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

JANICE K. BREWER
Governor

CHARLES HUELLMANTEL
Board Chair

ALAN EVERETT
Director

Arizona State Liquor Board Hearing Minutes
October 7, 2010

Members Present: Charles Huellmantel-Chair, J.D. Ghelfi-Vice-Chair, Bill DuPont, Robin Cantrell, Tim Linden, Jim Carruthers, Michael Farley

Members Absent: None

Counsel Present: Camila Alarcon, Assistant Attorney General

Staff Present: Kelly Stetson, Board Administrator

A. Call to Order
The hearing of the Arizona State Liquor Board was called to order on October 7, 2010 at 9:01 a.m. with Mr. Huellmantel presiding.

B. Roll Call
All board members are present.

C. Minutes: review, consideration and action
Tabled.

D. Agenda: review, consideration and action

1. Bar Liquor License No. 06080034 - Appeal of Director's Decision & Order; Complaint No. 09A-0036-LIQ-(PHX)

James F. Herold, Agent
B. J.'s Tavern
2122 W. McCulloch Boulevard
Lake Havasu City, AZ 86403

Counsel for the agent, Peter H. Schelstraete, Esq., appeared at the hearing and addressed the Board. Assistant Attorney General Camila Alarcon appeared on behalf of the Department and addressed the Board.

Motion to Modify D&O -	Carruthers
Seconded -	Linden
Yay -	Huellmantel, DuPont, Cantrell, Linden, Carruthers, Farley
Nay -	Ghelfi
Abstained -	None
Disposition -	D & O Modified, reducing fine to $3000.00 and reducing suspension to 3 days

2. **Private Club Liquor License No. 14073055 - Original Application**

Mary C. Giza, Agent
Trilogy at Power Ranch Community Association
Trilogy
4369 E. Village Parkway
Gilbert, AZ 85298

The agent, Mary C. Giza, appeared at the hearing and was represented by counsel, Nicholas Guttilla, Esq, who addressed the Board. Donald Wachter appeared as a Public Protestor. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Grant -	Ghelfi
Seconded -	Cantrell
Yay -	Huellmantel, Ghelfi, DuPont, Cantrell, Linden, Carruthers, Farley
Nay -	None
Abstained -	None
Disposition -	License Granted

3. **Bar Liquor License No. 06100227 - Person & Location Transfer Application**

From:
Marc A. Weiser, Agent
Marc A. Weiser Enterprises, Inc.
Office Bar
6333 S. 6th Avenue
Tucson, AZ 85706

To:
Thomas R. Aguilera, Agent
Club Turbulence, LLC
Club Turbulence
6608 S. Tucson Boulevard
Tucson, AZ 85706

The owner, Brian K. Jameson, appeared at the hearing and was represented by counsel, Thomas Aguilera, Esq., who addressed the Board. Theresa Morse, Anna Perez, Joseph Badiei, Richard Spreiser, and Kevin Kramber also appeared on behalf of the applicant, were sworn, and testified. Assistant City Prosecutor Gioia Sanderson appeared on behalf of the City of Tucson and addressed the Board. Yvonne Anderson, Yolanda Herrera, and Rebecca Quintero also appeared on behalf of the City of Tucson, were sworn, and testified. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Grant -	Ghelfi
Seconded -	Linden
Yay -	Ghelfi, DuPont, Linden, Carruthers, Farley
Nay -	Huellmantel, Cantrell
Abstained -	None
Disposition -	License Granted

The Board recessed at 9:30 a.m.
The Board reconvened at 9:36 a.m.

4. **Bar Liquor License No. 06080017 - Person & Location Transfer Application**

From:
Herbert W. Hess, Agent
Bullhead Airport Inc.
Bullhead/Laughlin Airport
2750 Laughlin View
Bullhead City, AZ 86429

To:
H. J. Lewkowitz, Agent
M and S Mohave Enterprises, LLC
Whispers
5410 Highway 95
Fort Mohave, AZ 86426

Counsel for the owner filed a request to continue this matter until the October 2010 Board Hearings. Counsel for the owner, H. J. Lewkowitz, Esq., appeared at the hearing, and addressed the Board. Chief Civil Deputy County Attorney Robert A. Taylor appeared on behalf of Mohave County and addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

The Board moved into Executive Session at 12:06 p.m.
The Board reconvened from Executive Session at 12:11 p.m.

Motion to Continue -	Carruthers
Seconded -	DuPont
Yay -	Huellmantel, Ghelfi, DuPont, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	Continued to October 2010 Hearings

5. Beer & Wine Store Liquor License No. 10075902 - Original Application

Imad Y. Warda, Agent
Uno Stop Market 2, LLC
Uno Stop
4105 N. 35th Avenue
Phoenix, AZ 85017

Counsel for the applicant filed a request to withdraw the application in this matter. Counsel for the agent, Peter H. Schelstraete, Esq., appeared at the hearing and addressed the Board. Assistant City Prosecutor Elizabeth Sugges appeared on behalf of the City of Phoenix and addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Grant Withdrawal -	Carruthers
Seconded -	Linden
Yay -	Huellmantel, Ghelfi, DuPont, Cantrell, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	Withdrawal Granted

6. Bar Liquor License No. 06100134 - Person & Location Transfer Application

From:	To:
Joseph Pellegrino Jr., Agent	Micah A. Blatt, Agent
Wagon Wheel Inc.	Mr. Head's Inc.
Wagon Wheel Tavern	Mr. Head's
2108 S. 6th Avenue	509 & 513 N. 4th Avenue, Suite 101
Tucson, AZ 85713	Tucson, AZ 85705

The agent, Micah A. Blatt, appeared at the hearing, and was represented by counsel, Thomas Aguilera, Esq., who addressed the Board. Assistant City Prosecutor Gioia Sanderson appeared on behalf of the City of Tucson and addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

The Board recessed at 9:14 a.m.
The Board reconvened at 9:29 a.m.

The Board moved into Executive Session at 9:38 a.m.
The Board reconvened from Executive Session at 9:42 a.m.

Motion to Grant -	Ghelfi
Seconded -	Cantrell
Yay -	Huellmantel, Ghelfi, DuPont, Cantrell, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	License Granted

Board Member Cantrell was excused at 11:00 a.m.

The Board recessed at 11:00 a.m.
The Board reconvened at 11:09 a.m.

7. Bar Liquor License No. 06070123 - Person Transfer Application

From:	To:
Barbara L. Freeman, Agent	Omer C. Marion III, Agent
Rustee Enterprises, LLC	J.L.M. Enterprises, LLC
Door Lounge	The Door
1126 N. Scottsdale Road, Suite 5	1126 N. Scottsdale Road, Suite 5
Tempe, AZ 85281	Tempe, AZ 85281

The agent, Omer C. Marion III, did not appear at the hearing, was not represented by counsel. The City of Tempe did not appear at the hearing. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Deny -	Ghelfi
Seconded -	Carruthers
Yay -	Huellmantel, Ghelfi, DuPont, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	License Denied

The Board recessed at 12:19 p.m.
The Board reconvened at 1:32 p.m.

Board Member Cantrell returned at 1:32 p.m.

8. Liquor Store License No. 09070733 - Person Transfer Application

From:	To:
Jamal B. Abdulla, Agent	Mohammad W. Abdeen, Agent
Jimmy Jam Convenience, Inc.	King of Kegs Enterprises, Inc.
AZ Market & Liquor	AZ Market & Liquor
16420 N. 32nd Street	16420 N. 32nd Street
Phoenix, AZ 85032	Phoenix, AZ 85032

The agent, Mohammad W. Abdeen, appeared at the hearing, and was represented by counsel, H. J. Lewkowitz, Esq., who addressed the Board. Assistant City Prosecutor Elizabeth Sugges appeared on behalf of the City of Phoenix and addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Grant -	Ghelfi
Seconded -	Carruthers
Yay -	Huellmantel, Ghelfi, DuPont, Cantrell, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	License Granted

9. **Bar Liquor License No. 06070568 - Person Transfer Application**

From:	To:
John A. Irwin, Agent	Robert W. Powell, Agent
It Just Doesn't Matter, LLC	Emerson Biggins, LLC
Final Score Sports Grill	Final Score Sports Grill
10237 N. 35th Avenue, Suite 4A	10237 N. 35th Avenue, Suite 4A
Phoenix, AZ 85051	Phoenix, AZ 85051032

Counsel for the agent filed a request to continue this matter until the October 2010 Board Hearings. Counsel for the agent, Peter H. Schelstraete, Esq., appeared at the hearing and addressed the Board. Assistant City Prosecutor Elizabeth Sugges appeared on behalf of the City of Phoenix and addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Continue -	Carruthers
Seconded -	Linden
Yay -	Huellmantel, Ghelfi, DuPont, Cantrell, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	Continued to October 2010 Hearings

10. **Bar Liquor License No. 06070484 - Person Transfer Application**

From:	To:
John A. Irwin, Agent	John A. Irwin, Agent
DAL, LLC	Emerson Biggins, LLC
Spuds Bar & Grill	Spuds Bar & Grill
3558 W. Northern Avenue, Suite A	3558 W. Northern Avenue, Suite A
Phoenix, AZ 85051	Phoenix, AZ 85051

Counsel for the agent filed a request to continue this matter until the October 2010 Board Hearings. Counsel for the agent, Peter H. Schelstraete, Esq., appeared at the hearing and addressed the Board. Assistant City Prosecutor Elizabeth Sugges appeared on behalf of the City of Phoenix and addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

Motion to Continue -	Carruthers
Seconded -	Linden
Yay -	Huellmantel, Ghelfi, DuPont, Cantrell, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	Continued to October 2010 Hearings

11. **Restaurant Liquor License No. 12078374 - Original Application**

Randy D. Nations, Agent
Northsand, LLC
Sandbar Mexican Grill
21001 N. Tatum Boulevard, Building 14
Phoenix, AZ 85050

The agent, Randy D. Nations, appeared at the hearing and was represented by counsel, Peter H. Schelstraete, Esq, who addressed the Board. Assistant Attorney General Camila Alarcon was present to provide legal advice to the Board.

The Board moved into Executive Session at 2:27 p.m.
The Board reconvened from Executive Session at 2:32 p.m.

The Board recessed at 2:34 p.m.
The Board reconvened at 2:44 p.m.

Motion to Grant -	Carruthers
Seconded -	Linden
Yay -	Huellmantel, Ghelfi, DuPont, Cantrell, Linden, Carruthers
Nay -	None
Abstained -	None
Disposition -	License Granted

E. Call to the Public

None.

F. Future Board Date

The next meeting of the Arizona State Liquor Board is scheduled for October 7, 2010 at 9:00 a.m.

G. Adjournment

The Board adjourned at 2:46 p.m.

Kelly Stetson
Administrator of the
Arizona State Liquor Board

APRIL 8, 2011
Date