



**LIQUOR LICENSE AUTHORITY SPECIAL MEETING**  
**July 31, 2020 // 10:00 a.m. // Via Zoom**

Zoom Meeting, Click on the link

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**MINUTES**

A. CALL TO ORDER

Hearing Officer Ablao called the hearing to order at 10:00 a.m.

B. ACTION ITEMS

1. **Transfer – Liquor License**

Pelican Lakes, LLC  
DBA Ted's Sweet Water Grill  
2191 Covered Bridge Parkway  
Windsor, CO 80550  
*Hotel & Restaurant (City)*

Hearing Officer Ablao stated that this is a public meeting on the application for transfer of ownership for Pelican Lakes, LLC DBA Ted's Sweet Water Grill. The Authority swore in Martin Lind and Daniel Dakunchak. Hearing Officer Ablao asked how the business concept has changed? Per Mr. Dakunchak, originally the Cherry Company was a bakery that has been changed into a full-service restaurant with a recreational community fishing as well as serving breakfast, lunch, and dinner to the residents and public. Hearing Officer Ablao asked who would be in charge of the day to day operations? Mr. Dakunchak responded that he would be in charge of the day to day operations. Hearing Officer Ablao asked how many employees would be employed? Mr. Dakunchak responded around twenty-five. Per Mr. Dakunchak, all employees are TIPS certified upon hiring. Hearing Officer Ablao asked what is the policy for checking IDs of patrons? Mr. Dakunchak responded that they ID everyone under the age of fifty. Hearing Officer Ablao asked what disciplinary action would be taken if one of the employees had violated the liquor code or regulations? Mr. Dakunchak responded that it would result in a suspension or termination. Hearing Officer Ablao asked about a \$30.00 charge in alcohol sales in May showing on the application and inquired as to what it was for. Mr. Dakunchak responded that it could have been a wrong sale rung in. Hearing Officer Ablao asked if that was something that would be able to be researched and get the information back to her, Mr. Dakunchak responded that it would be. Hearing Ablao asked for clarification on the fishing part of the concept, if someone from the public would be able to come in and get an alcoholic beverage and go out to the dock and fish? Mr. Dakunchak stated that the fishing is open to the public and if they wanted an alcoholic beverage, they would be allowed to get that. Mr. Lind responded that this is a supervised fishing experience, more of a kid fishing pond with full-time staff controlling the area. Hearing Officer Ablao stated that in terms of any background history, that she did not find anything that was significant.

The Authority did find based on the evidence and supporting documentation that the statutory requirements for this transfer of ownership has been met. The application is approved with the conditions that there is a satisfactory inspection by the Police Department, satisfactory completion of any background not yet complete, provided explanation of the \$30.00 sale from May within seven days, and continued compliance with any liquor code, rules, regulations, and any municipal ordinances.

## 2. **New – Liquor License**

Pelican Lakes, LLC  
DBA Raindance Concessions  
1740 Bounty Drive  
Windsor, CO 80550  
*Lodging & Entertainment L&E (City)*

Hearing Officer Ablao stated that this is a public hearing for the Pelican Lakes, LLC DBA Raindance Concessions application. The Authority swore in Martin Lind and James Warnook. Mr. Lind reported that they are using the same crew and policy to operate the Concessions and Beverage operations at the new Raindance River Resort which is about a thousand yards from the last application that was reviewed. This is a swimming pool community gathering area with pavilions. The pool has been opened since Memorial Day weekend with limited restrictions. Hearing Officer Ablao asked if swimming lessons are offered at the pool? Mr. Lind responded that they will be, but not this year due to COVID. Hearing Officer Ablao asked what the hours of service be? Mr. Lind responded 11 a.m. to 8 p.m. which are the same hours as the pool in general. Mr. Lind stated there will be events and concerts that might go later, but as of right now, there are no plans for that, and this will only be open during the summer months. Hearing Officer Ablao asked how many employees will be supervised, Mr. Warnook responded there will be about ten employees. Hearing Officer Ablao asked how they are planning on monitoring alcohol consumption and ensure the Authority there won't be any pass offs and sharing of drinks. Mr. Warnook responded that there is one way in and one way out, they will be checking ids for anybody who appears under the age of fifty. They will also have cocktail people walking around the pool keeping an eye on patrons, and only be serving one drink per ID. Hearing Officer Ablao asked what training is going to be provided to employees who will be serving alcohol? Mr. Warnook responded the employees are employed by Pelican Lakes so they will have the same training. Hearing Officer Ablao asked if those employees would have any other duties other than the sale and service of alcohol? Mr. Warnook responded they would be selling alcohol and food that will be offered. Hearing Officer Ablao asked if lifeguards would have any role in the alcohol sales and service, Mr. Warnook responded no. Hearing Officer Ablao asked what disciplinary actions would be taken if one of the employees was found to violate a liquor code or regulation? Mr. Warnook responded that there would be a coaching opportunity, will be documented, and depending on the situation could end in termination. Hearing Officer Ablao asked what the percentage of food to alcohol sales being? Mr. Warnook responded probably seventy to thirty food to alcohol. Hearing Officer Ablao stated that the petitions that were submitted, who circulated those and what process did they use.

The Authority swore in Mike Brady with Pelican Lakes, LLC. Mr. Brady stated that the petitions were circulated three different ways. One, was at the pool itself, second was through the Raindance neighborhood, and the last was at the Raindance welcome center. Hearing Officer Ablao asked how he determined if the people signing those petitions were actual residents within the designated neighborhood boundaries? Mr. Brady responded that the petition itself asked them for an address, Mr. Lind stated that if they were at the pool physically, they had to be a resident. Hearing Officer Ablao asked if they did cross check to make sure the addresses were within the boundary, Mr. Brady responded yes. Hearing Officer Ablao stated that the top portion of the petition was not filled out completely to show what type of liquor license was applied for or the date of the public hearing before the authority, did anyone provide that information to people and if so how? Mr. Brady responded that a majority of the signed petitions were at the pool or at the welcome center and at the pool, a sign was posted which announced the date of the hearing. The people at the welcome center were also aware of the hearing because they were involved with the hearing as well. Hearing Officer Ablao stated that there were some in opposition of the license and asked if they were able to speak with those who signed in opposition? Mr. Brady responded that he did not engage with the people signing the petition. The Authority opened the public hearing for public comment.

The Authority swore in Jessica Severts, member of the public in opposition. Ms. Severts stated that as someone who lives in the community and goes to the pool on a daily basis with her young kids, she would prefer that alcohol not be served where young children are playing in a community setting. They serve alcohol at Ted's and feels that anyone in the community can access that and it close, and that there should not be a need to expose children to alcoholic beverages in a play area. Ms. Severts clarified that swimming lessons are being held at the pool currently.

Ms. Bodily asked what they are going to do with the alcoholic beverages to ensure that little kids won't be able to pick up drinks, she is concerned that if someone puts a drink down, it opens it up for little kids who may not know to go and pick up the drink. Mr. Lind responded that they operate a full service pool at another neighborhood right now and have had zero issues with that. They felt that as a general rule, adults are very respectful around the children and it is not a late night bar setting or an atmosphere where it is dark, they will have waitresses around to where if there is an empty drink, they will be picking it up. Hearing Officer Ablao asked for clarification on where they are already operating a tiki bar? Mr. Lind responded at Pelican Lakes golf course.

The Authority read aloud Jerry Thomas' questions for the applicant. With respect to the liquor licensing, how are fees going to be paid for the license? Where are the proceeds from alcohol sales going to go? Mr. Lind stated that the company is a private company who is a subtenant of the metro district, so they leased the property. Hearing Officer Ablao asked if there will be a drink limit on how much someone can consume on any visit? Mr. Lind responded that they will use the same process they are currently using which is visually monitoring of the interaction with customers. Hearing Officer Ablao asked how loud behavior be handled in order to maintain the family friendly environment? Mr. Lind responded that this project was built for families and they will make sure that the operations will be handled as such to make sure this is a family friendly atmosphere. Hearing Officer Ablao asked how someone would be able to distinguish between an alcoholic beverage that is in a clear cup as opposed to a regular coke? Mr. Warnook responded that they serve all of their sodas in the plastic bottle or can. Hearing Officer Ablao asked if there would be service in the actual pool, if people can bring their drinks into the pool, Mr. Lind responded that there are lounge areas that are in shallow water, they will not be serving alcohol there but they are not preventing people from taking drinks into that area.

Hearing Officer Ablao stated that she would need to take the application under advisement for a couple of reasons. First, the needs and desires are presented through a third party provider, there is some things about the petition as far as incompleteness that is a little concerning. Primarily, this is a community pool and is not sure if it fits the definition of a sports facility which is what is required for this type of license. Hearing Officer Ablao stated that she does want to be able to hear from the Town who is not present today. Hearing Officer Ablao stated that she wants to give all participants here today the opportunity to provide anything in writing whether or not this community pool would fit into regulation 47-3-15(a)(2). Any submissions will need to be within fourteen days, the sooner the better. Hearing Officer Ablao stated that she will be asking the Town Attorney for a written brief on the application.

Hearing Officer Ablao recognized Kevin Severts who stated that he is against alcohol at the pool. Mr. Severts stated that the way the whole petition was offered to the public, there was a facebook page that had an entry to come sign the petition. Mr. Severts stated that he felt this was very biased to sign in favor of the license. This has created somewhat of a divide and he feels that people didn't feel they could speak up that they were opposed to this license because they didn't want to be judged by their peers.

Hearing Officer Ablao asked if Mr. Lind would be able to have a written brief within fourteen days? Mr. Lind responded that he would and clarified that they do not want this to create a divide and they did not spend any time trying to convince people to be in favor.

C. COMMUNICATIONS

- None

D. ADJOURN

Upon a motion duly made, the hearing was adjourned at 10:49 a.m.



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Karen Frawley, Town Clerk