

**SPECIAL COUNCIL MEETING**  
Tuesday, February 24, 2015, 4:30 p.m.  
Casper City Hall  
Council Chambers

AGENDA

1. Continuation of the Review of the Renewal of the Powder River Veterans Club Liquor License

**COUNCIL WORK SESSION**  
Tuesday, February 24, 2015, 5:00 p.m.  
Casper City Hall  
Council Meeting Room

AGENDA

1. Executive Session: Legal
2. Flood Plain Ordinance (MPO)
3. Event Center Storage Building
4. One Cent Community Projects Applications
5. WAM Report
6. Brand Presentation
7. Future Agenda Review

February 20, 2015

TO: Honorable Mayor and Members of the Casper City Council  
Cc: John C. Patterson, City Manager  
FROM: William C. Luben, City Attorney *WCL*  
RE: Renewal of Club Liquor License No. 3 for the Powder River Veteran's Club.

Recommendation:

That on the basis of correspondence received from the Wyoming State Liquor Division on February 19, 2015, Council deny the renewal of the Powder River Veteran's Club's Liquor License.

Summary:

Thomas J. Montoya, Chief of Enforcement for the Wyoming Liquor Division (the "Division"), informed the Casper City Attorney's Office by letter on February 19, 2015, that the Division had just been notified that the Powder River Veteran's Club (the "Club") has no legal connection with the Veterans of Foreign Wars, and is not authorized to act on its behalf.

The State Liquor Division initially approved the Club's liquor license application for the upcoming year because it was believed that the Club was still connected and operating under the Veterans of Foreign Wars Charter for Post 991. However, the Division has now been notified that the Club is no longer authorized to act under the Veterans of Foreign Wars Charter. As such, the Club is no longer authorized to apply for the renewal of this liquor license, as it is not considered to be a valid, qualified veterans' club for this license at this time.

A copy of the correspondence from Montoya, dated February 19, 2015, is attached, along with a copy of a letter regarding this matter from J. Dee Darneff, the Commander for the Department of Wyoming Headquarters for the Veterans of Foreign Wars for your review. Based on these facts, the Division has informed the City that Council cannot renew this license at this time.

As a result of the directive from the State Liquor Division, I recommend, following discussion of this issue at the special meeting on February 24, 2015, that a motion be made by Councilperson Schlager for permission to withdraw the motion to approve the renewal of this license as previously made and after acting on this motion, that a new motion be made to not renew this license as the applicant is not a qualified applicant for a club liquor license.



6601 Campstool Rd., Cheyenne, Wyoming 82002

MATTHEW H. MEAD  
*Governor*  
DANIEL W. NOBLE  
*Director*  
GREG COOK  
*Administrator*  
Phone (307) 777-7231  
Fax (307) 777-6255  
Website: <http://liquor.wyoming.gov>

February 19 , 2015

Bill Luben  
Casper City Attorney  
City of Casper  
200 N. David  
Cheyenne, WY 82601

RE: Powder River Veterans Club, Inc.

Mr. Luben:

This letter is to follow-up our conversation today concerning the above referenced entity. Our office has received several phone calls concerning the Powder River Veterana Club not operating under the requirements in statute and we know the Casper City Council has postponed any action on the renewal of this club's liquor license application. Today Senior Agent Hunt and I had a conversation with Bob DeBernado, Adj/QM Department of Wyoming for the Veterans of Foreign Wars.

When this club first applied for the license they currently hold in 2007 the applicant was Powder River Veterans Club, Inc. d/b/a Powder River Veterans Club. They also answered on page 2 of the application they were applying under the VFW. They have held themselves out as a VFW and upon my agents request during a routine inspection gave us a copy of the charter for Powder River Post 991. We were under the assumption that this limited retail (club) liquor license was held by a VFW. In a conversation today and in a letter we received from J. Dee Darnell, Commander Department of Wyoming that this is not the case. There is no legal connection between the two entities. Powder River Veterans Club, Inc does not qualify to hold a limited retail (club) liquor license. W.S. 12-1-101(a)(iii)(A) requires that an applicant for a limited retail liquor license be a post, camp or other local unit composed only of veterans and its duly organized auxillary, chartered by the Congress of the United States for patriotic, fraternal or other benevolent purposes and as the owner, lessee or occupant, operates an establishment for these purposes within the state. In our conversation with Mr. DeBernardo the VFW holds no lease with the Powder River Veterans Club, Inc. The VFW is merely allowed to meet at this establishment for meetings at no charge.

Based on these facts alone the City Council can not renew this license with the Powder River Veterans Club, Inc. If the Powder River Post 991 wishes to reapply witha proper lease in place then they may qualify for a liquor license.

If I can be of further service please feel free to contact me at any time.

Sincerely,

Thomas J. Montoya  
Chief of Enforcement  
307-777-6453



# VFW

VETERANS OF FOREIGN WARS of the UNITED STATES - DEPARTMENT OF WYOMING HEADQUARTERS  
3036 CABIN CREEK PLACE - CASPER, WY 82604-3672 - phone 307-333-5975 - fax 307-333-1347  
Email [vfw@bresnan.net](mailto:vfw@bresnan.net) - Website: [www.wyomingvfw.com](http://www.wyomingvfw.com)

*February 11, 2015*

*Bob Cook, Commander  
Post #991  
1344 Fremont Ave.  
Casper, WY 82604*

*Commander Cook:*

*It has come to my attention that Powder River Veterans Club is hosting a "Male Strippers" night on February 27, 2015. It is also my understanding that the radio commercials use the name Veterans of Foreign Wars in the advertisement for this event.*

*This type of activity, male or female strippers, is not in keeping with the image desired for the VFW here in Wyoming and as such should not be connected to the Posts name or the name Veterans of Foreign Wars as both are trademarked by the National organization.*

*I will also remind you that there is no legal connection between the Veterans of Foreign Wars and the Powder River Veterans Club and accordingly I am directing you to end any public connection between the two entities immediately.*

*J. Dee Darnell  
Commander Dept. of Wyoming*

*Cc: Council of administration  
file*

*"No one does more for Veterans"*