes -	Colquitt
Seconded -	Carruthers
Yay -	Valdez, Colquitt, Du Pont, Ghelfi, Carruthers
Nay -	None
Abstained -	Cantrell
Disposition -	March 5, 2015 Executive Session minutes approved

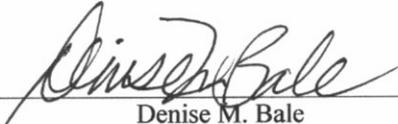
E. Reports on Current Events, Matters of Board Procedure, Requests and Items for Future Agenda

The next meeting is May 7, 2015. There are eleven cases set for hearing. Start time will be 9:00 a.m.

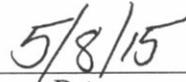
F. Call to the Public

None.

The Board adjourned at 4:25 p.m.



Denise M. Bale
Administrator of the
Arizona State Liquor Board



Date