

The Banks County Board of Commissioners held a hearing on October 11, 2007, at 10:00 a.m. to consider possible ordinance/resolution violations by El Azteca Mexican Restaurant located at Banks Crossing. Members present were Chairman Gene Hart and Commissioner Rickey Cain as well as County Attorney Randall Frost. To represent El Azteca Mexican Restaurant was the manager Alicia Marchan. Investigator Savannah Morgan of the Georgia Department of Revenue Underage Task Force was also present.

Ch. Hart 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 Morgan to present the violation allegations. Investigator Morgan stated that on September 13, 2007 at approximately 7:35 p.m., she and another Investigator Clay Sprayberry, who was 19 years of age, entered the restaurant and Investigator Sprayberry ordered a Bud Light. She said the server Maria Delorgs did not ask for identification and served Investigator Sprayberry the drink. Investigator Sprayberry paid for the drink and left the restaurant and reported the incident to the Department of Revenue Inspection Team who went into the restaurant and informed management of the incident.

Ms. Marchan stated she had instructed the servers – “No ID-No Alcohol”. Ch. Hart asked if the restaurant had a training program in place. Ms. Marchan stated her insurance carrier – Travelers Insurance, provided a training program that they use. She stated she had placed the employee on probation for 6 months.

Ch. Hart stated he appreciated El Azteca Mexican Restaurant locating in the county; however the county must enforce its ordinances. He recommended placing the establishment on 6 months probation with the understanding that if any further violations occur during that time period it would result in immediate revocation of the alcohol license. He also encouraged Ms. Marchan to implement a training program for employees on serving alcohol. Comm. Cain also expressed the importance of having a training program in place.

Comm. Cain made a motion to place El Azteca Mexican Restaurant on 6 months probation for the period of 10/15/2007 through 4/15/2008. Ch. Hart seconded. Two aye votes and motion carried. The hearing ended at 10:16 a.m.

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Chairman

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Clerk

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