



THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A SPECIAL MEETING ON MONDAY, DECEMBER 16, 2019 AT 1:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWNHALL, 2231 AVENIDA DE MESILLA.

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL & DETERMINATION OF A QUORUM**
- 3. CHANGES TO THE AGENDA & APPROVAL**
- 4. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.
- 5. NEW BUSINESS:**

****A public hearing must be held prior to approval of item A.****

- a) **For approval:** a winegrower liquor license, with on-premise consumption and package sales with patio service for Cowbelle Wines, LLC at 2310 Avenida de Mesilla, Application number 1146565 – **Cynthia Stohner-Hernandez, Clerk/Treasurer.**

6. ADJOURNMENT

NOTICE:

If you need an accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us at 524-3262 at least one week prior to the meeting. The Mayor and Trustees request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Board Room to respond to or to conduct a phone conversation. A copy of the agenda packet can be found online at www.mesillanm.gov.

Posted **12/11/19** at the following locations: Town Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristramn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

Affidavit of Publication

Ad # 0003915244

This is not an invoice

TOWN OF MESILLA
POBOX 10

MESILLA, NM 88046

NOTICE OF PUBLIC HEARING:
Pursuant to the New Mexico Liquor Control Act, the Board of Trustees of the Town of Mesilla will hold a public hearing on Monday, December 16th, 2019, at 1:00 p.m. in the Board Room of the Mesilla Town Hall, 2231 Avenida de Mesilla on the question of whether or not the NM Alcohol and Gaming Division should approve a winegrower liquor license with on-premise consumption and package sales with patio service for Cowbelle Wines, LLC. More information at www.mesillanm.gov or call (575) 524-3262.
Pub#3915244
Run: Nov. 22, 29, 2019

I, a legal clerk of the **Las Cruces Sun News**, a newspaper published daily at the county of Dona Ana, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

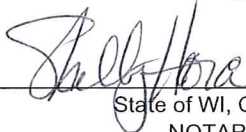
November 22, 2019, November 29, 2019

Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.

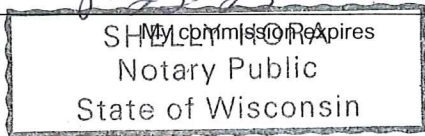
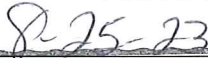


Legal Clerk

Subscribed and sworn before me this November 29, 2019:



State of WI, County of Brown
NOTARY PUBLIC



Ad # 0003915244
PO #:
of Affidavits : 1
This is not an invoice



New Mexico Regulation and Licensing Department
ALCOHOLIC BEVERAGE CONTROL DIVISION

PO Box 25101 ▪ Santa Fe, New Mexico 87504-5101
Phone (505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/abc

November 7, 2019

Certified Mail No.: 9171 9690 0935 0155 1034 93

Michelle Lujan Grisham
Governor

Marguerite Salazar
Superintendent

Andrew Vallejos
Director

Town of Mesilla
Cynthia Stoechner-Hernandez, Clerk
PO Box 10
Mesilla, NM 88046

9171 9690 0935 0155 1034 93

RE: Lic. No. /Appl. No.: Application No. 1146565
Name of Applicant: Cowbelle Wines, LLC
Doing Business as: NM Vintage Wines
Proposed Location: 2310 Avenida de Mesilla
Mesilla, New Mexico 88046

Greetings:

The Director of the Alcoholic Beverage Control Division has reviewed the referenced Application and granted **Conditional Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

While the law states that “within forty-five (45) days after receipt of a Notice from the Alcoholic Beverage Control Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer,” we recognize the potential for conflict between the requirement for publication of 30-day notice and the 45-day hearing requirement. Should the Local Governing Body be unable to meet one of these requirements, please send a Request for Waiver/Extension by email to the assigned AGD Hearing Officer listed on page 2.

Notice of the Public Hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time, and place of the hearing **twice during the 30 days prior to the hearing** in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted.** The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken by the Alcoholic Beverage Control Division; *and*
- (C) The location of the licensed premises.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. **A record shall be made** of the hearing.

THE APPLICANT IS SEEKING A WINEGROWER LIQUOR LICENSE, WITH ON-PREMISES CONSUMPTION AND PACKAGE SALES WITH PATIO SERVICE.

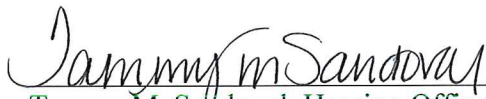
Rec'd 11/14/19
(Signature)

Alcoholic Beverage Control
(505) 476-4875

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcoholic Beverage Control Division of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify the Alcoholic Beverage Control Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcoholic Beverage Control Division with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,



Tammy M. Sandoval, Hearing Officer
New Mexico Regulation & Licensing Dept.
Alcoholic Beverage Control Division
Phone: (505) 476-4548 Fax: (505) 476-4595
Email: tammy.sandoval@state.nm.us

Enclosures:

1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of Zoning Statement



AGD Stamp

AGD USE ONLY: Payment| Application Fee \$ 200 Received on: 9-24-19 Receipt No. 2227679
 License Fee \$ 25 Received on: 9-24-19 Receipt No. 2227679
 Application # 1146565 Local Option District: Town of Mesilla

WINEGROWER LIQUOR LICENSE APPLICATION

\$200.00 Application Fee, non-refundable.

Check appropriate boxes:

Application is for: New License Off-Site Location - 1st, 2nd, 3rd Master License No. 60037 *to move to a new location below.*

Applicant is: Individual Limited Liability Company Corporation Partnership (General/Limited)

NAME OF APPLICANT: (Company or Individual)

TELEPHONE NUMBER

Cowbelle Wines LLC

575-635-8480

EMAIL ADDRESS (required): nmvintagewines@gmail.com

MAILING ADDRESS: PO Box 782, Mesilla, NM 88046

D/B/A Name to be used: NM Vintage Wines Business Phone #: 575-523-9463

Physical location where license is to be used: (Include street number / highway number / state road, city, county, state, and zip code)
2310 Avenida de Mesilla, Mesilla, NM 88046

Are alcoholic beverages currently being dispensed at the proposed location? Yes No If Yes, License #/Type: _____

Agent/Contact Person: Morgan Switzer Phone#: 575-635-8480 Email: morganrswitzer@gmail.com

I, (print name) Morgan Switzer, as (title) Owner
 being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

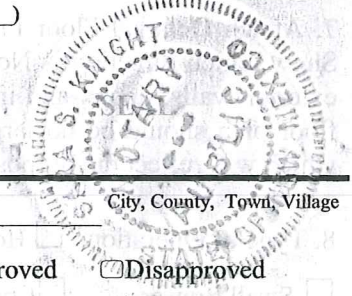
You must sign and date before a Notary Public.

Signature of Applicant: [Signature] Date: 9/13/19

NOTARY PUBLIC USE ONLY: (State of New Mexico, County of Dona Ana)

SUBSCRIBED AND SWORN TO before me this 13th day of September, 2019.

By: Morgan Switzer Notary Public: [Signature]
 My Commission Expires: November 29, 2019



FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: _____
City, County, Town, Village

Public Hearing held on _____, 20____. Check one: Approved Disapproved

Signature and Title of City/County Official: _____

FOR ALCOHOL AND GAMING DIVISION USE ONLY: Approved Disapproved

Signed by Director: _____ Date: _____



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION
NMSA §60-6B-10

1. The land and building which is proposed to be the licensed premises is: (check one)

- Owned by Applicant, copy of deed/document attached
- Leased by Applicant, copy of lease/document attached
- Other (provide details): _____

2. If the land and building are not owned by Applicant, indicate the following:

- A. Owner(s): _____
- B. Date and Term of Lease: _____

3. Premises location is Zoned (example C-1, see Zoning Statement): _____,

Zoning Statement attached, which must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: Basilica San Albino Catholic Church Miles/feet: 424.61 ft.

Address/location of Church: 2280 Calle Principal, Mesilla, NM

5. Distance* from nearest School: (Property line of school to closest point of licensed premises—shortest distance)

Name of School Rio Grande Preparatory Institute Miles/feet 165.31 ft.

Address/location of School: 2355 Avenida de Mesilla, Las Cruces, NM 88005

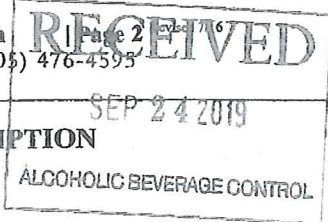
6. Distance from military installation *(Property line of military installation to closest point of licensed premises—shortest distance.)

Name of Military Installation, ^{circle one:} Kirtland Air Force Base (Albuquerque) White Sands Missile Range (Las Cruces),
Miles: 72.7 miles Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis)

7. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and **must be labeled** with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation: Hotel Lounge Package Grocery Restaurant Racetrack
- Small Brewer Craft Distiller Winery Wholesaler
- Other (specify): _____

***NOTE:** If the distance is beyond 300 feet, but less than 400 feet, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.



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NMSA §60-6B-10

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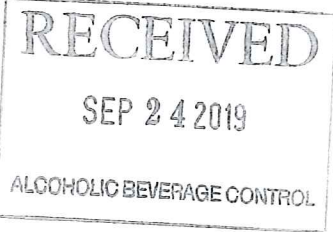
Name of Military Installation, *circle one:* Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces),
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- Small Brewer Craft Distiller Winery Wholesaler
- Other (specify): _____

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Town of Mesilla, New Mexico



January 30, 2019

Morgan Switzer
PO Box 782
Mesilla, NM 88046

Re: Statement of Zoning- 2310 Avenida de Mesilla, Mesilla, NM

Ms. Switzer:

This is to confirm that the property located at 2310 Avenida de Mesilla, Mesilla, NM, further described as part of Dona Ana County parcel ID # 4-006-137-257-414 (DAC Account R04-00340), is located in the Historic Commercial (HC) Zone in the Town of Mesilla. The requirements of this zone are described in Section 18.40 of the Mesilla Town Code, which allows "...Commercial uses allowed in C zone..." (Section 18.45.020). Among the uses permitted in the C (General Commercial) zone under section 18.45.020 (Permitted Uses) are: Bars and cocktail lounges; Package liquor stores; and Restaurants and eating establishments; and other similar uses. This would also include a "wine tasting" operation of the type proposed by yourself for this property. This is a use that has been allowed in the Historic Commercial zone on several occasions in the past.

If you have any questions or concerns, please do not hesitate to contact me at (575) 524-3262, ext. 104.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Shannon". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Larry Shannon
Community Development Coordinator



THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA HAS CANCELLED ITS REGULARLY SCHEDULED BOARD MEETING ON **MONDAY, DECEMBER 23, 2019** AT 6:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL.



THE NEXT REGULARLY SCHEDULED BOARD OF TRUSTEES MEETING WILL BE HELD ON MONDAY, JANUARY 13, 2020 AT 6:00 P.M.

NOTICE

Posted on 12/11/19 at the following locations: Town Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristramn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.