

The Banks County Board of Commissioners held a called meeting/hearing on April 28, 2015, beginning at 3:30 p.m. in the Board Room of the Banks County Courthouse Annex. The purpose of the meeting/hearing was to consider possible ordinance/resolution violations by 4 Way Country & Grocery, Commerce Lucky Store, Outback Steakhouse and Longhorn Steakhouse.

Members Present

Chairman Jimmy Hooper
Vice Chairman Charles Turk
Commissioner David Duckett
Commissioner Danny Maxwell
Commissioner Sammy Reece

Staff Present

County Attorney Randall Frost
Investigator Perry Shirley
County Clerk Jenni Gailey

Media Present

Banks County News – Angela Gary
Access North Georgia – Rob Moore

1. Call to Order

Ch. Hooper called the meeting to order.

2. Violation Hearings:

Commerce Lucky Store

Ch. Hooper opened the hearing and stated that the purpose of the hearing was to consider the possible violation of furnishing alcohol to a minor and asked Investigator Shirley to present the violation allegations. Investigator Shirley stated that on March 27, 2015 at approximately 1:33 p.m., a DOR Underage Operative and Agent Maryellen Loggins, entered the Commerce Lucky Store and the Underage Operative proceeded to purchase a beer. He said the store clerk Mohammad Mohiddin did not ask for ID and sold him the beer. Alcohol Licensee Mohammad Hussain admitted that the sell did occur and stated the employee had been terminated. Ch. Hooper pointed out the importance of maintaining safety for our teens and our county and asked what would be done in the future to prevent it from happening again. Mr. Hussain stated he would train his employees and require ID for everyone. Ch. Hooper stated the county must enforce its ordinances.

Motion to place Commerce Lucky Store on 6 month probation for the period of 4/28/2015 through 9/28/2015: Danny Maxwell

Second: David Duckett

Vote: 5:0

All aye votes and motion carried.

4 Way Country & Grocery

Ch. Hooper opened the hearing and stated that the purpose of the hearing was to consider the possible violation of furnishing alcohol to a minor and asked Investigator Shirley to present the violation allegations. Investigator Shirley stated that on March 27, 2015 at approximately 10:45 a.m., a DOR Underage Operative and Agent Maryellen Loggins, entered the 4 Way Country & Grocery and the Underage Operative proceeded to purchase a beer. He said the alcohol licensee Harshadkumar D. Patel did not ask for ID and sold him the beer. Mr. Patel admitted that the sell did occur and stated he had been under much stress due to personal reasons. Ch. Hooper pointed out the importance of maintaining safety for our teens and our county and asked what would be done in the future to prevent it from happening again. Mr. Patel stated he would check everyone's ID regardless of age.

Motion to suspend 4 Way Country & Grocery alcohol license for 30 days for the period of April 24, 2015 through May 24, 2015 and to place 4 Way Country & Grocery on 6 month probation for the period of 4/28/2015 through 9/28/2015: Sammy Reece

Second: Charles Turk

Vote: 5:0

All aye votes and motion carried.

The meeting went into recess at 3:45 p.m.

The meeting reconvened at 4:10 p.m.

Outback Steakhouse

Ch. Hooper opened the hearing and stated that the purpose of the hearing was to consider the possible violation of furnishing alcohol to a minor and asked Investigator Shirley to present the violation allegations. Investigator Shirley stated that on March 27, 2015 at approximately 2:54 p.m., a DOR Underage Operative and Agent Maryellen Loggins, entered the Outback Steakhouse and the Underage Operative proceeded to purchase a beer. He said the server Loricia J. King did not ask for ID and sold him the beer. Manager Joshua Curry admitted that the sell did occur and stated the employee had been terminated. Ch. Hooper stressed the importance of a training program and asked what would be done in the future to prevent it from happening again. Mr. Curry stated increased training for employees would be required on a yearly basis.

Motion to place Outback Steakhouse on 6 month probation for the period of 4/28/2015 through 9/28/2015: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and motion carried.

The meeting went into recess at 4:16 p.m.

The meeting reconvened at 4:27 p.m.

Longhorn Steakhouse

Ch. Hooper opened the hearing and stated that the purpose of the hearing was to consider the possible violation of furnishing alcohol to a minor and asked Investigator Shirley to present the violation allegations. Investigator Shirley stated that on March 27, 2015 at approximately 1:25 p.m., a DOR Underage Operative and Agent Maryellen Loggins, entered the Longhorn

Steakhouse and the Underage Operative proceeded to purchase a beer. He said the server Victoria Alexandria Wheeler did not ask for ID and sold the beer. Longhorn Steakhouse Attorney Kevin Leff was present at the meeting and clarified that the server did ask for the ID but when the underage operative did not furnish the ID, she sold him the beer anyway. Attorney Leff stated that according to Longhorn policies the employee had been terminated. Ch. Hooper stressed the importance of a training program and asked what would be done in the future to prevent it from happening again. Manager Gregory Ray stated training had been done immediately following the violation and more training would be required in the future.

Motion to place Longhorn Steakhouse on 6 month probation for the period of 4/28/2015 through 9/28/2015: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and motion carried.

3. Adjournment

Motion to adjourn the hearing at 4:32 p.m.: Charles Turk

Second: Jimmy Hooper

Vote: 5:0

All aye votes and motion carried.

Chairman

Clerk
