

MINUTES OF THE SPECIAL MEETING OF THE
CADDO PARISH COMMISSION
HELD ON THE 19th DAY OF FEBRUARY, 2018

The Caddo Parish Commission met in a Special Session on the above date at 2:30 p.m. in the Government Chambers with President Stormy Gage-Watts presiding and the following members in attendance, constituting a quorum: Commissioners Atkins, Bowman, Cawthorne, Chavez, Dominick, Gage-Watts, Louis Johnson, Middleton, and Smith (9). ABSENT: Commissioners Jackson, Lyndon B. Johnson, and Linn (3).

Mr. Bowman gave the invocation, and Mr. Dominick led the Commission in the Pledge of Allegiance.

NEW BUSINESS

To determine action to be taken relative to Caddo Parish alcohol beverage permits for the following businesses:

1. S&A Truck Stop, 12300 Mansfield Road, Keithville, LA 71047 (2nd offense)
2. Walmart Super Center, 4701 Northport Blvd., Shreveport, LA 71107 (2nd offense)
3. Longwood General Store, 3502 North LA Hwy 169, Shreveport, LA 71107 (1st offense)
4. Stonewall Beverage Company, 12800 Mansfield Rd, Keithville, LA 71047 (1st offense)

At this time, the Clerk of the Commission requested all individuals representing businesses involved and the Sheriff Department deputies involved to stand and be sworn-in at this time.

Mr. Middleton stated that he will be abstaining from voting due to his affiliation with the Sheriff's Office.

- Deputy Chris Ardoin stated on January 2, 2019, a confidential informant, who was a minor, went inside S&A Truck Stop, located at 12300 Mansfield Road, Keithville, and purchased Blackberry Arbor Mist for \$8.25 from Mr. Kumar. Alcohol was sold to the minor CI, and upon leaving of establishment, the trailing deputy entered and issued the attendant a summons. Deputy Ardoin also pointed out Mr. Kumar did check the CI's ID, but sold to the CI any way. He also stated that Mr. Kumar had a Shreveport ABO, not a Caddo ABO.

Answering a question from Mr. Dominick regarding a scanner, Det. Ardoin stated that the clerk looked at the ID, but did not scan it.

Mr. Kumar explained that the CI provided the ID, but did not allow him to hold it. He also said that the CI was covering the year up with her thumb and told him that she was 21 and continued to carry on a conversation with him.

Mrs. Gage-Watts wanted to know why he did not have a Caddo Parish ABO. Mr. Kumar thought he only needed a Shreveport ABO. He went to get a Caddo ABO after this incident, but was told that he could not get one until this matter was cleared.

Mr. Middleton stated that Mr. Kumar was knowingly operating without a Caddo ABO. Mr. Kumar stated that he did not know he was supposed to have a Caddo ABO as well. Mr. Middleton cautioned "not knowing the law is no excuse for breaking the law". Answering a question from Mr. Middleton regarding Mr. Kumar's relationship with the business, Mr. Kumar stated that he is a manager, and it is a family business.

Answering a question from Mr. Atkins regarding the length of time his family has owned this business, Mr. Kumar answered that his family has owned this business since 2010.

Mr. Louis Johnson asked for more clarification regarding the conversation between the cashier and the CI. Mr. Kumar explained that the CI told him she was 21 years old and talked about her 21st birthday party. He said that she was so confident, and he was misled by her conversation. Dep. Ardoin advised the CI not make any false statements and to provide a valid ID. Dep. Ardoin is not sure exactly what was said during their conversation. Mr. Kumar said that the trailing deputy approached him in the parking lot following the sale and told him that even though she told him she was 21, it was still his responsibility to verify her age. Mr. Kumar also pointed out that she said she was 21 more than once. He understands that it is his mistake, and he will be more careful in the future.

Mr. Cawthorne wanted to know if he was aware of the circumstances regarding the first offense. Mr. Kumar stated that he is not familiar for the first offense, but the prior clerk no longer works there. He also explained that his family owns the business, and he is the manager.

It was **moved by Mr. Chavez**, seconded by Mr. Dominick, *to find S&A Truck Stop guilty of a 2nd offense sell to a minor and fine them \$750.* Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Cawthorne, Chavez, Dominick, Gage-Watts, Louis Johnson, and

Smith (7). NAYS: Commissioner Bowman (1). ABSENT: Commissioners Jackson, Lyndon B. Johnson, and Linn (3). ABSTAIN: Commissioner Middleton (1).

- Detective Larry Pierce stated on January 2, 2019, a confidential informant, who was a minor, went inside Walmart Super Center, located at 4701 Northport Blvd., Shreveport, and purchased a 750 mL of Jim Beam from Brittany Cook. Alcohol was sold to the minor CI, and upon leaving of establishment, the trailing deputy entered and issued the attendant a summons. Det. Pierce also pointed out Ms. Cook did check the CI's ID, but did not scan it.

Mr. Eric Bell, Manager, apologized for this situation. He also said that they have extensive training and computer based learning (CBL). Following the completion of the CBL, they shadow a cashier for about two weeks before they can be on their own. He also said that Ms. Cook was a good cashier, but this day she was a victim of domestic violence, which caused her to perform below her standards. Unfortunately, due to policy, Ms. Cook had to be terminated. He also said that they take this very seriously and apologized once again for having to come before the Commission regarding this matter.

It was **moved by Mr. Dominick**, seconded by Mr. Atkins, *to find Walmart Super Center guilty of a 2nd offense sell to a minor and fine them \$750.*

Answering a question from Mr. Dominick regarding Mr. Bell's title at Walmart, Mr. Bell stated that he is Assistant Manager of the Front End. Mr. Dominick suggested that they tighten up training so this situation does not happen again.

Mr. Cawthorne wanted to know, on a quarterly basis, how many alcohol transactions come through Walmart. Mr. Bell stated it was in the thousands. Mr. Cawthorne suggested to have all alcohol sales through self-checkout to eliminate the cashier being responsible for the sale of alcohol to a minor. Mr. Chavez raised a point that an underage person could use another person's ID to purchase alcohol.

Substitute motion by Mr. Bowman *to find Walmart Super Center guilty of a 1st offense sell to a minor and fine them \$500.* Motion died to the lack of a second.

At this time, Mr. Dominick's motion failed, as shown by the following roll call votes: AYES: Commissioners Atkins, Cawthorne, Dominick, Louis Johnson, Gage-Watts, and Smith (6). NAYS: Commissioner Bowman (1). ABSENT: Commissioners Chavez, Jackson, Lyndon B. Johnson, and Linn (4). ABSTAIN: Commissioner Middleton (1).

Attorney Bernstein pointed out that there needs to be seven affirmative votes in order for this motion to pass.

- Detective Larry Pierce stated on January 2, 2019, a confidential informant, who was a minor, went inside Longwood General Store, located at 3502 North LA Hwy 169, Shreveport, and purchased a six pack of Michelob Ultra from Theresa Magner. Alcohol was sold to the minor CI, and upon leaving of establishment, the trailing deputy entered and issued the attendant a summons. Det. Pierce also pointed out Ms. Cook did check the CI's ID, but did not scan it.

Patty Otman, General Manager, stated that she did not terminate the clerk because she was in training that day. She left Ms. Magner for a few minutes to grab something from her office, and that is when the sale took place. She explained that Ms. Magner had not been trained on the scanner just yet. Since this incident, the training procedures for checking IDs has changed.

It was **moved by Mr. Dominick**, seconded by Mr. Bowman, *to find Longwood General Store guilty of a 1st offense sell to a minor and fine them \$500.*

Answering a question from Mr. Cawthorne regarding the cashier, Ms. Otman explained that she had a summons to appear in court, and the next court date is later this month. Ms. Otman also stated that they would normally terminate the cashiers on the spot, but they did not fire this cashier because she was still in training and left by herself.

At this time, Mr. Dominick's motion failed, as shown by the following roll call votes: AYES: Commissioners Atkins, Bowman, Dominick, Gage-Watts, Louis Johnson, and Smith (6). NAYS: Commissioner Cawthorne (1). ABSENT: Commissioners Chavez, Jackson, Lyndon B. Johnson, and Linn (4). ABSTAIN: Commissioner Middleton (1).

Attorney Bernstein pointed out that there needs to be seven affirmative votes in order for this motion to pass.

- Detective Jacob Bergeron stated on May 9, 2018, a confidential informant, who was a minor, went inside Stonewall Beverage Company, located at 12800 Mansfield Road, Keithville, and purchased a six-pack of Blue Moon from Amy Bradford. Alcohol was sold to the minor CI, and upon leaving of establishment, the trailing deputy entered and issued the attendant a summons. Det. Bergeron also pointed out Ms. Bradford did check the CI's ID, but sold to the CI anyway.

Mr. Cole Dickson, Manager, stated that they do not have scanners. He also explained that since this incident, they have changed their training policies regarding the sale of alcohol to minors. He also said that it was a busy night and they were shorthanded. He also said that Ms. Bradford looked at the ID and kept going. Mr. Dickson also explained that their physical address is not their mailing address. Mrs. Gage-Watts requested that Mr. Dickson provide the Clerk of the Commission the correct mailing address.

Mrs. Gage-Watts suggested that they purchase an ID scanner.

Mr. Cawthorne wanted to know if establishments selling alcohol is required to have an ID scanner. Det. Bergeron said it was optional to purchase the scanner.

Mr. Dominick strongly urged the Commission to vote for the 1st offense for this case.

Mr. Bowman stated that each case is individualized and should be voted on accordingly.

It was **moved by Mr. Smith**, seconded by Mr. Cawthorne, *to find Stonewall Beverage Company guilty of a 1st offense sell to a minor and fine them \$500. Motion carried*, as shown by the following roll call votes: AYES: Commissioners Atkins, Bowman, Cawthorne, Chavez, Dominick, Gage-Watts, Louis Johnson, and Smith (8). NAYS: None (0). ABSENT: Commissioners Jackson, Lyndon B. Johnson, and Linn (3). ABSTAIN: Commissioner Middleton (1).

- It was **moved by Mr. Dominick**, seconded by Mr. Atkins, *to reconsider the vote on Walmart.*

Mr. Dominick explained that it takes seven affirmative votes in order for this motion to carry. He asked that the Commissioners uphold the second offense.

Mr. Bowman stated that there was a special circumstance because the cashier was a domestic violence victim.

Mr. Middleton explained just because Walmart does thousands of alcohol sales, this is the one they caught. He explained that they could have been selling to underage people during any of those thousands of sales.

Attorney Bernstein gave a point of order that Mr. Dominick's motion is to undo the previous vote and put the motion back into posture.

At this time, Mr. Dominick's motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Cawthorne, Chavez, Dominick, Gage-Watts, Louis Johnson, and Smith (7). NAYS: Commissioner Bowman (1). ABSENT: Commissioners Jackson, Lyndon B. Johnson, and Linn (3). ABSTAIN: Commissioner Middleton (1).

It was **moved by Mr. Dominick**, seconded by Mrs. Gage-Watts, *to find Walmart Super Center guilty of a 2nd offense sell to a minor and fine them \$750. Motion carried*, as shown by the following roll call votes: AYES: Commissioners Atkins, Cawthorne, Chavez, Dominick, Gage-Watts, Louis Johnson, and Smith (7). NAYS: Commissioner Bowman (1). ABSENT: Commissioners Jackson, Lyndon B. Johnson, and Linn (3). ABSTAIN: Commissioner Middleton (1).

- It was **moved by Mr. Dominick**, seconded by Mrs. Gage-Watts, *to reconsider the vote on Longwood General Store.*

Call for the Question by Mr. Chavez, seconded by Mrs. Gage-Watts. Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Bowman, Cawthorne, Chavez, Dominick, Gage-Watts, Louis Johnson, and Smith (8). NAYS: None (0). ABSENT: Commissioners Jackson, Lyndon B. Johnson, and Linn (3). ABSTAIN: Commissioner Middleton (1).

At this time, Mr. Dominick's motion to reconsider carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Bowman, Cawthorne, Chavez, Dominick, Gage-Watts, Louis Johnson, and Smith (8). NAYS: None (0). ABSENT: Commissioners Jackson, Lyndon B. Johnson, and Linn (3). ABSTAIN: Commissioner Middleton (1).

It was **moved by Mr. Dominick**, seconded by Mrs. Gage-Watts, *to find Longwood General Store guilty of a 1st offense sell to a minor and fine them \$500. Motion carried*, as shown by the following roll call votes: AYES: Commissioners Atkins Bowman, Chavez, Dominick, Gage-Watts, Louis Johnson, and Smith (7). NAYS: Commissioner Cawthorne (1). ABSENT: Commissioners Jackson, Lyndon B. Johnson, and Linn (3). ABSTAIN: Commissioner Middleton (1).

There being no further business to come before the Commission, the meeting was adjourned at 3:26 p.m.

Todd Hopkins _____


Stormy Gage-Watts

Commission Clerk

President