

MINUTES OF THE SPECIAL MEETING OF THE  
CADDO PARISH COMMISSION  
HELD ON THE 15th DAY OF JUNE, 2020

The Caddo Parish Commission met in a Special Session on the above date at 2:00 p.m. via Zoom teleconference, with President Chavez presiding and the following members in attendance, constituting a quorum: Commissioners Atkins, Chavez, Epperson, Gage-Watts, Hopkins, Lazarus, and Taliaferro (7). ABSENT: Commissioners Burrell, Cawthorne, Jackson, Johnson, and Young (5).

Mr. Taliaferro gave the invocation, and Mr. Epperson led the Commission in the Pledge of Allegiance.

**CERTIFICATE OF NEED TO TELECONFERENCE**

WHEREAS, the Governor of the State of Louisiana has issued Proclamation Number 33 JBE 2020, stating that, due to the current Public Health emergency declared in the Governor's Proclamation Number 25 JBE 2020, and citing the provisions of La. R.S. 29:721, et seq., granting him the authority to control the "ingress and egress to and from a disaster, the movement of persons within the area, and the occupancy of premises therein; and

WHEREAS, the Governor, in Proclamation Number 33 JBE 2020, has limited all gatherings of 10 or more people, for public safety purposes; and

WHEREAS, Governor has issued a general stay at home order "unless performing an essential activity," 33 JBE 2020, Section 3; and

WHEREAS, attendance at a Caddo Parish Commission Special Session meeting is not stated in the list of essential activities, listed in 33 JBE 2020, Section 3; and

WHEREAS, the usual conduct of the meeting would require travel and the presence of a number of persons in excess of ten (10); and

WHEREAS, the Governor of the State, in Proclamation Number 30 JBE 2020, Section 4, issued on March 16, 2020, has invoked the aforementioned statutes authorizing him to allow attendance at essential governmental meetings via teleconference or video conference during the pendency of this emergency; and

WHEREAS, the Governor of the State, in Proclamation Number 41 JBE 2020, Section 13, issued on April 2, 2020, has extended the Stay-At-Home Order until Thursday, April 30, 2020; and

WHEREAS, on April 27, 2020, Governor John Bel Edward extended the StayAt-Home Order until Friday, May 15, 2020.

THEREFORE, the Caddo Parish Commission hereby certifies that it will not be able to obtain a quorum and convene a meeting in a public forum on June 15, 2020 due to the Governor's proclamations, and will be required to meet by video conference, and, if necessary teleconference, on that date as allowed by law and the Proclamations of the Governor listed above. Date: June 10, 2020

/s/Mario Chavez, President

**RULES & PROCEDURES FOR THE ALCOHOL HEARING**

- 1) Each case will be heard by the Commission and decision rendered before moving to any further case.
- 2) Owner or designee of business and Sheriff's Department Youth Services representative will be sworn in by the Commission.
- 3) Sheriff's Department will present evidence from underage alcohol sales.
- 4) Business owner (defendant) will present their evidence relating to underage sale.
- 5) A rebuttal time will be allowed for Sheriff's Department representative and business owner.
- 6) Each Commissioner will have at least one opportunity to ask questions pertinent to the existing case.
- 7) A motion for action on a case may be accepted after all questions have been answered by the Commission.

- 8) Seven "Yea" votes are required for adoption of any action to suspend, revoke, delay action defer action or fine business found in violation of Ordinance 5079 of 2011.
- 9) Decision will be rendered to business owner (defendant) and become official decision of the Caddo Parish Commission.

### **NEW BUSINESS**

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

- Daiquiri Express, 5750 N. Market Street, Shreveport, LA (1<sup>st</sup> offense)
- The Derrick, 6780 Colquitt Road, Keithville, LA (2<sup>nd</sup> 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.

- Daiquiri Express, 5750 N. Market Street, Shreveport

The Clerk of the Commission stated that this violation occurred on July 3, 2019. Mr. Atkins wanted to know the reason for the delay in handling this matter. Mr. Hopkins explained that there were several attempts to handle these cases last year, but a quorum could not be achieved.

Sgt. Scoggins, Caddo Parish Sheriff's Office, stated on July 3, 2019, the Caddo Parish Sheriff's Office conducted an underage alcohol sales operation. Deputy Bergren and a confidential informant, who was a minor, went inside Daiquiri Express, located at 5750 N. Market Street, Shreveport and purchased 20 oz. frozen daiquiri for \$6.25 from Ms. Bethany Knotts. Ms. Knotts did not ask the CI for their ID and alcohol was sold to the minor CI, and upon leaving of establishment, the trailing deputy entered and issued the attendant a summons.

Mr. Mike Johnson, Daiquiri Express, said that they have been checked many times after this incident without violation. He also said that they purchased card readers that should prevent the sale of alcohol to a minor.

It was **moved by Mr. Chavez**, seconded by Mr. Epperson, *to find Daiquiri Express guilty of a 1<sup>st</sup> offense violation for selling to a minor, but waived the fine contingent upon the business does not receive another violation within 365 calendar days; if the business does receive a second offense, both the first offense fine and the second offense fine will be issued to the business.* Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Chavez, Epperson, Gage-Watts, Hopkins, Lazarus, and Taliaferro (7). NAYS: None (0). ABSENT: Commissioners Burrell, Cawthorne, Jackson, Johnson, and Young (5). ABSTAIN: None (0).

Mr. Hopkins pointed out that the first offense is \$500; second offense is \$750; and the third offense is \$1000.

- Sgt. Scoggins, Caddo Parish Sheriff's Office, stated on July 3, 2019, Detective Pierce, Cpl. Williams, and Deputy Tristan Highfield, who was a minor, went inside The Derrick, located at 6780 Colquitt Road, Keithville, and purchased a six-pack of Miller HighLife for \$7.00 from Sherie Morgan. Alcohol was sold to the minor deputy, and upon leaving of establishment, the trailing deputy entered and issued the attendant a summons. Sgt. Scoggins pointed out that the ID was scanned and checked, but still sold to the minor. He also said that this was Ms. Morgan's second offense of unlawful sales to a minor.

The representative for The Derrick was not in attendance.

Mr. Lazarus wanted to know why the clerk sold the alcohol even though the ID was checked and scanned. Sgt. Scoggins said that it happens from time to time, and they've even had cashiers force sale alcohol to minors. He explained that there are businesses that have the scanner attached to the register, and when the ID will not allow the sale because they are a minor, the cashier will force the sale to go through.

It was **moved by Mr. Atkins**, seconded by Mr. Epperson, *to find The Derrick guilty of a 2<sup>nd</sup> offense violation for selling to a minor, and fine them \$750.*

Mr. Hopkins wanted to know if The Derrick is under new ownership. Mr. Lazarus was not sure if they were or not.

Mr. Chavez said that sometimes the business owner has no control over an employee who sells alcohol to minors. He said that there are business owners that provide all the training, but the employee chooses to sell anyway. He wanted to know if there was some type of legislation the Commission could come up with that holds the cashier more responsible. Sgt. Scoggins said that this type of situation occurred last year. He said that they arrested a bartender who sold alcohol to minors on three different occasions. The first offense was plead down to a lesser charge, and the second offense was dismissed. Because of the previous actions taken, the third offense was actually only considered a first offense. He also explained that if she was to receive an actual third offense, she would not have been able to obtain an ABO through the Sheriff's Office.

At this time, Mr. Atkins' motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Chavez, Epperson, Gage-Watts, Hopkins, Lazarus, and Taliaferro (7). NAYS: None (0). ABSENT: Commissioners Burrell, Cawthorne, Jackson, Johnson, and Young (5). ABSTAIN: None (0).

There being no further business to come before the Commission, the meeting was adjourned at 2:26 p.m.

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Michelle Nations  
Deputy Commission Clerk

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Mario Chavez  
President