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**SPECIAL MEETING MINUTES  
BEER BOARD  
CITY OF FRANKLIN, TENNESSEE  
CITY HALL BOARD ROOM  
TUESDAY, JANUARY 13, 2009 – 4:30 P.M.**

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**Committee Members**

Alderman Beverly Burger, Chair  
Alderman Pearl Bransford  
Alderman Clyde Barnhill

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**Other Attendees**

Jackie Moore, Police Chief  
Steve Sims, Assistant City Recorder  
Shauna Billingsley, Interim City Attorney  
Kristen Corn, Paralegal  
Ann Woofter, Certified Court Reporter  
Officer Scott Quinn  
Linda Fulwider, Board Recording Secretary

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**CALL TO ORDER**

Alderman Burger called the *Special* Beer Board meeting to order at 4:40 p.m.

**1. Consider Beer Permit Revocation or Suspension of the following Beer Permit**

Case # 2008-01      Permit #05-34      Date of Violation: August 26, 2008  
LaHacienda Mexican Restaurant #3, 1110 Hillsboro Road, Franklin, TN 37064  
Permittee: Guzman II LLC, 1811 Carters Creek Pike, Franklin, TN 37064

Salvatore Guzman and his brother were present and sworn in by Ann Woofter. Officer Scott Quinn and Officer Grunnells were sworn in as well.

The notice of violation packet was entered into evidence as Exhibit One. A waiter at LaHacienda #3 served beer to a 19 year old Confidential Informant (CI) even though requested ID was provided. Subsequent to the CI taking possession of the beer, police officers entered the establishment and cited the waiter. (Later in the meeting it was learned the ID clearly stated the individual would not be 21 years old until 2010)

The Permittee is not certified as a Responsible Vendor; therefore, the Beer Board may fine this non-certified vendor up to \$1,500 for a first offense with other conditions imposed.

Mr. Guzman told the Board they do not make it a practice to sell alcohol to minors. He said this time the waiter sold to a minor because he miscalculated the date. He added that he and his brother are not there every day and oversight is left to the manager.

The Guzman's chose to proceed with a hearing. Officer Scott Quinn testified the server pled guilty and spent 48 hours in jail. Mr. Guzman said they considered dismissing the server; however, he left the job the following week. The Guzman's consider this a serious matter for them as the offense gives their business a bad name. They have been in business since 1991 and provide good service and quality food. ABC trainers come to their restaurants and conduct five-six hour courses with videos. Each employee

must then pass a written test. They do not have an employee training manual.

Shauna Billingsley asked if they knew the waiter had been working a year on an expired ABC card. Were the cards of other employees checked? Mr. Guzman said it is the responsibility of the managers on duty to check day-to-day business matters. As business owners with several locations it is hard to be aware of everything. They try to have monthly meetings with managers to discuss such things. There was discussion as to whether an ABC card is required to serve beer. Apparently, It is not, but is considered a safeguard.

Alderman Bransford commented they have acknowledged guilt, addressed the offending employee, and started a process for training. The expired card is a concern.

Salvatore Guzman stated they were here because an employee failed to do the right thing, even after asking for ID. They enforce the rules. They have been in business 17 years and this is only the second time cited.

*Alderman Barnhill made a motion, based on this being the first offense at this location and only the second citation in 17 years, to impose a fine of \$250.00 in addition to providing a calculating device for staff, and submission of an appropriate employee training manual to the Beer Board within 30 days. Seconded by Alderman Bransford. Motion carried unanimously.*

The training manual will be reviewed at the next meeting. Alderman Burger recommended they talk to Steve Sims about becoming a certified responsible vendor.

## **ADJOURN**

Meeting adjourned 5:07 pm.

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Beverly Burger, Chair

Minutes prepared by Linda Fulwider, Board Recording Secretary, City Administrator's Office - 1/23/2009 3:12 AM