

**TOWN OF NEW CASTLE  
RESOLUTION NO. TC-2016-4**

**A Resolution of the New Castle Town Council Approving an  
Application from Ferguson Enterprises, LLC dba Chapman's Pub,  
for the Transfer of a Tavern Liquor License.**

WHEREAS, Ferguson Enterprises, LLC dba Chapman's Pub (Applicant) has applied for the transfer of a tavern liquor license at 366 W. Main Street, New Castle, Colorado; and

WHEREAS, the Town Council of the Town of New Castle held a duly noticed public hearing on February 2, 2016 to consider the application; and

WHEREAS, the Town Council listened to testimony from staff, the Applicant, and members of the public concerning the application; and

WHEREAS, the Town Council finds:

1. The Applicant is entitled to possession of the premises to be licensed by ownership, lease, rental, or other arrangement;
2. The sale of alcohol beverages at the premises is permitted under the zoning regulations applicable to the premises;
3. The building in which the alcohol beverages are to be sold is not located within 500 feet of any public or parochial school or the principal campus of any college, university, or seminary;
4. The Applicant's officers, and members holding 10 percent or more interest in the Applicant, are of good moral character;
5. The reasonable requirements of the neighborhood for the type of license for which application has been made; the desires of the adult inhabitants; and the number, type, and availability of alcohol beverage outlets located in or near the neighborhood under consideration justify the granting of the license; and

WHEREAS, based on the application and the testimony, the Town Council desires to approve the application.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of New Castle, Colorado:

1. Recitals. The Town Council adopts the foregoing recitals as findings of fact and determinations of the Council.
2. Definition of the Application. The Application consists of the documents and information identified by the Town Clerk, plus all representations of the Applicant reflected in the minutes of the Town Council public hearing on February 2, 2016.
3. Approval. The Town Council approves the Application.

Introduced, Read and Adopted at a regular meeting of the Town Council of the Town of New Castle, Colorado, on February 2, 2016.

TOWN OF NEW CASTLE

  
\_\_\_\_\_  
Mayor Bob Gordon

ATTEST:

  
\_\_\_\_\_  
Town Clerk Melody Harrison, CMC



**RECEIVED**

OCT 22 2015

**Colorado Liquor  
 Retail License Application**

**Town of  
 New Castle, CO**

New License     New-Concurrent     Transfer of Ownership

- All answers must be printed in black ink or typewritten
- Applicant must check the appropriate box(es)
- Applicant should obtain a copy of the Colorado Liquor and Beer Code: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor)
- Local License Fee \$ \_\_\_\_\_

1. Applicant is applying as a/an  
 Corporation     Individual  
 Partnership (includes Limited Liability and Husband and Wife Partnerships)     Limited Liability Company  
 Association or Other

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation  
**Ferguson Enterprises LLC**    FEIN Number **47-5350458**

2a. Trade Name of Establishment (DBA)    State Sales Tax Number    Business Telephone  
**Chapman's Pub**    **31000/64**    \_\_\_\_\_

3. Address of Premises (specify exact location of premises, include suite/unit numbers)  
**366 W. Main St**

City    County    State    ZIP Code  
**New Castle**    **Garfield**    **CO**    **81647**

4. Mailing Address (Number and Street)    City or Town    State    ZIP Code  
**PO Box 612**    **New Castle**    **CO**    **81647**

5. Email Address  
**tferguson@wsmbhvaco.com**

6. If the premises currently has a liquor or beer license, you must answer the following questions

Present Trade Name of Establishment (DBA)    Present State License Number    Present Class of License    Present Expiration Date  
**Silver Club Saloon**    **4700381**    **Tavern**    **10/31/15**

**Section A    Nonrefundable Application Fees    Section B (Cont.)    Liquor License Fees**

Application Fee for New License ..... \$ 600.00  
 Application Fee for New License w/Concurrent Review .... \$ 700.00  
 Application Fee for Transfer ..... \$ 600.00

**Section B    Liquor License Fees**  
 Add Optional Premises to H & R ..... \$100.00 X \_\_\_\_\_ Total \_\_\_\_\_  
 Add Related Facility to Resort Complex ..... \$ 75.00 X \_\_\_\_\_ Total \_\_\_\_\_

<input type="checkbox"/> Arts License (City) ..... \$308.75	<input type="checkbox"/> Liquor Licensed Drugstore (City) ..... \$227.50
<input type="checkbox"/> Arts License (County) ..... \$308.75	<input type="checkbox"/> Liquor Licensed Drugstore (County) ..... \$312.50
<input type="checkbox"/> Beer and Wine License (City) ..... \$351.25	<input type="checkbox"/> Manager Registration - H & R ..... \$ 75.00
<input type="checkbox"/> Beer and Wine License (County) ..... \$436.25	<input type="checkbox"/> Manager Registration - Tavern ..... \$ 75.00
<input type="checkbox"/> Brew Pub License (City) ..... \$750.00	<input type="checkbox"/> Master File Location Fee ..... \$ 25.00 X _____ Total _____
<input type="checkbox"/> Brew Pub License (County) ..... \$750.00	<input type="checkbox"/> Master File Background ..... \$250.00 X _____ Total _____
<input type="checkbox"/> Club License (City) ..... \$308.75	<input type="checkbox"/> Optional Premises License (City) ..... \$500.00
<input type="checkbox"/> Club License (County) ..... \$308.75	<input type="checkbox"/> Optional Premises License (County) ..... \$500.00
<input type="checkbox"/> Distillery Pub License (City) ..... \$750.00	<input type="checkbox"/> Racetrack License (City) ..... \$500.00
<input type="checkbox"/> Distillery Pub License (County) ..... \$750.00	<input type="checkbox"/> Racetrack License (County) ..... \$500.00
<input type="checkbox"/> Hotel and Restaurant License (City) ..... \$500.00	<input type="checkbox"/> Resort Complex License (City) ..... \$500.00
<input type="checkbox"/> Hotel and Restaurant License (County) ..... \$500.00	<input type="checkbox"/> Resort Complex License (County) ..... \$500.00
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City) ..... \$600.00	<input type="checkbox"/> Retail Gaming Tavern License (City) ..... \$500.00
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County) ..... \$600.00	<input type="checkbox"/> Retail Gaming Tavern License (County) ..... \$500.00
	<input type="checkbox"/> Retail Liquor Store License (City) ..... \$227.50
	<input type="checkbox"/> Retail Liquor Store License (County) ..... \$312.50
	<input checked="" type="checkbox"/> Tavern License (City) ..... \$500.00
	<input type="checkbox"/> Tavern License (County) ..... \$500.00
	<input type="checkbox"/> Vintners Restaurant License (City) ..... \$750.00
	<input type="checkbox"/> Vintners Restaurant License (County) ..... \$750.00

**Questions? Visit: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information**

**Do not write in this space - For Department of Revenue use only**

**Liability Information**

License Account Number	Liability Date	License Issued Through (Expiration Date)	Total
			\$

7. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years? Yes  No
8. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state):
- (a) Been denied an alcohol beverage license?
  - (b) Had an alcohol beverage license suspended or revoked?
  - (c) Had interest in another entity that had an alcohol beverage license suspended or revoked?

If you answered yes to 8a, b or c, explain in detail on a separate sheet.

9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.
10. Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?
- Waiver by local ordinance?  or  
Other:

11. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current financial interest in said business including any loans to or from a licensee
12. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement?
- Ownership  Lease  Other (Explain in Detail)
- a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:

Landlord <b>SC Management LLC</b>	Tenant <b>Ferguson Enterprises LLC</b>	Expires <b>10/2020</b>
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- b. Is a percentage of alcohol sales included as compensation to the landlord? If yes complete question 13.
- c. Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".

13. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary. **N/A**

Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage

Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

14. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:  
Has a local ordinance or resolution authorizing optional premises been adopted?
- Number of additional Optional Premise areas requested. (See license fee chart)

15. Liquor Licensed Drug Store applicants, answer the following:  
(a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy?
- If "yes" a copy of license must be attached.

16. Club Liquor License applicants answer the following: Attach a copy of applicable documentation
- (a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?
  - (b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?
  - (c) How long has the club been incorporated?
  - (d) Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?

17. Brew-Pub License or Vintner Restaurant Applicants answer the following:  
(a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)

18a. For all on-premises applicants.  
(If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an individual History Record - DR 8404-I)

Last Name of Manager <b>Ferguson</b>	First Name of Manager <b>TERRI</b>	Date of Birth <b>6/24/69</b>
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- 18b. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.

Name	Type of License	Account Number
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19. Tax Distraint Information. Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue?
- If yes, provide an explanation and include copies of any payment agreements.

20. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the Applicant. All persons listed below must also attach form DR 8404-I (Individual History Record), and submit fingerprint cards to the local licensing authority.

Name	Home Address, City & State	DOB	Position	% Owned
Terrri Ferguson	121 N. 1st New Castle, CO 81647	6-24-68	CEO	50
Brett Ferguson Sr.	121 N. 1st New Castle, CO 81647	2-26-65	Owner	50

\*\* If Applicant is owned 100% by a parent company, please list the designated principal officer on question #20  
 \*\* Corporations - The President, Vice-President, Secretary and Treasurer must be accounted for on question #20 (Include ownership percentage if applicable)  
 \*\* If total ownership percentage disclosed here does not total 100%, applicant must check this box:  
 Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant, and does not have ownership in a prohibited liquor license pursuant to Title 47 or 48, C.R.S.

**Oath Of Applicant**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature <i>Terrri Ferguson</i>	Printed Name and Title TERRI FERGUSON owner	Date 10/20/15
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**Report and Approval of Local Licensing Authority (City/County)**

Date application filed with local authority October 22, 2015	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.)
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The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) has:

- Been fingerprinted
- Been subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license

(Check One)

- Date of inspection or anticipated date \_\_\_\_\_
- Will conduct inspection upon approval of state licensing authority

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S.

**Therefore, this application is approved.**

Local Licensing Authority for Town of New Castle	Telephone Number 970 9842311	<input checked="" type="checkbox"/> Town, City <input type="checkbox"/> County
Signature <i>Bob Gordon</i>	Print Bob Gordon	Title Mayor
Signature (attest) <i>Melody L. Harrison</i>	Print Melody L. Harrison	Title Town Clerk
		Date 2/2/16
		Date 2/2/16