



CITY OF ELKO
CITY MANAGER
1751 COLLEGE AVENUE
ELKO, NEVADA 89801
(775) 777-7110/FAX (775) 777-7119

PUBLIC MEETING NOTICE

The Elko City Council will meet in special session on Tuesday, August 25, 2020
Elko City Hall, 1751 College Avenue, Elko, NV 89801, at 2:00 P.M., P.D.T.

AND utilizing **GoToMeeting.com**

Please join the meeting from your computer, tablet or smartphone.

GoToMeeting.com

<https://global.gotomeeting.com/join/950051509>

NOTE: Due to COVID-19 restrictions, physical attendance at this Special Meeting will be limited to only those individuals necessary to conduct the hearing.

Attached with this notice is the agenda for said meeting of the Elko City Council. In accordance with NRS 241.020, the public notice and agenda were posted on the City of Elko Website at **<http://www.elkocity.com>**, the State of Nevada's Public Notice Website at **<https://notice.nv.gov>**, and in the following locations:

ELKO CITY HALL

1751 College Avenue, Elko, NV 89801

Date/Time Posted: 8:30 a.m., P.D.T., Thursday, August 20, 2020

Posted by: Kim Wilkinson, Administrative Assistant

The public may contact Kim Wilkinson by phone at (775) 777-7110 or email at **kwilkinson@elkocitynv.gov** to request supporting material for the meeting described herein. The agenda and supporting material is available on the City website at **<http://www.elkocity.com>**

The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone at: **<https://global.gotomeeting.com/join/950051509>** You can also dial in using your phone at **+1 (786) 535-3211** The Access Code for this meeting is **950-051-509**. Public Comment and questions can be received by calling (775) 777-0590 or by emailing: **cityclerk@elkocitynv.gov**

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<https://global.gotomeeting.com/install/950051509>

Dated this 20th Day of August, 2020

NOTICE TO PERSONS WITH DISABILITIES

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the City of Elko, City Manager's Office, 1751 College Avenue, Elko, Nevada, 89801, or by calling (775) 777-7110.

Curtis Calder, City Manager
Elko, Nevada

CITY OF ELKO
CITY COUNCIL AGENDA
SPECIAL MEETING
2:00 P.M., P.D.T., TUESDAY, AUGUST 25, 2020
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA
GoToMeeting.com
<https://global.gotomeeting.com/join/950051509>

CALL TO ORDER

The Agenda for this meeting of the Elko City Council has been posted for this date and time in accordance with State of Nevada Emergency Directive 006. The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone by registering at the link above.

Due to COVID-19 restrictions, physical attendance at this Special Meeting will be limited to only those individuals necessary to conduct the hearing.

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. Comments may be made through GoToMeeting.com, or by calling (775) 777-0590, or email comments to: cityclerk@elkocitynv.gov. **ACTION WILL NOT BE TAKEN**

I. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Consideration of an appeal filed by Ron Goldie regarding the City Manager's approval of the City Clerk's decision to revoke the City of Elko business license issued to Goldie's pursuant to City of Elko Code, Section 4-1-14, effective August 7, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

On August 6, 2020, the City of Elko conducted a hearing before the City Manager pursuant to Elko City Code (ECC) Section 4-1-14(B) to determine whether to approve or deny the City Clerk's proposed revocation of Goldie's business license.

At the hearing, testimonial and physical evidence was presented, including the testimonies of the City Clerk, the Elko Police Chief, and representatives of the State of Nevada, Department of Health and Human Services (DHHS). Mr. Goldie personally testified and presented several witnesses on his behalf.

Based upon the testimonies of the witnesses and documents provided, the City Manager made fourteen (14) individual findings of fact, and a subsequent analysis determined Goldie's to be in direct violation of Emergency Directive 027, NRS 199.280, NRS 202.450(3), ECC 4-1-12(A)(1). CC

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NOTE: The Mayor, Mayor Pro Tempore, or other Presiding Officer of the City Council reserves the right to change the order of the agenda, and if the agenda has not been completed, to recess the meeting and continue on another specified date and time. Additionally, the City Council reserves the right to combine two or more agenda items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

ADJOURNMENT

Respectfully Submitted,



Curtis Calder
City Manager

**Elko City Council
Agenda Action Sheet**

1. Title: **Consideration of an appeal filed by Ron Goldie regarding the City Manager's approval of the City Clerk's decision to revoke the City of Elko business license issued to Goldie's pursuant to City of Elko Code, Section 4-1-14, effective August 7, 2020, and matters related thereto. FOR POSSIBLE ACTION**

2. Meeting Date: **August 25, 2020**

3. Agenda Category: ***PETITIONS, APPEAL, AND COMMUNICATIONS***

4. Time Required: **1.5 Hours**

5. Background Information: **On August 6, 2020, the City of Elko conducted a hearing before the City Manager pursuant to Elko City Code (ECC) Section 4-1-14(B) to determine whether to approve or deny the City Clerk's proposed revocation of Goldie's business license.**

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Based upon the testimonies of the witnesses and documents provided, the City Manager made fourteen (14) individual findings of fact, and a subsequent analysis determined Goldie's to be in direct violation of Emergency Directive 027, NRS 199.280, NRS 202.450(3), ECC 4-1-12(A)(1). CC

6. Budget Information: **N/A**

7. Business Impact Statement: **Required/Not Required**

8. Supplemental Agenda Information: **All Correspondence; Evidence presented during 8/6/20 Hearing**

9. Recommended Motion: **Pleasure of the Council**

10. Prepared By: **Curtis Calder, City Manager**

11. Committee/Other Agency Review: **N/A**

12. Council Action:

13. Council Agenda Distribution: **Ron Goldie
465 Railroad Street
Elko, NV 89801**

City of Elko)
County of Elko)
State of Nevada)

SS August 6, 2020

The City of Elko, City Manager conducted a hearing regarding the City Clerk's intent to revoke business license 2997, Goldie's Bar, pursuant to Elko City Code 4-1-14.

CALL TO ORDER

This meeting was called to order by City Manager, Curtis Calder at 9:08 A.M., Thursday, August 6, 2020.

ROLL CALL

Witnesses Present: Tony Cisco
Juan Palafox
Ron Goldie
Mike Nye
Tammy Williams
Bryon Bowen
Tahra Rugh
Matthew Lawstemma
Katharine Mosses

City Staff Present: Curtis Calder, City Manager
Kelly Wooldridge, City Clerk
Ty Trouten, Police Chief
Tom Coyle, Deputy City Attorney
Dave Stanton, City Attorney
Amanda Quintero, Minutes Clerk

COMMENTS BY THE GENERAL PUBLIC

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Mr. Ron Goldie, owner of Goldie's Bar, presented a letter of appeal and proof of service to be presented (Exhibit A). Mr. Goldie submitted six written statements (Exhibit B) a copy of the license from the Nevada Health Department (Exhibit C) and a copy of the Nevada Health Department's inspection (Exhibit D). Mr. Goldie also submitted photos of the Goldie's Bar stating they are in compliance (Exhibit E).

The following item contains detailed testimony regarding a hearing before City Manager Curtis Calder on the revocation of business license 2997, Goldie's Bar. Attention was given to include as much discussion on this item as possible, but the wording is not verbatim.

I. Witnesses

A. The City of Elko presents four witnesses; Kelly Wooldridge, City Clerk, Ty Trouton, Chief of Police, Katharine Moses State of Nevada Health Department, and Matthew Lawstemm, State of Nevada Health Department.

Kelly Wooldridge, Elko City Clerk, was sworn in as witness.

Tom Coyle, Deputy City Attorney, asked Ms. Wooldridge how long she has been employed.

Ms. Wooldridge responded since June 13, 2018.

Mr. Coyle asked Ms. Wooldridge asked if she had received the document the City initially offered by the City Manager and what the document was.

Ms. Wooldridge responded it was a revocation document she wrote.

Mr. Coyle asked why the letter was issued.

Ms. Wooldridge responded that she attends weekly directors meetings that include discussion on various directives that come from the Governor's office in regards to restaurants, bars and large gatherings, in relation to the COVID19 pandemic. The City Clerk's Office oversees the business licensing, liquor licensing, gaming licensing and special event permits that include special event liquor permits. The directives are monitored very closely and since March, the Clerk's office received numerous complaints about various businesses. Ms. Wooldridge explains when a complaint is made, it is discussed in the director's meetings and with Police Chief Trouton. The City of Elko issued violations to various businesses and Goldie's Bar was included. At one of the director's meetings she received notice from Chief Trouton that police officers have observed Goldie's bar open following the Governor's directive on July 10th that bar establishments that do not serve food needs to be closed.

Mr. Coyle asked what type of business Goldie's bar is.

Ms. Woodridge responded that Goldie's Bar has a liquor license and a retail business license. A retail license is issued to a business when that business does not serve food.

Mr. Coyle asked if they are required to have a City business license in addition to the liquor license.

Ms. Wooldridge responded that is correct and is in title 4 chapter 1 in City Code and NRS.

Mr. Coyle asked Ms. Wooldridge to explain the content of the revocation letter.

Ms. Wooldridge explained the letter stating the letter informed various directives that came from the governor's office regarding the closure of bars that do not serve food. Also in the directives if the bar did serve food, the bar top would need to be closed and food cannot be served from the bar top. It outlines the governor's office directives and the City Clerk's responsibility to follow City code. It also stated in the letter that Goldie's Bar was observed by the Elko Police Department, open and serving. She has also received several calls Goldie's Bar and other businesses are open. Based on the evidence by Chief Trouton presented it was appropriate to revoke Goldie's business license. Revoking the license is the only tool the City has to enforce the Governor's directives. Continuing the operation of Goldie's would be a violation of directive 27 issued on July 10, 2020. Since issuing the letter there was no subsequent investigation on the matter.

Curtis Calder, Elko City Manager, asked Mr. Goldie if he had any questions for Ms. Wooldridge.

Mr. Goldie declined.

Mr. Coyle questions Katharine Moses with the State of Nevada Health Department, who was sworn in.

Ms. Moses mentions that Teresa Hayes is on the phone. Teresa is the Program Manager with Nevada Health Department located in Carson City Nevada. Ms. Moses states she is an Environmental Health specialist with the Nevada Division of Behavioral and Public Health in the environmental health division. Her duties including inspecting food establishments, septic systems, schools, spas, and jails. Her address is 1020 Ruby Vista Dr. Ste. 103 Elko, NV 89801. Her duties include Elko and Eureka County. She mentions Goldie's Bar has a Food Establishment/ Bar/ Service Bar Permit and all bars in the State of Nevada are required to have the Bar/Service Bar license. She is aware of the Governor's Directive with the COVID19 directive 27 issued. With her interpretation of the directive Goldie's Bar would be included in the directive 27 of the closure of bars without food being served.

Mr. Coyle asked Ms. Moses having the Bar/Service Bar permit issued, what that permit allows the bar to do.

Ms. Moses stated the definition of a bar in their policy is any area including outdoor seating areas devoted to the sale and service of alcoholic beverages for on premise consumption and where the service of food is only incidental to the consumption of such beverages. Service bar means any area devoted to the sale and service of alcoholic beverages that is used by the facility to make and distribute beverages to servers for public distribution.

Mr. Coyle asked what types of foods are permitted with having a Bar/Service bar permit.

Ms. Moses stated under NRS 446.870 the health exception 2; the health authority may exempt a food establishment from the provisions of this chapter if the health authority determines that the food which is sold, offered or displayed for sale, or served at the establishment does not constitute a potential or actual hazard to the public health. NAC 446.042 lists exceptions of which foods that may be offered or sold that bar exempt. Those foods may include; commercially canned or bottled beverages, coffee or coffee beans, prepackaged snacks and candies, prepackaged food supplements, and whole fruits and vegetables in a natural and unprocessed state. The food that is allowed at Goldie's Bar is food exempt provided under that list. She advised that bars must have a separate permit to serve food.

Mr. Coyle provided pictures (Exhibit D) to Ms. Moses.

Ms. Moses stated she was provided a picture of Goldie's menu of which the only permitted food on the menu Goldie's has would be chips if they are prepackaged.

Ms. Hayes stated that according to the menu there were only 1 or 2 that would be acceptable with their current permit. The other foods that were listed require an additional permit.

Matthew Lawstamm, Nevada Health Department was sworn in and said that he received the picture in the morning because they have applied for a snack bar permit. He mentions they have not been approved for the permit yet and the process can take a month to be approved.

Mr. Goldie was sworn in and stated on the health license it says that food establishment with no restrictions. He said that he interpreted that much, and he did not know about having a separate license for over 20 years. If he did not point out the letter given by the City, he did not meet the criteria they would have not known. Everything was met and was told by Mr. Lawstamm at first everything was met. Later, Mr. Lawstamm said there was a glitch and they did not meet the criteria. He submitted the application and submitted the fees for the snack bar permit. He wants to know why it says food establishment without restrictions and how is he supposed to know when the license says it is a food establishment.

Ms. Hayes stated NRS 446.020 describes food establishments as any place, structure, premises, vehicle or vessel, or any part thereof, in which any food intended for ultimate human consumption is manufactured or prepared by any manner or means whatever, or in which any food is sold, offered or displayed for sale or served. She explains there are many levels of food establishments.

Mr. Goldie said the inspection from the Health Department was passed in June and received a 96/100. The inspection sheet clearly stated food establishment. He was not operating to go against the directive and believed he was following the directive assuming he was a food establishment and is hard to know otherwise.

Ms. Hayes advised Mr. Goldie is limited to certain food types and lists certain criteria for food establishment/bar.

Mr. Goldie and Mr. Coyle had no further questions for the witnesses.

Mr. Coyle called Mr. Goldie as a witness.

Mr. Goldie is the licensee and was present for Ms. Wooldridge's testimony. He advised he has operated the Bar since July 10th because the health advisor said that he had the food establishment with no restrictions and thought he could operate. He explained to the Chief of police after being notified that he was allowed to operate his bar since the license said food establishment with no restrictions.

Mr. Calder asked if he received a notice from the police department in writing he could not operate.

Mr. Goldie advised he received the notice and he stated the position clearly.

Mr. Coyle asked Chief Trouton to be a witness.

Chief Trouton was sworn in and said he has been with the police department for over 20 years. He is familiar with Goldie's Bar in Elko and was present when Mr. Goldie testified. He is aware of the warning July 18th at 7:00pm. He does not have a copy and the body cameras were on with service. The warning advised written notice of the governor's directive 27 issued for the state of emergency. Goldie's continued operation he had a conversation with Mr. Goldie after the last county commission meeting. He advised what could happen if the bar operated and said they would be required to close. They are in operation and still in business on July 28, 2020. He said he was on patrol for burglary in the area and noticed the customers on the sidewalk drinking.

Mr. Goldie asked Chief Trouton when a license says food establishment with no restrictions what does that mean to him.

Chief Trouton advised that it is the responsibility as a business to comply with city code and the NRS.

Mr. Coyle rests the City of Elko side.

Mr. Goldie called Tahra Rugh as a witness. He asked Ms. Rugh, as stated in the letter if she came to Goldie's bar on April 10, 2020.

Tahra Rugh, Goldie's bar customer, said on April 10, 2020, she came to the bar and saw Mr. Goldie's truck then came to the door and was told the bar is closed and turned her away.

Mr. Goldie requested to read the witness statements.

Mr. Coyle has no objection and advised that there is no need to read the letters since they were presented on record.

Mr. Calder said he personally read all the witness letters.

Mr. Coyle called Mr. Goldie to the stand, recognizing he is still under oath. He asked Mr. Goldie if he was aware, he is required to comply with the business license code and the liquor license code. Mr. Coyle states under the city code 4.5.4 the business is required to allow the police to enter in the premises during business hours.

Mr. Goldie replied yes, if the bar is open.

Mr. Coyle stated that was not what the code says.

Mr. Goldie responded he did not know what the code said and Mr. Coyle is the attorney.

Mr. Coyle asked Mr. Goldie that if it is in business hours and the police arrive will he acknowledge at this time he is required to allow police officers enter the premises.

Mr. Goldie said he does comply with the City code however the police were unprofessional, aggressive by banging on the windows, yelling through the windows which what happened the behavior is not condoned when running a business. He had multiple witnesses that had seen the police behavior. He was not sure if they were customers or police officers at that point.

Mr. Coyle asked if he acknowledges if the police have the right to come and enter during business hours.

Mr. Goldie stated he does acknowledge the police have the right to come and enter during business hours.

Mr. Coyle asked in regard to the menu (Exhibit E) if he had been serving those types of foods.

Mr. Goldie has served the food on the menu off and on for 28 years.

Mr. Coyle asked after the health inspector statement, if he needed to close now if he thought he needed to be closed now.

Mr. Goldie stated that his argument is, he was not aware that they had the wrong license.

Mr. Coyle asked if he looked up the city code.

Mr. Goldie advised he looked at one of them.

Mr. Trouton asked if they were preventing police to enter.

Mr. Gold replied yes because the police were unprofessional.

Mr. Calder asked if the notice of violation was clear.

Mr. Goldie advised he thought he had a valid argument due to the 28 years in business and he did not know because he thought he was doing the right thing.

Mr. Goldie read the letter of appeal (Exhibit A).

Mr. Calder asked once he heard from the health inspectors and he doesn't have the correct license if he stood by the letter of appeal and if he acknowledges Goldie's bar needed to be closed.

Mr. Goldie said when he went to the health department he spoke to Matt they were "good to go." He said the health inspector was confused and later said he needed another license, so he applied for that license.

Mr. Calder acknowledged the confusion and asked if it is confusing now.

Mr. Goldie says he will close the business until he gets the new license.

Mr. Coyle has no further questions.

Mr. Stanton asked health officers to respond.

Mr. Lawstemma said he was not able to give a response without seeing the letter. Goldie's bar was not a bar with a food permit it would need to close down.

Mike Nye, owner of Tiki Hut, said that he was under the same impression as Mr. Goldie. He said that he agrees with Mr. Goldie and it is confusing. He is closed and did not receive a notice. He said that he has a bar manager and she said that the wording on the license is wrong.

Mr. Stanton asked how long the Tiki hut is closed.

Mr. Nye said that he would ask Tammy, his bar manager.

Tammy Williams, manager at Tiki Hut, said they were confused on the license and she called the health department. The health department gave her clarification on the license.

Tony Cistco, partner at Goldie's bar, said he is extremely confused on the license. The license says food establishment with no restriction. He said that he spoke to Matt and he said they are "good to go." Matt received a letter from the police and then came back and said he needed to get another license. He said that if he did not tell the health department about the letter from the police he would not have known and advised he sent a copy to the lawyer. The lawyer said the same response with

no restrictions. He only came down because he is sick of the harassment. He is not on the license and he has an investment in the future.

Ms. Hayes said the license is old and is not on file. During the inspections they would have ask what the food is for if they saw it.

Mr. Cistco said Goldie's has always sold enchiladas, burritos and hot dogs for many years and the food would have been there.

Mr. Lawstemm said that he was focusing on educating the newly employed bartender on cleaning and sterilizing during the last inspection.

Mr. Cistco asked Mr. Lawstemm since he inspected the bar if he was in the bar by his perspective and what does that mean.

Mr. Lawstemm said that he had a valid permit from what he saw.

Mr. Calder asked if he is on the liquor license.

Mr. Cistco said he is not because his advisor said to hold off.

Mr. Calder asked whose name is on the health permit.

Mr. Goldie advised that his ex-wife has been on the permit and he mentioned it to the health department and he has not changed it. He has been divorced for over 10 years.

Mr. Cistco said that he does not see or understand why they are there today. He sent a copy of the letter to a lawyer to review and was advised food establishment with no restriction. He said the health department has rules and regulations and the health department needs to educate the people. He was under the impression they are good to go.

Mr. Goldie said that he spoke to Mr. Cistco and he wants to buy the bar. They made an agreement. He said he is not a partner now but in the future he would have. There is no reason for it and until the business changes he is not a partner. He advised he has followed all the social distancing for Covid19. He said that he is confused because he read statistics and it is a 99.9% survivor rate. He said they can voluntarily close. There had been a lot of confusion believed he was operating in good faith. He said they will close and get the correct license to move forward and comply.

Mr. Calder called for closing arguments.

Mr. Coyle advised the City Manager, Mr. Calder, of the notice to intent to revoke the business license is predicated on three grounds. There is a valid order from the governor to close and if there is continuation of operation. There was also violation set forth in the City code 4-1-14A and 4-1-13B that are in violation in state laws 4-

1-12A and NRS 19280 and NRS 202450. As a City we are required to follow those laws and it would go against our governor's directive. He understands the virus and Mr. Goldie's stance however our governor has declared an emergency. As a City we are required to take this seriously. We are entitled to rely on the interpretations of the health inspector's office. They explained by having that permit, Goldie's would be required to close down. Goldie's has failed to comply and we need to rely on their interpretation which is all bars are not allowed to be in continuation of operation. He leaves it to the City Manager's discretion for his offer to voluntarily close until he gets the proper permit.

Mr. Calder said he is required to take everything under consideration and to review what has been presented. His expectation is to have Goldie's closed after this hearing. We may or may not agree with the governor but as political subdivision we are required to follow the orders by the State of Nevada. When we have the police department deliver something in writing that is a legal process and the notice of violation needs to be taken seriously. Mr. Goldie can have a notice of appeal before City Council and can be scheduled on the City Council agenda. The police department will deliver his written decision.

Mr. Goldie asked not to revoke the license and he will close. He advised there will not be any further problems

Mr. Calder said he will take it into consideration.

COMMENTS BY THE GENERAL PUBLIC

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There were no public comments.

There being no further business, Mr. Calder adjourned the meeting.

Mayor Reece Keener

Kelly Wooldridge, City Clerk

Table of Contents for Exhibits

1. Exhibit A

- a. Letter of Appeal
- b. Proof of Service

2. Exhibit B

- a. Goldie's Bar Written Statements

3. Exhibit C

- a. Goldie's Bar Nevada Health Department License

4. Exhibit D

- a. Goldie's Nevada Health Department Inspection

5. Exhibit E

- a. Goldie's Bar Photos

Exhibit A

Goldie's Bar
465 Railroad Street
Elko, NV 89801

City of Elko
1751 College Avenue
Elko, NV 89801

ATTN: CITY CLERK

Dear Kelly Woodbridge:

Goldie's Bar is hereby appealing to be given consideration of violation of all rules and regulations of COVID-19. We have followed the instruction of the Governor.

Concern regarding the issues of April 10th, the bar was closed as instructed by the Governor. Had the bar been open, the door would have been unlocked as required by law. There was a crew of seven employees/friends working on maintenance of the bar on that day. During the afternoon, police officers came to the door and proceeded to bang on the door and window in an aggressive manner. They stated the bar was in compliance and threatened with revocation of the business license.

In my opinion, I'm not sure that we are in violation of city code 4-5-13(A)(7) because we were closed and not open to the public, we are private property when the doors are locked.

As far as customers entering and leaving the bar without a mask on is not true because as they enter, they are required to wear a mask. If they don't have a mask, they can purchase one or they are asked to leave.

As far as Goldie's not licensed to sell food, we do have a food license from the health department that states FOOD LICENSE WITH NO RESTRICTIONS. Also, we were inspected by the health department in June that states on the inspection sheet FOOD ESTABLISHMENT INSPECTION as we received a 96/100. We have had the license for over 28 years and never once, until now, has anyone stated that this is not a food license and we are being in compliance.

As far as Elko City Code 4-1-13(B) which says we are in violation of, we disagree as we are compliant to any and all COVID-19 and Governor's mandates.

Goldie's has been zoned commercially for a very long time and we have operated within those guidelines, subsequently disturbances and public nuisances which may injuriously affect the public health does not apply. As we are respectful in every degree to our neighbors and the public it is our contention, we are not in violation of any city, state, or federal guidelines or laws as stated in the city's letter.

Sincerely,

Ron Goldie

A handwritten signature in dark ink, appearing to read "Ron Goldie". The signature is written in a cursive, flowing style with a large initial "R" and "G".



CITY OF ELKO

Website: www.elkocity.com

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7126 • Fax (775) 777-7129

July 29, 2020

VIA CERTIFIED MAIL AND PERSONAL SERVICE

Goldie's
Attn: Ron Goldie
465 Railroad Street
Elko, Nevada 89801

Goldie's
Attn: Ron Goldie
182 W. Bullion Road #13
Elko, NV 89801

**RE: BUSINESS LICENSE NO. 2997 (GOLDIE'S)
NOTICE OF INTENT TO REVOKE BUSINESS LICENSE**

Dear Mr. Goldie:

As you are aware, on March 20, 2020, Governor Sisolak issued Emergency Directive 003 closing nonessential businesses -- including bars -- through April 16, 2020. On April 10, 2020, Goldie's was determined to be open and serving patrons in violation of Directive 003. We understand you claim that you were having a private gathering in the bar at the time; however, you refused entry to law enforcement personnel, which is in violation of City Code Section 4-5-13(A)(7). Despite being given both written and verbal warnings by the Elko Police Department, Goldie's remained open that day, resulting in a referral to the City Attorney for prosecution.

Although the Governor subsequently relaxed certain restrictions, on July 10, 2020, the Governor issued Emergency Directive 027, ordering the closure of bars not licensed to serve food in counties with an Elevated Disease Transmission, which includes Elko County. On July 18, 2020, Goldie's was once again determined to be open in violation of an Emergency Directive and, once again, Goldie's was given both written and verbal warnings by the Elko Police Department.

During the weekend of July 25-26, 2020, Elko Police officers determined that Goldie's still had not ceased entering and leaving

the bar without masks. The Elko Police Chief brought this to your attention and you responded by saying that you were not subject to the Governor's Directive because your business is licensed to serve food. However, an inquiry with the State of Nevada revealed that Goldie's is not, in fact, licensed to serve food.

Elko City Code Section 4-1-13(B) lists the following as causes for revocation of a business license:

- 1. The existence of unsanitary conditions, noise, disturbances or other conditions at, near or in the premises which causes or tends to create a public nuisance or which may injuriously affect the public health, safety or welfare.*
- 2. The commission of, or permitting or causing the commission of, any act in the operation of the business which is prohibited by any ordinances, rule or law of the city, state or federal government.*

With respect to subsection 1, above, continuing to operate a bar in direct violation of an Emergency Order issued by the Governor in the midst of the COVID-19 pandemic and a rise in infections in Elko County creates a condition in the premises "which causes or tends to create a public nuisance or which may injuriously affect the public health, safety or welfare."

Moreover, by continuing to disregard the Emergency Directives despite repeated warnings from Elko police officers in the discharge of their legal duties, Goldie's has violated NRS 199.280 (resisting public officer). Goldie's has also violated NRS 202.450(3) (public nuisance) by unlawfully committing acts that endanger the safety, health, comfort or repose of any considerable number of persons. These violations of State law provide independent grounds for revocation of Goldie's business license by the City Clerk.

Goldie's is also violating Elko City Code Section 4-1-12(A)(1) by failing to "ascertain and at all times comply with all ... state ... and/or municipal laws, ordinances and regulations applicable to such licensed business." The violation of this ordinance provides yet additional grounds for revocation of Goldie's business license by the City Clerk.

Pursuant to Elko City Code Section 4-1-14(A), the City Clerk may, after notice to the licensee, revoke any license of a person who operates or maintains a place of business in violation of any ordinance of the City or any State law. Based on the foregoing violations of the Governor's Emergency Directives and applicable State statutes, regulations/rules, and the indicated violations of the City Code, I hereby revoke the City of Elko business license issued to Goldie's pursuant to City of Elko Code Section 4-1-14, effective August 7, 2020.

Accordingly, all business operations must cease by **August 7, 2020**.

Goldie's is entitled to a hearing before the City Manager at which time, the proposed

action to revoke shall be approved, modified or denied.

Please note that Elko City Code Section 4-4-14(C) provides as follows:

C. Appeal Hearing: The licensee may submit a letter of appeal of the city manager's action to suspend, revoke or cancel a business license to the city council within ten (10) days of the action at which time the city council shall proceed as follows:

- 1. The city council may, on its own motion or initiative, or upon complaint of any person, institute proceedings to suspend, cancel or revoke a business license.*
- 2. Notice of intent to suspend, cancel or revoke said license shall be mailed to the person holding the business license at the last address as shown on the application or on any supplemental application.*
- 3. Such notice shall set forth the alleged reasons for the proposed suspension, cancellation or revocation.*
- 4. The licensee shall, within ten (10) days of the date of mailing of the notice of intent, or within ten (10) days of a decision by the city manager to suspend, revoke or cancel a license, file with the city clerk a written answer to the notice or a written notice of appeal.*
- 5. After receipt of the written answer from the licensee, or written notice of appeal, the city council shall fix a day and time for a hearing at which the licensee shall be given an opportunity to be heard.*

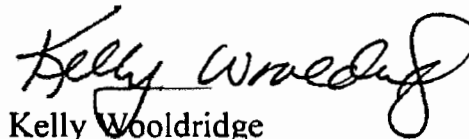
Please be further advised that pursuant to Elko City Code Section 4-1-14-1, each day a business is operated without a license shall constitute a separate offense for which criminal liability may be imposed. Notwithstanding any grace periods or notice requirements of Title 4, Chapter 1, the City may prosecute an action for violation of Title 4, Chapter 1 at any time if a business owner is operating without properly paid for and issued business license.

Pursuant to City Code 4-1-14(C), Goldie's is provided the opportunity to participate in a hearing before the City Manager, who may approve, modify or deny the revocation. Accordingly, a hearing before the City Manager has been scheduled for **August 6, 2020 @ 9:00 a.m.**, to be held at Elko City Hall, located at 1751 College Avenue, Elko, Nevada. At this hearing, the City Manager will determine if the revocation shall be approved, modified or denied. At the City Manager hearing, you may be represented by an attorney, and will be provided an opportunity to present evidence and argument concerning the revocation, and whether the revocation should be approved, modified or denied. Failure to attend this hearing will result in a waiver of all appeal rights. You may also waive your right to appeal this revocation in writing on or before the date set for the City Manager hearing.

If the City Manager approves the decision to revoke Goldie's business license, Goldie's may submit a letter of appeal within 10 days of the decision to the City Clerk and a hearing before the City Council will be scheduled.

Should you have any questions regarding the above, please contact the City Clerk, Kelly Wooldridge, at cityclerk@elkocitynv.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kelly Wooldridge".

Kelly Wooldridge
City Clerk



City of Elko

City Hall

1751 College Avenue

Elko, Nevada 89801

Phone: 775-777-7110

Fax: 775-777-7119

August 6, 2020

VIA CERTIFIED MAIL AND PERSONAL SERVICE

Goldie's
Attn: Ron Goldie
465 Railroad Street
Elko, Nevada 89801

Goldie's
Attn: Ron Goldie
182 W. Bullion Road #13
Elko, NV 89801

**RE: BUSINESS LICENSE NO. 2997 (GOLDIE'S)
APPROVAL OF REVOCATION OF BUSINESS LICENSE**

Dear Mr. Goldie:

On August 6, 2020, commencing at 9:00 a.m., the City of Elko conducted a hearing before the City Manager pursuant to Elko City Code (ECC) Section 4-1-14(B) to determine whether to approve or deny the City Clerk's proposed action to revoke Goldie's business license. My decision as City Manager is to approve the City Clerk's proposed revocation of Goldie's business license, effective August 7, 2020.

At the hearing, testimonial and physical evidence was presented, including the testimonies of the City Clerk (Kelly Wooldridge), the Elko Police Chief (Ty Trouten), and three representatives of the Nevada Department of Health and Human Services (DHHS) (Katherine Moses, Matthew Lawstern and Teresa Hayes (by telephone)). You also personally testified and produced several witnesses on your behalf, including a potential partner (Tony Cisco), a customer (Tahra Rugh) and two representatives of the Tiki Hut (Mike Nye and Tammy Williams), a bar several doors down from Goldie's.

Based on the testimonies of the witnesses and the documents provided, I have arrived at the following findings:

EXHIBIT A

1. Goldie's has at all relevant times held a permit with DHHS known as a "Food Establishment -- Bar/Service Bar" permit. All bars must have this or a higher-level permit to operate in the State of Nevada. Even though the term "Food Establishment" is used in connection with the permit, the Bar/Service Bar Permit does not constitute a license to serve food. This lower-level permit allows the business to serve alcoholic beverages and ice. Moreover, certain types of foods deemed by DHHS to be "low-risk" are considered exempt from the permit requirement. These low-risk foods are limited to items contained on a list at NAC 446.042(2). An important distinction is that the Bar/Service Bar permit does not constitute a license to serve these low-risk food items – those items are completely exempt from the permitting requirement.
2. On April 10, 2020, Goldie's was believed by law enforcement to be open and serving patrons in violation of the Governor's Emergency Directive 003, which was in effect at that time. Elko Police officers then demanded entry to Goldie's. We understand you claim that you were unhappy with the demeanor of the police officers and that you were not open to the public at the time. However, there is no question that you refused entry to law enforcement personnel, which is in violation of City Code Section 4-5-13(A)(7).
3. You produced one witness (Tahra Rugh) and six written statement responding to the April 10, 2020 incident. These statements, together with Ms. Rugh's testimony, support your assertion that Goldie's was closed for maintenance, cleaning and/or repairs at the time law enforcement personnel demanded entry. These statements further lead to the conclusion that employees and volunteers were doing maintenance, repair and cleaning work in the premises at the time law enforcement personnel arrived. However, it is also reasonable to conclude that law enforcement personnel had a legitimate interest in determining whether Goldie's was open to the public at the time, given the number of people inside the premises. There is no question that you denied access to law enforcement.
4. On July 10, 2020, the Governor issued Emergency Directive 027, ordering the closure of bars not licensed to serve food in counties with an Elevated Disease Transmission, which includes Elko County. Section 6 of Directive 027 specifically states: bars ... not licensed to serve food shall close and remain closed." This Directive remains in effect.
5. On July 18, 2020, Goldie's was determined to be open in violation of an Emergency Directive and was given both written and verbal warnings by the Elko Police Department. At the hearing, you acknowledged receipt of these warnings from law enforcement person

6. Representatives of DHHS testified that a Bar/Service Bar permit is not a license to serve food. Rather, the only food Goldie's is allowed to serve is listed on the exemptions at NAC 446.042. Importantly, an exemption from the permitting requirement is not the same as a license to serve food. Were that not the case, every bar in Nevada would be exempt from Section 6 of Directive 027, which would render the closure order meaningless.
7. You testified that for years, Goldie's has been serving food that is not on the list of exempt food items pursuant to NAC 446.042. In so many words, you admit that Goldie's has been serving food that it is not licensed to serve. You support this admission with a photograph of a menu at Goldie's containing a number of items that, according to the DHHS representatives who testified at the hearing, could not lawfully be served at Goldie's with only a "Bar/Service Bar" permit.
8. You recently applied for a "Snack Bar" permit, which would constitute a license to serve food. Were the Snack Bar permit to be issued, Goldie's would not be subject to the closure order in Directive 027. However, this higher-level permit has not been approved or issued by DHHS.
9. You submitted your current DHHS Permit into evidence (**Exhibit 1**). That permit states in the "Permit Description" section that Goldie's has a "Food Establishment (Bar/Service Bar)" permit. Although the "Conditions of Permit" section states that there are "no restrictions," the type of permit is clearly indicated.
10. You claim that because of the wording of the "Permit Description" and "Conditions of Permit" sections on the DHHS Permit, you were under the mistaken belief that there were no restrictions on your ability to serve food at Goldie's. Your potential partner, Tony Cisco, also testified that he was confused about the language written on the DHHS Permit and what it allowed. You continued to argue that this language creates at least a "gray area" as to whether you are licensed to serve food. However, based on the information received at the hearing, you indicated that you would be willing to voluntarily close the Goldie's until DHHS issues a "Snack Bar" permit.
11. Representatives of the Tiki Hut testified that their business also has a "Bar/Service Bar" permit. Although they found the language on the permit certificate to be confusing, they acknowledged that the Tiki Hut has been closed since the Governor issued Directive 027.

12. Chief Trouten, the Elko Police Chief, testified that he personally observed Goldie's operating on or about July 27-28, 2020, with patrons entering the premises and leaving with drinks.

13. You testified that DHHS has inspected Goldie's many times over the years and has never cited it for serving food. Recently, Goldie's received a score of 96 on a health inspection. However, the inspector, Matthew Lawstemm of DHHS, testified at the hearing that he was not searching for food during this inspection, but was instead focused on educating a new bartender. Regardless, the fact that DHHS has not cited Goldie's for violating the DHHS Permit does not change the permit's scope.

14. You admitted that Goldie's has been open to the public since July 10, 2020, when the Governor issued Emergency Directive 027.

My analysis is as follows:

Pursuant to NRS 446.870(1), subject to limited exceptions, "it is unlawful for any person to operate a food establishment unless the person possesses a valid permit issued to him or her by the health authority." (See also NAC 446.811 entitled "Valid permit or permit exemption required"). Certain exemptions from permitting requirements are contained in NAC 446.042, to include prepared snacks and candies. However, this is an exemption from the permitting requirement, not a license to serve food. Emergency Directive 027, Section 6, requires the closure of all bars not licensed to serve food. Goldie's is not licensed to serve food, yet has remained open, despite receiving warnings from the Elko Police Department.

Moreover, you have shown a history of deliberately disregarding the Governor's Emergency Directives and the City of Elko's efforts to implement them. Notably, on March 20, 2020, Governor Sisolak issued Emergency Directive 003 closing nonessential businesses -- including bars -- through April 16, 2020. On April 10, 2020, Goldie's was believed to be open and serving patrons in violation of Directive 003. We understand your claim that you were having a private gathering for maintenance, repairs and cleaning in the bar at the time, and that you locked the doors for that reason. However, you refused entry to law enforcement personnel who had a legitimate interest in determining whether Goldie's was open to the public, which is in violation of City Code Section 4-5-13(A)(7).

Reports submitted by the Elko Police Department indicate that during the weekend of July 25-26, 2020, Elko Police officers determined that Goldie's still had not ceased operations and that customers were entering and leaving the bar without masks. The Police Chief himself observed customers entering and leaving the premises with drinks on July 27-28, 2020. The Elko Police Chief brought this to your attention

and you responded by saying that you were not subject to the Governor's Directive because your business is licensed to serve food. On this basis, you have had Goldie's open to the public since Directive 027 was signed by the Governor.

The testimonies of the three DHHS representatives at the hearing clearly establish that Goldie's is not licensed to serve food. You claim to have been confused about the scope of the DHHS Permit. However, this could have been clarified with a simple telephone call to DHHS. Although you are now in the process of applying for a permit that would constitute a license to serve food, that permit has not been issued.

In short, Goldie's is not and has at no point relevant to this matter been licensed to serve food. Your confusion about the wording of the DHHS Permit is not a defense. You could have resolved that issue long ago, and certainly before getting to this point. It was the responsibility of Goldie's -- the licensee -- to clarify the scope of the DHHS Permit in order to know whether it has been breaking the law. Clarifying the scope of a State permit is not the City's responsibility.

Elko City Code Section 4-1-13(B) lists the following as causes for revocation of a business license:

1. *The existence of unsanitary conditions, noise, disturbances or other conditions at, near or in the premises which causes or tends to create a public nuisance or which may injuriously affect the public health, safety or welfare.*
2. *The commission of, or permitting or causing the commission of, any act in the operation of the business which is prohibited by any ordinances, rule or law of the city, state or federal government.*

Both of these subsections are grounds for revocation of Goldie's business license.

As stated in the City Clerk's July 29, 2020 Notice of Intent, continuing to operate a bar in direct violation of an Emergency Order issued by the Governor in the midst of the COVID-19 pandemic and a rise in infections in Elko County -- which has been placed in the "red zone" by the White House and is considered a county with an "Elevated Disease Transmission" by the State -- creates a condition in the premises "which causes or tends to create a public nuisance or which may injuriously affect the public health, safety or welfare."

Moreover, by continuing to disregard the Emergency Directives despite warnings from Elko police officers in the discharge of their legal duties, Goldie's has violated NRS 199.280 (resisting public officer). Goldie's has also violated NRS 202.450(3) (public nuisance) by

unlawfully committing acts that endanger the safety, health, comfort or repose of any considerable number of persons. Finally, Goldie's has been serving food in violation of NRS 446.870, since it does not possess the proper permit issued by DHHS. These violations of State law provide independent grounds for revocation of Goldie's business license.

You also admit that you failed to determine the scope of the DHHS Permit. Although you now understand that Goldie's is not licensed to serve food, it was not until this morning's hearing that you acknowledged this limitation. Therefore, Goldie's is also violating Elko City Code Section 4-1-12(A)(1) by failing to "ascertain and at all times comply with all ... state ... and/or municipal laws, ordinances and regulations applicable to such licensed business." The violation of this ordinance provides yet additional grounds for revocation of Goldie's business license by the City Clerk.

Pursuant to Elko City Code Section 4-1-14(A), the City Clerk may, after notice to the licensee, revoke any license of a person who operates or maintains a place of business in violation of any ordinance of the City or any State law. Based on the foregoing violations of the Governor's Emergency Directives and applicable State statutes, regulations/rules, and the indicated violations of the City Code, I hereby approve the City Clerk's decision to revoke the City of Elko business license issued to Goldie's pursuant to City of Elko Code Section 4-1-14, effective August 7, 2020.

Accordingly, all business operations must cease by **August 7, 2020**.

Goldie's is entitled to a hearing before the City Council, at which time, the proposed action to revoke shall be approved or denied.

Please note that Elko City Code Section 4-4-14(C) provides as follows:

C. Appeal Hearing: The licensee may submit a letter of appeal of the city manager's action to suspend, revoke or cancel a business license to the city council within ten (10) days of the action at which time the city council shall proceed as follows:

- 1. The city council may, on its own motion or initiative, or upon complaint of any person, institute proceedings to suspend, cancel or revoke a business license.*
- 2. Notice of intent to suspend, cancel or revoke said license shall be mailed to the person holding the business license at the last address as shown on the application or on any supplemental application.*
- 3. Such notice shall set forth the alleged reasons for the proposed suspension, cancellation or revocation.*
- 4. The licensee shall, within ten (10) days of the date of mailing of the*

notice of intent, or within ten (10) days of a decision by the city manager to suspend, revoke or cancel a license, file with the city clerk a written answer to the notice or a written notice of appeal.

5. After receipt of the written answer from the licensee, or written notice of appeal, the city council shall fix a day and time for a hearing at which the licensee shall be given an opportunity to be heard.

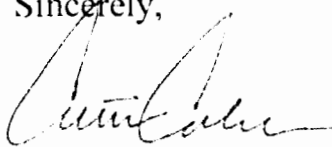
At today's hearing, you submitted the letter attached at **Exhibit 2**. That letter will be considered a letter of appeal pursuant to ECC 4-4-14(C). **Accordingly, I will place this item on the agenda for the August 25, 2020 City Council meeting.** At that time, you will be given the opportunity to challenge this decision, including the decision of the City Clerk. You may be represented by an attorney at that hearing. Should you or your representative fail to appear at the appeal hearing, I will submit the matter to the City Council and request that the decision to revoke Goldie's business license be affirmed.

If you no longer desire to appeal this matter, please advise the City Clerk or myself and we will not place it on the agenda.

Please be aware that pursuant to Elko City Code Section 4-1-14-1, each day a business is operated without a license shall constitute a separate offense for which criminal liability may be imposed. Notwithstanding any grace periods or notice requirements of Title 4, Chapter 1, the City may prosecute an action for violation of Title 4, Chapter 1 at any time if a business owner is operating without properly paid for and issued business license.

Should you have any questions regarding the above, please contact the City Clerk, Kelly Wooldridge, at cityclerk@elkocitynv.gov.

Sincerely,



Curtis Calder
City Manager

CC: Elko City Council
Kelly Wooldridge, City Clerk
Ty Trouten, Police Chief
David Stanton, City Attorney

Enclosures: Exhibits as stated



City of Elko

City Hall

1751 College Avenue

Elko, Nevada 89801

Phone: 775-777-7110

Fax: 775-777-7119

August 14, 2020

VIA CERTIFIED MAIL AND PERSONAL SERVICE

Goldie's

Attn: Ron Goldie

465 Railroad Street

Elko, NV 89801

Goldie's

Attn: Ron Goldie

182 W. Bullion Road #13

Elko, NV 89801

RE: BUSINESS LICENSE NO. 2997 REVOCATION; APPEAL HEARING

Dear Mr. Goldie:

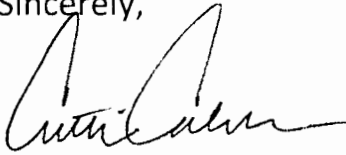
Per my letter dated August 6, 2020, I am notifying you of Goldie's appeal hearing regarding the recent revocation of your business license. The appeal hearing before the City Council is scheduled for 2:00 p.m. on Tuesday, August 25, 2020 at Elko City Hall, located at 1751 College Avenue.

Please note that due to COVID-19 Restrictions, in-person attendance will be limited to only those individuals necessary to conduct the hearing. Additionally, face coverings and social distancing will be required. Members of the public wishing to participate may do so through elkocity.com and/or gotomeeting.com. Additional participation details will be available in the City Council agenda, which will be posted on Thursday, August 20, 2020.

During this hearing, you will be given the opportunity to challenge my decision to approve the City Clerk's proposed revocation of Goldie's business license, effective August 7, 2020. All evidence from the August 6, 2020 hearing shall be submitted as evidence, and you may be represented by an attorney. Both parties may present arguments, call witnesses and submit additional evidence. Efforts will be made to give the parties equivalent opportunities to present arguments and evidence. Since the hearing will be concluded in two hours, you are advised to plan accordingly so that you use your allocated time effectively.

Should you or your representative fail to appear at the hearing, the City Council has the discretion to affirm my decision to revoke Goldie's business license.

Sincerely,

A handwritten signature in black ink, appearing to read "Curtis Calder", written over a horizontal line.

Curtis Calder
City Manager

Cc: Elko City Council
Kelly Wooldridge, City Clerk
Ty Trouten, Police Chief
David Stanton, City Attorney
Matthew Lawstemma, Nevada DHHS
File

Exhibit B

ON APRIL 10TH WE WERE
WORKING AT THE BAR FOR
MAINTANCE @ REPAIRS WHILE
THE BAR WAS CLOSED

Jul Agel

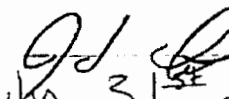
We, the employees of Goldies and volunteers were at Goldies on April 10th 2020 doing maintance, painting + cleaning when 2 officers knocked on the door which was locked due to the shut down. Goldies was closed for business.

The one officer knocked again - harder - and yelled 'we know you're in there and can take your liquor license'. They left for a minute or so, came back, banged on the door, he appeared angry, posted a notice and left.

Resto

On April 10th 2020 with Goldies
bar being closed due to the COVID-19
cases I was still employed at Goldies.
The bar was closed so fellow
co-workers and myself were fixing up
the bar by painting and cleaning and
getting ready for the bar to be able
to re-open. Later that afternoon while
the bar was closed two officers were
banging on the door unprofessionally
and telling Ron Goldie they were gonna
pull his license because he was
"supposedly" open when the door
was clearly locked!

Jacob Litchfield


July 31st 2020

In April 10th 2020, I visited Goldies bar because I saw Ron Goldie's truck parked out front. It was around 10:30 am. The door was locked and Ron Goldie came to the side window and told me that the bar was closed, he was there with fellow employees for maintenance.

Tahra Rugh
Tahra Rugh

Martha Dixon
806 Lower South Fork Unit 10
Spring Creek, NV 89815

August 3, 2020

To Whom It May Concern:

On April 10, 2020, I was running errands in downtown Elko. I noticed cars in front of Goldie's Bar. I knew the bar was closed because of the Covid-19 restrictions. I parked and knocked on the window to say hi to Ron Goldie. Ron unlocked the door and said the bar was still closed but he had a crew of some of his staff and a few friends there doing some deep cleaning. He said I was welcome to help and asked me if I had a mask. I had a mask with me so I entered and helped out with the cleaning. The door was locked behind me.

It was obvious that there was no till in the register drawer and the door remained locked. No one else entered the bar after I did. Ron offered me a beer that I enjoyed while we worked. I was not asked to pay for the beer.

While we were cleaning, two EPD officers approached the outside of the door and demanded to be let in. The officers then threatened to pull the bar's liquor license. Ron left the door locked because the bar was not open for business. I left a short while after that.

I like to stop by Goldie's for a beer and a cheap lunch sometimes when I'm in town. The beer is cold and the food is good. Since the Covid-19 restrictions have been in place, I've seen the staff there enforce those restrictions. The bartender has always worn a mask, there is no seating or service directly at the bar and the tables are placed in accordance with social distancing guidelines.

Mr. Goldie and Goldie's Bar have been a part of the business community in Elko for almost three decades. Ron Goldie has been a good friend to me. Although I BACK THE BLUE and support our local government 100%, it would be a real shame to lose Goldie's over this.

Sincerely,



Martha Dixon

7-30-2020

April 10, 2020 - Goldies bar, 465 Railroad St. ELKO, NV. was closed for business due to the Coronavirus.

I, along with Goldies current employees were in the bar doing some much needed repairs. Painting the ladies & mens restrooms, replacing the floor tiles, wiping down walls, pulling the liquor bottles from the shelves, putting them downstairs in the basement etc... ready to re-open when the Covid 19 was lifted.

That afternoon, 2 cops were aggressively banging on the front door of Goldies bar - It was very scary & very intimidating when they were demanding that Mr. Goldie unlock the front door and threatening to pull Mr. Goldies business license, accusing him of ignoring the fact that he could not be open for business.

Mr. Goldie was not ignoring or breaking any laws! Goldies bar was indeed closed for business on April 10th, 2020

D. Ramisch
D. Ramisch

7-30-2020

Exhibit C

NEVADA DIVISION OF PUBLIC AND BEHAVIORAL HEALTH



**Post
Conspicuously**

727 FAIRVIEW DRIVE, SUITE D
CARSON CITY, NEVADA 89701

OFFICIAL PERMIT

Permit No. EL-003-00787

LAURIE SUE GARDNER

Name of Applicant

Operator of

GOLDIE'S BAR

Name

at 465 RAILROAD STREET, ELKO, NV 89801

Location

is granted a permit to operate the following:

Permit Description: FOOD ESTABLISHMENT (BAR/SERVICE BAR)

Conditions of Permit: No restrictions

This establishment when inspected did comply with the public health laws of Nevada, and the rules, regulations, and codes of the State Division of Health in effect on this date.

This permit is not transferable and must be conspicuously displayed.

It is subject to revocation at any time this establishment is not maintained or is not operated in a sanitary manner, and in accordance with Nevada statutes, and with rules, regulations, and codes of the State Division of Health.

This permit becomes null and void upon the expiration date.

This permit will expire: 04/30/2021

By

A handwritten signature in blue ink, appearing to read "Laurie Sue Gardner".

Official

EXHIBIT C

Exhibit D



**DEPARTMENT OF HEALTH AND HUMAN SERVICES
NEVADA DIVISION OF PUBLIC AND BEHAVIORAL HEALTH (DPBH)**

Environmental Health Section - Short Form Inspection Report

Entity Information		Inspection Detail	
Credential #	00787	Inspection Number	33107
Name	GOLDIE'S BAR	Inspection Form	Food Inspection Form Version - 4
Credential Type		Inspection Reason	Regular
Entity Name	GOLDIE'S BAR	Inspection Start Time	06/18/2020 2 PM
Entity Address	485 RAILROAD STREET, ELKO, NEVADA .89801	Inspection End Time	06/18/2020 2:45 PM
Primary Contact Name	LAURIE SUE GARDNER, LAURIE SUE GARDNER	POC Due Date	
Primary Contact Phone	775-738-5505	Inspection Team	LAWSTEMM MATTHEW
Primary Contact Email	RRG8RS1@yahoo.com	Inspection Status	Completed
		Grade	NA
		Total Score	96

Comments

- +Please install screens on your front windows, if you would like have them open.
- +Please contact our office if you have not received your most current health permit in 2 weeks


LEGAL NOTIFICATION

Tag	Question	Answer	Remarks	Severity	Scope	Max Score	Score	%age
	Based on an inspection this day, the items marked on this report identify the violation in operation or facilities which must be corrected by the next routine inspection or such shorter period of time as may be specified in writing by the health authority. Failure to comply with this notice may result in immediate suspension of your permit. An opportunity for an appeal will be provided if a written request for a hearing is filed with the health authority within the period of time established in this notice for correction of violations.	Legal Notification						
	I verify that I have reviewed the last inspection report.	Report reviewed						
Category Total						0	0	0.00

NON-CRITICAL VIOLATIONS: GOOD RETAIL PRACTICES

Tag	Question	Answer	Remarks	Severity	Scope	Max Score	Score	%age
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Tag	Question	Answer	Remarks	Severity	Scope	Max Score	Score	%age
Quest-20	Proper Use of Wiping Cloths: Wiping cloths are clean, have use restricted and are stored in approved sanitizer that contains acceptable limits	Out (Corrected on Site)	Wiping cloths must be stored in a bucket of water with adequate sanitizer concentration. (NAC 446.148; 446.303), Containers of sanitizer for in-use wiping cloths must be stored off the floor. (NAC 446.148), Inspector Comments: Sanitizer bucket was tested and found to contain no sanitizer. Set up sanitizer bucket at the start of each day and change no more than every 4 hours. Test the sanitizer periodically to ensure it stays at the appropriate concentration. For bleach, it should be 75 ppm (medium purple on the test strips).	NA	NA	1		
Quest-27	Non-Food Contact Surfaces: Non-food contact surfaces of equipment and utensils are clean, and free of abrasives and detergents	Out of compliance	Clean and sanitize non-food contact surfaces as specified in text. (NAC 446.352), Inspector Comments: Broken glass was found on the bottom of the reach in beer cooler. Please check the bottom and clean as needed to prevent injuries from occurring.	NA	NA	1		
Quest-28	Plumbing Installation and Maintenance: Plumbing for facility is properly installed, sized, maintained and approved	Out of compliance	Drain pipes do not have adequate space above top of floor sink. (NAC 446.435), Inspector Comments: Please ensure that all pipes entering a floor drain have an air gap of at least 1".	NA	NA	1		

STATE OF NEVADA DIVISION OF PUBLIC AND BEHAVIORAL HEALTH ENVIRONMENTAL HEALTH SECTION www.dpbh.nv.gov PLAN REVIEW FOR FOOD ESTABLISHMENT PART A: FOOD SAFETY		Date Received _____ Date Approved _____ Approved By: _____
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Submitting incomplete plans will delay the plan review process. Please answer every question that applies to your food service operation

Food Establishment Type (Check ONLY one:)

- | | | |
|---|--|---|
| <input type="checkbox"/> Food Establishment – Restaurant | <input type="checkbox"/> Food Supporting Facilities – For Special Kitchen | <input type="checkbox"/> Manufactured Food – Acidified |
| <input type="checkbox"/> Food Establishment – Bar/Service Bar | <input type="checkbox"/> Food Supporting Facilities – Portable Bar Unit (Each) | <input type="checkbox"/> Manufactured Food – Aseptic |
| <input type="checkbox"/> Food Establishment – Catering | <input type="checkbox"/> Shellfish Distribution | <input type="checkbox"/> Manufactured Food – Low Acid Canned |
| <input checked="" type="checkbox"/> Food Establishment – Snack Bar/Concession | <input type="checkbox"/> Food Market – Packaged Foods | <input type="checkbox"/> Manufactured Food – Meat/Poultry |
| <input type="checkbox"/> Food Establishment – Mobile Units | <input checked="" type="checkbox"/> Food Market – Deli | <input type="checkbox"/> Manufactured Food – Juice |
| <input type="checkbox"/> Food Establishment – Bed & Breakfast | <input type="checkbox"/> Food Market – Produce | <input type="checkbox"/> Manufactured Food – Supplements |
| <input type="checkbox"/> Food Establishment – Portable Food Unit/Buffer | <input type="checkbox"/> Food Market – Meat | <input type="checkbox"/> Manufactured Food – Warehouse |
| <input type="checkbox"/> Food Establishment – Correctional Facility | <input type="checkbox"/> Food Market – Seafood | <input type="checkbox"/> Manufactured Food – Bottled Water (In-State) |
| <input type="checkbox"/> Food Establishment – School Kitchen | <input type="checkbox"/> Food Market – Bakery | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Food Establishment – Retail Warehouse | <input type="checkbox"/> Manufactured Food – GMP | |
| <input type="checkbox"/> Food Supporting Facilities – Barbeque | | |

Name of Food Facility	Goldie's Bar
Physical Location of Food Facility	465 Railroad St
Facility Phone Number	7757385505

Owner Name	Ron Goldie	Phone	7753401497
Address	182 W Bullion Rd. #13		
Alternate Phone	7757385505	E-Mail	rongoldie54@yahoo.com

Other Contact	Juan Palafox	Phone	2089579796
Address	533 8th St		
Alternate Phone		E-Mail	juanluizpalafox@gmail.com

Other Contact	Tony Cisco	Phone	9168032179
Address	2415 Rodeo CT		
Alternate Phone		E-Mail	cynot1@gmail.com

Project Information

Estimated Date for Pre-Opening Inspection	Bar is open under current food establishment license, inspection
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Project Information

Who will be completing Part B: Building Specifications	N/A unless you otherwise specify.
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Plan Review Information

- **APPROVAL** of the plans and specifications is required **PRIOR** to the start of new construction or remodel.
Pre-operational or Final inspection:

ESTIMATED NUMBER AND TYPE OF MEALS TO BE SERVED PER DAY					
Breakfast	served upon request	Lunch	served upon request	Dinner	served upon request
MAXIMUM NUMBER OF KITCHEN STAFF AVAILABLE PER SHIFT					
Breakfast	2	Lunch	2	Dinner	2
TYPE OF SERVICES:					
<input checked="" type="checkbox"/> Sit Down <input type="checkbox"/> Catering <input checked="" type="checkbox"/> Take Out <input type="checkbox"/> Mobile <input type="checkbox"/> Food Processing <input type="checkbox"/> Food Service Outside <input type="checkbox"/> Outdoor BBQ <input type="checkbox"/> Outdoor Wait Station					
SERVICE WARE					
<input type="checkbox"/> Single Service Ware (Disposable) <input type="checkbox"/> Reusable (Food Grade, Washable) <input checked="" type="checkbox"/> Both					
OTHER QUESTIONS					
Will food be transported to another location as with a catering operation or satellite kitchen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Will the facility be bagging ice for retail sales? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Will the establishment prepare foods that will be sold to other retail food establishments <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

RISK CATEGORY: DESCRIBE RISK CATEGORY BASED ON EXAMPLES PROVIDED (SELECT ONE)	
<input checked="" type="checkbox"/>	Low Risk – Category 1 Examples include most convenience store operations, indoor hot dog carts, and coffee shops. Establishments that serve or sell only pre-packaged, non-potentially hazardous foods (non-time/Temperature Control for Safety (TCS) foods). Establishments that prepare only non-potentially hazardous foods (non-TCS foods). Establishments that heat only commercially processed, potentially hazardous foods (TCS foods) for hot holding. No cooling of potentially hazardous foods (TCS foods).
<input type="checkbox"/>	Moderate Risk – Category 2 Examples may include retail food store operations, schools not serving a highly susceptible population, and quick service operations. Limited menu. Most products are prepared/cooked and served immediately. May involve hot and cold holding of potentially hazardous foods (TCS foods) after preparation or cooking. Complex preparation of potentially hazardous foods (TCS foods) requiring cooking, cooling, and reheating for hot holding is limited to only a few potentially hazardous foods (TCS foods).
<input type="checkbox"/>	High Risk – Category 3 An example is a full-service restaurant. Extensive menu and handling of raw ingredients. Complex preparation including cooking, cooling, and reheating for hot holding involves many potentially hazardous foods (TCS foods). Variety of processes require hot and cold holding of potentially hazardous food (TCS food).
<input type="checkbox"/>	Very High Risk – Category 4 Examples include preschools, hospitals, nursing homes, and establishments conducting processing at retail. This category includes establishments serving a highly susceptible population or that conduct specialized processes, e.g., smoking and curing; reduced oxygen packaging for extended shelf-life. Many of these are now regulated by Bureau of Health Care Quality and Compliance (HCQC).

CHECK EQUIPMENT WHICH SHOULD BE INCLUDED IN BUILDING SPECIFICATIONS					
<input checked="" type="checkbox"/>	Hand sinks	<input checked="" type="checkbox"/>	Dry Storage Areas	<input type="checkbox"/>	Ventilation Hoods
<input type="checkbox"/>	Food Preparation Sinks	<input checked="" type="checkbox"/>	Ice Bins/Machines	<input type="checkbox"/>	Chemical Dispensing Units
<input checked="" type="checkbox"/>	Utility Mop Sinks	<input type="checkbox"/>	Wait Stations	<input checked="" type="checkbox"/>	Chemical Storage Areas
<input type="checkbox"/>	Dump Sinks	<input checked="" type="checkbox"/>	Bar Service Areas	<input checked="" type="checkbox"/>	Personal Storage Areas
<input checked="" type="checkbox"/>	Warewashing Sinks	<input checked="" type="checkbox"/>	Water Heater Locations	<input checked="" type="checkbox"/>	Garbage/Recyclables Storage
<input type="checkbox"/>	Dish machines	<input checked="" type="checkbox"/>	Indoor/Outdoor Seating	<input type="checkbox"/>	Dipper Wells
<input checked="" type="checkbox"/>	Toilet Facilities	<input type="checkbox"/>	Outdoor Cooking/Bar/Patio	<input type="checkbox"/>	Grease Interceptor/Grease Trap
<input checked="" type="checkbox"/>	Floor Sinks and Floor Drains	<input type="checkbox"/>	Buffet Lines	<input type="checkbox"/>	Laundry Facility Locations

CHECK TYPE OF SERVICE (CHECK THE FOOD SERVICE THAT BEST DESCRIBES YOUR OPERATION)	
<input type="checkbox"/>	Cook and Serve
<input type="checkbox"/>	Cook, Hold Hot and Serve
<input type="checkbox"/>	Cook, Chill, Reheat, Hold Hot and Serve
<input type="checkbox"/>	Hold Cold and Serve
<input checked="" type="checkbox"/>	Commercially packaged food only (except beverage)

DESCRIBE TYPE OF SPECIAL PROCESSES	
<input checked="" type="checkbox"/>	This establishment performs no special processes
<input type="checkbox"/>	Sous Vide
<input type="checkbox"/>	Reduced Oxygen Packaging
<input type="checkbox"/>	Using Food Additives or Components to improve shelf-life or render foods shelf-stable
<input type="checkbox"/>	Smoking for Preservation
<input type="checkbox"/>	Curing, Drying Meat, Poultry or Fish
<input type="checkbox"/>	Molluscan Shellfish Life Support System Display Tank
<input type="checkbox"/>	Raw Fish: Sashimi, Sushi, Cerviche
<input type="checkbox"/>	Custom Processing of Animals
<input type="checkbox"/>	Juice Processing and Packaging for off-site sale
<input type="checkbox"/>	Fermenting Pickles and Sauerkraut or Sausage
<input type="checkbox"/>	Acidification, Low Acid Canned Food
<input type="checkbox"/>	Sprouting

Indicate the categories of Potentially Hazardous Foods (TCS/PHF) to be handled, prepared and served		
<input checked="" type="checkbox"/> Not applicable – the establishment does not serve Potentially Hazardous Foods.		
Thin meats, poultry, fish, and eggs (Examples – pizza, hamburger, deli sliced meats, filets)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Thick meats, whole poultry (Examples - roast beef; whole turkey, chicken and pork)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Cold processed foods (Examples - Salads: green/potato/slaw, sandwiches)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Hot processed foods (Examples - soups, stew, rice, noodles, gravy, casserole)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Bakery Items (Examples - pies, custards, cream filling, meringue)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Raw or Partially Raw: Meat, seafood, or poultry cooked (Examples: sushi, steak tartar, or oyster shooters)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Fish: Serving fish that requires parasite destruction, processed on site (Example: sushi, lox, ceviche),	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Fresh or live shellfish (Oysters, Mussels, Clams, Some Scallops)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Exotic Mushrooms	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Food Delivery Schedules and Storage Capacity	
Projected frequency of delivery:	Storage Capacity (Cubic Feet)
Frozen <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input checked="" type="checkbox"/> As Needed	10
Refrigerated <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input checked="" type="checkbox"/> As Needed	10
Dry Goods <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> As Needed	36
DESCRIBE ANY SPECIAL SCHEDULES	

[illegible]

COOKING AND HOT HOLDING		Not applicable – this establishment does not cook or warm any food items	
	Types	Description	Condition
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Stove	<i>Sunburst 6 burner with grill</i>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Stove		<input type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Oven		<input type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Convection Oven		<input type="checkbox"/> New <input type="checkbox"/> Used
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Fryer	Instant pot air fryer	<input checked="" type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Flame Grill		<input type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Griddle		<input type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Salamander		<input type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Steamer		<input type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Hot Holding Table		<input type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Panini Grill		<input type="checkbox"/> New <input type="checkbox"/> Used
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Microwave	Sharp Carousel	<input type="checkbox"/> New <input checked="" type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Rotisserie		<input type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Barbeque		<input type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Toaster		<input type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Other:		<input type="checkbox"/> New <input type="checkbox"/> Used
<input type="checkbox"/> Yes <input type="checkbox"/> No	Other:		<input type="checkbox"/> New <input type="checkbox"/> Used

COLD STORAGE		<input type="checkbox"/> Not applicable – this establishment does not cold hold any food items	
Is adequate freezer and refrigeration available to store foods at required temperatures? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Cold Storage Types	Thermometer (e.g. integral, hanging)	Refrigeration # of units	Freezer # of units
Under counter <input type="checkbox"/> 1-Door <input type="checkbox"/> 2-Door <input type="checkbox"/> Multiple			
Reach-In <input type="checkbox"/> 1-Door <input checked="" type="checkbox"/> 2-Door <input type="checkbox"/> Multiple	hanging	1	1
Walk-in <input type="checkbox"/> Indoor <input type="checkbox"/> Outdoor <input type="checkbox"/> Display			
Refrigerated drawers <input type="checkbox"/> 2-Door <input type="checkbox"/> 4-Door <input type="checkbox"/> Multiple			
Bulk Ice Machines <input type="checkbox"/> Chute <input type="checkbox"/> Reach-in			
Beverage Dispenser <input type="checkbox"/> With Ice <input type="checkbox"/> Without Ice			
Sandwich Prep Table:			
Other:			
Other:			

Will ice be used as a refrigerant for potentially hazardous foods? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
What Food?	How Long?	Location?	Source of Ice?
<i>Raw fish, crab, oysters</i>	<i>4-hour maximum</i>	<i>Fish counter</i>	<i>On-site ice machine</i>

Will raw meats, poultry and seafood be stored in the same refrigerator or freezer with cooked and ready-to-eat foods? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not applicable – No raw animals' products available, only precooked items available.
Describe how cross contamination will be prevented, below.

NAC 446. 182 "Time as a Public Health Control" If time only, rather than time in conjunction with temperature, is used as the public health control for a working supply of potentially hazardous food (time/temperature control for safety food) before cooking, or for ready-to-eat potentially hazardous food (time/temperature control for safety food) that is displayed or held for service, written procedures must be prepared in advance, maintained in the food establishment and made available to the health authority upon request.





Will time alone be used as a public health control? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
What Food?	How Long?	Location?	Standard Operating Procedure for monitoring?
<i>Cut Tomato</i>	<i>4 hours</i>	<i>Line 1</i>	<input checked="" type="checkbox"/> I have attached the SOP for this process
			<input type="checkbox"/> I have attached the SOP for this process
			<input type="checkbox"/> I have attached the SOP for this process
			<input type="checkbox"/> I have attached the SOP for this process

Will the establishment have food items that must be date marked? ☒ Yes ☐ No


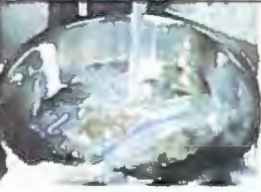



Describe Date Marking System:

Frozen units will be dated and kept for less than three months before considered expired.

Food Safety Method: Cooling Methods - Foods must be cooled from 135° F to 70° F in 2 hours or less and from 70° F to 41° F in 4 hours or less (The total from 135° F to 41° F should be no more than 6 hours total) ☒ Not applicable

Cooling Method	Shallow pans	Ice Paddles/Sticks	Ice Baths	Rapid Chill Equipment (e.g., Blast freezers)	Volume Reduction (i.e. quartering)
					
Example: Pinto Beans	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Solid Food: Roast(s), Turkey, Steaks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Soft, Thick Foods: Beans, Rice, Gravy, Soups, Sauce,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bake /Boiled Potatoes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pasta	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deli Salads (Tuna/Chicken)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FOOD SAFETY MEASURES: THAWING METHOD - INDICATE (1) HOW FROZEN POTENTIALLY HAZARDOUS FOODS WILL BE THAWED (2) WHAT TYPES FOODS WILL BE THAWED (3) LOCATION ☐ NOT APPLICABLE

<input type="checkbox"/> Refrigeration	<input type="checkbox"/> Under running water 70° F	<input type="checkbox"/> Cooked from a frozen state	<input checked="" type="checkbox"/> Microwave as part of cooking process	<input type="checkbox"/> Not Applicable
				
State Food Types	State Food Types	State Food Types	State Food Types	State Food Types
<input type="checkbox"/> Meat <input type="checkbox"/> Poultry <input type="checkbox"/> Pork <input type="checkbox"/> Fish <input type="checkbox"/> Shellfish	<input type="checkbox"/> Meat <input type="checkbox"/> Poultry <input type="checkbox"/> Pork <input type="checkbox"/> Fish <input type="checkbox"/> Shellfish	<input type="checkbox"/> Meat <input type="checkbox"/> Poultry <input type="checkbox"/> Pork <input type="checkbox"/> Fish <input type="checkbox"/> Shellfish	<input checked="" type="checkbox"/> Meat <input checked="" type="checkbox"/> Poultry <input checked="" type="checkbox"/> Pork <input type="checkbox"/> Fish <input type="checkbox"/> Shellfish	<input type="checkbox"/> Meat <input type="checkbox"/> Poultry <input type="checkbox"/> Pork <input type="checkbox"/> Fish <input type="checkbox"/> Shellfish

Food Safety Method: Cooking Methods –**Column "Equipment"**– Stove Top, Oven, Grill, BBQ, Broiler, Rotisserie, Steamers, Microwave, Other**Column "Cooking Method"**– Baking, Blanching, Boiling, Barbeque, Broiling and Grilling, Curing, Frying, Poaching, Roasting, Smoking, Simmering, Steaming, Moist heat, Dry heat, Other**Column "Verify Final Cook Temperature"**– Logs, Assigned Staff, Random Checks, By SOP, By equipment design, RTE (None Required) ☐ Not applicable

Cooking Method	Equipment	Cooking Method	How will you verify final cook temperature?
<i>Ex: Hamburger</i>	<i>Grill</i>	<i>Barbequing</i>	<i>Log</i>
Eggs			
Fish			
Whole Meat			
Ground Beef			
Pork, Veal, Lamb			
Chicken, Turkey			
Ham			
Stuffed Items			
Reheating	microwave/airfryer	reheating/fried	thermometer
Plant Food for Hot Holding			
Other Specify: _____			

Food Safety Method: Temperature Maintenance During Preparation – Describe the procedure used for minimizing length of time potentially hazardous foods will be out of approved temperature during preparation.☒ Not applicable

What Method?	What Foods?
Prep and Store Immediately	<input type="checkbox"/> Meat <input type="checkbox"/> Poultry <input type="checkbox"/> Pork <input type="checkbox"/> Fish <input type="checkbox"/> Shellfish <input type="checkbox"/> Vegetables
Volume Reduction	<input type="checkbox"/> Meat <input type="checkbox"/> Poultry <input type="checkbox"/> Pork <input type="checkbox"/> Fish <input type="checkbox"/> Shellfish <input type="checkbox"/> Vegetables
Time-Temp Indicators (TTI)	<input type="checkbox"/> Meat <input type="checkbox"/> Poultry <input type="checkbox"/> Pork <input type="checkbox"/> Fish <input type="checkbox"/> Shellfish <input type="checkbox"/> Vegetables
Refrigerated Preparation Areas	<input type="checkbox"/> Meat <input type="checkbox"/> Poultry <input type="checkbox"/> Pork <input type="checkbox"/> Fish <input type="checkbox"/> Shellfish <input type="checkbox"/> Vegetables
Store Food on Ice	<input type="checkbox"/> Meat <input type="checkbox"/> Poultry <input type="checkbox"/> Pork <input type="checkbox"/> Fish <input type="checkbox"/> Shellfish <input type="checkbox"/> Vegetables

Food Safety Method: Thermometer Use – Check as many as apply**Column "Calibration Method"** (A) Ice Point Method (B) Boiling Point Method (C) Specialized Equipment (D) Specific Date**Column "Verification Method"** (A) Log (B) SOP (C) Assigned Staff, (D) Other, State Method

Thermometer Type	Calibration Method	Verification Method	Responsible PIC
<i>Ex: Analog Thermometer</i>	<i>A&B</i>	<i>A&C</i>	
<input type="checkbox"/> Dial Oven-Safe			
<input checked="" type="checkbox"/> Digital Instant Read	A&B	C	
<input type="checkbox"/> Thermocouple			
<input type="checkbox"/> Oven Probe			
<input type="checkbox"/> Liquid-filled (Glass or metal stem)			
<input type="checkbox"/> Refrigerator/Freezer Thermometers (integral)			

Food Safety Method: Produce Washing	<input checked="" type="checkbox"/> Not applicable
Will produce be washed on-site prior to use? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is there a designated "food preparation" sink for this purpose <input type="checkbox"/> Yes <input type="checkbox"/> No	
If not, describe where produce will be washed?	
Describe the process for cleaning and sanitizing multiple use sinks between uses:	

Food Safety Method: Dishwashing – Check as many as apply			<input type="checkbox"/> Not applicable	
Dishwashing Methods: Check all that apply <input type="checkbox"/> Dish Machine No.: _____ <input checked="" type="checkbox"/> Manual Sink(s) No.: 3				
Manual Compartment Units <input type="checkbox"/> Not applicable				
1. Does the largest pot or pan fit into each compartment of the sink?			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(a) If no describe cleaning procedure.			Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. Are there drain boards at both ends of the sink?			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
3. How many compartments are being used for ware washing? <input type="checkbox"/> 2-Compartment <input checked="" type="checkbox"/> 3-Compartment				
Dishwashing Machines <input checked="" type="checkbox"/> Not applicable				
1. Is a hood required for the machine?			Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. Do all the machines have metal plates with operating instructions?			Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Do all the machines have temperature and pressure gauges as required?			Yes <input type="checkbox"/>	No <input type="checkbox"/>
Item To Be Cleaned, State Cleaning Method	Chemical Type (A) Chlorine, (B) Quaternary Ammonium, (C) Hot Water @ 180 °F (D) Other, Specify	Concentration (A) Chlorine @ 50-100 PPM (B) Quaternary Ammonium @ Approved Range	Test Kit	
<input checked="" type="checkbox"/> Cooking Equipment	A	A	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> Dishware			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> Cutting Boards			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> Counter Tops			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> Clean-in-Place Items			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> Food Contact Surfaces			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> Non-Food Contact Surfaces			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> Floors and Walls			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> Ventilation System (Hood)			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> Laundry Facilities			NA	NA

General		
Indicate Yes or No, then provide an answer or description in the box below:		
1. Will employee dressing rooms be provided? Where?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
2. Will facility be serving food to a highly susceptible population? Describe the population?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
3. Are commercial pest control services used in this facility? If so, who? How often?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4. Are insect/rodenticide chemicals stored separately from food, cleaning and sanitizing agents? Where?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
N/A		
5. Are all toxins used on the premises or for retail sale stored away from food preparation or food storage areas? Where?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Separate storage room		
6. Are toxins properly labeled? How?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
All have original labels		
7. What materials are used for storing bulk food products? (i.e. Storage in kitchen or customers bulk bins)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Freezer		

Catering and Off-Site Services		<input checked="" type="checkbox"/> Not applicable
Complete if establishment will cater foods to another location or perform any cooking or food preparation off-site.		
Will meals be prepared or cooked at offsite locations which are not your depot?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
What types of vehicles will be used to transport food? Describe.		
How will <u>HOT</u> food be held at proper temperature during transportation, preparation and serving? Describe.	N/A <input type="checkbox"/>	
How will <u>COLD</u> food be held at proper temperature during transportation, preparation and serving? Describe.	N/A <input type="checkbox"/>	
How will food be protected from contamination during transportation, preparation and serving? Describe.		
List menu items for off-site service.		

Employee Training

Indicate Yes or No, then provide an answer or description in the box below:

1. Do you have a policy for ill employees? Describe or attach your current policy to exclude or restrict food workers who are sick or have cuts and lesions.Yes ☒No ☐

If ill, employees are sent home.

2. How will food employees be trained in good food sanitation practices? (Check all that apply)☒ Orientation☐ A written food safety handbook☐ Video☐ Classroom training☐ Other: _____

Note: Provide an example, if possible

3. Do you have a policy for hand washing? Describe or attach the current policy.Yes ☒No ☐

After eating, drinking, smoking, using the restroom, cleaning, and serving food.

4. Do you enforce handwashing? How do you enforce handwashing requirements?Yes ☒No ☐

As frequent as possible

5. Describe how you will restrict barehand contact with ready-to eat food.☒ Disposal gloves☒ Suitable utensils☒ Food grade deli tissue☐ Other (Specify): _____☐ For "Special BHC Processes" a Standard Operating Procedure has been provided with the application for approval.**6. Do you have a glove policy? When are staff required to use or change gloves?**Yes ☒No ☐

single use only. New gloves are to be worn after every order.

7. Are you aware that a "Certified Food Manager" shall be present at all time of operations?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> I certify that a designated person in charge that can demonstrate knowledge of: Foodborne disease prevention, application of food safety hazards analysis critical control points (HACCP) principles, and the requirements of the food code, will be available on-site during all hours of operations.			
<input checked="" type="checkbox"/> This facility does not handle potentially hazardous foods (TCS) and a Food Protection Manager is not required for this facility type.			
List Name and Title of Certified Food Managers:			
8. Will your establishment require a Consumer Advisory or Disclosure and Reminder Notice? State the consumer advisory language for partially cooked foods. Describe how you will post the advisory or provide an example.		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
9. Will product labels be required in your establishment? Describe foods which require labels. Describe.		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
type of food and dated			
10. (a) Do you have a copy of the Food Establishment Code NRS 446 and NAC 446?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
(b) Do you have any questions about the current food code?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

11. I have spoken with my Environmental Health Specialist and the following documentation has been provided in addition to this application as required.

- ☐ A written food safety plan
- ☐ A written HACCP Plan
- ☒ Standard Operating Procedures (SOP's)

I hereby certify that the above information is correct, and I fully understand that any deviation from the above without prior permission from the EHS Program may nullify final approval and may delay or prevent timely opening of my establishment.

	Ron Goldie	08/02/2020
<small>Signature of Applicant</small>	<small>Print Name</small>	<small>Date</small>

Exhibit E

Goldie's Menu

Cheese Sticks	6
Onion Rings	5
Chicken Tenders	6
Hot Wings	6
Breakfast Burrito	5
Chicken Burrito	5
Enchilada	5
Meatball Sandwich	7
Hot Dog	3
Chips	1
Jell-o Shots	2 ⁵⁰



EXHIBIT E



EXHIBIT E

CORONAVIRUS

PROTECT YOURSELF and those around you



Know How It Spreads

- There is currently no vaccine to prevent coronavirus disease 2019 (COVID-19).
- The best way to prevent COVID-19 is by avoiding contact with people who have the virus.
- The virus is thought to spread mainly from person-to-person.
- Between people who are in close contact with one another (within about 6 feet).
- Through respiratory droplets produced when an infected person coughs or sneezes.
- These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.

Avoid Close Contact

- Avoid close contact with people who are sick.
- Do not touch or be near someone who has the virus. If COVID-19 is spreading in your community, this is especially important. Airborne viruses are highly contagious.

Take Steps to Protect Yourself CLEAN YOUR HANDS OFTEN

- Wash your hands often with soap and water for at least 20 seconds, especially after you have been in a public place or after touching your nose, coughing, or sneezing.
- Soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol. Cover all surfaces of your hands and rub them together until they feel dry.
- Avoid touching your eyes, nose, and mouth with unwashed hands.

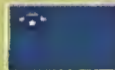
Take Steps to Protect Others

- Stay home if you're sick.
- Cover coughs and sneezes.
- Wear a facemask if you are sick.
- Cough and sneeze into your elbow.

ElkoSAFE

**This Business
Complies With
PHASE 1**

**Covid-19 Requirements
for Safe Operation
Stipulated by Federal
and Nevada Guidelines**



Semper Parati





EXHIBIT E



EXHIBIT E



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