

**BOARD OF LICENSE COMMISSIONERS
CARROLL COUNTY, MARYLAND
MINUTES**

On March 14, 2012, the Board of License Commissioners met in Room 003 of the Carroll County Office Building, 225 North Center Street, Westminster, Maryland 21157. Board members Roland Meerdtter, David Grayson and Robert Tabler were present as well as County Attorney Timothy Burke, Counsel to the Board; and Nancy David. Tim Dixon, Asst. County Attorney, and Tom DiMaggio, Alternate Member, was also present to observe the proceedings.

10:06 a.m. to 10:45 a.m., Case 5625, Application of Brian Daugherty for the use of Benson Mill Holdings, LLC for the transfer of the existing Class A – Beer, Wine & Liquor License issued to Mark McIntyre and Tommy Menchey for the use of Triple J Spirits, LLC, t/a Union Bridge Liquors, P.O. Box 420, 17 North Main Street, Union Bridge, in Election District 2.

Upon motion of Mr. Grayson, seconded by Mr. Tabler, the Board found the Applicant to be a fit and proper person and approved the application based upon all final inspections being completed.

11:00 a.m. to 11:25 a.m., Case 5626, Application of Lisa Carol Herche to replace the resident licensee on the existing Class B – Beer, Wine & Liquor License issued to Kevin Burns and Amber Himes for the use of Panorama Ristorante, LLC, t/a New York J&P Pizza, 6252 Sykesville Road, Eldersburg, in Election District 5.

Upon motion of Mr. Tabler, seconded by Mr. Grayson, the Board found the Applicant to be a fit and proper person and approved the application based upon all final inspections being completed.

Attorney Clark Shaffer appeared before the Board to discuss the Rafael's case that was remanded by Court Order by Judge Galloway of the Circuit Court. The Chairman noted this is not regular procedure to have a full hearing when dates are requested for outdoor events and are normally decided upon at the Business Meeting following any hearings. Since the Judge says a full evidentiary hearing must be held, the Chairman will comply with the Order. Mr. Shaffer requested permission for Rafael's to have 6 deck parties this year, starting with Memorial Day weekend and suggested the Board members attend. He also requested that Inspector Kaizer not be a participant in these parties. The Chairman said he will hear this request next month in a full advertised hearing (April 11 at 1:30 p.m.) with all evidence being presented at that time.

11:35 a.m. to 1:15 p.m., the Board addressed the following official business:

1. The minutes from the February 8, 2012, meeting of the Board was approved upon a motion of Mr. Grayson and seconded by Mr. Tabler.
2. A one-day liquor license application from the Mt. Airy Main Street Association (MAMSA) for an outdoor event on April 14, was presented and approved by the Board.
3. A letter from David Shriver, of the Union Mills Homestead, informing the Board of the upcoming Annual Maryland Microbrewery Festival scheduled for September 29, from 11:00 a.m. to 7:00 p.m., was presented. Inspector Kaizer informed the Board he would be on vacation and would not be available to inspect the event on that date.
4. A letter from Matthew Fader, Assistant Attorney General, informing the Board to cease enforcement of Art. 2B, §10-405 (Nudity and Sexual Displays) due to a decision by the U.S. Court of Appeals was distributed to each Board member.
5. A letter from Robert Browning, of the Mt. Airy V.F.W., informing the Board of a change in their hours of operation was presented and will be maintained in the file.

6. A fax from #1 North Liquor Store in Manchester informing the Board of a change in their hours of operation was presented and will be maintained in the file.
7. A request from Todd Bricken, of Brick Ridge, to upgrade his license to include catering was presented and approved by the Board.
8. An update was received from Mt. Airy Liquors concerning their move to a new location within the shopping center. The physical move is scheduled for March 25 & 26.
9. Inspector Kaizer distributed a list to the Board of an accumulation of DWI/DUI reports from last year (2011) broken down by establishments and inquired if they wanted to take any action on locations with several reports. After reviewing the list, the Board decided to send a warning letter to establishments with five or more reports. The Chairman will compose a letter to be signed by all Board members.
10. Jessica Windsor, on behalf of The Greene Turtle of Mt. Airy, appeared to seek information on staying open past the 1:00 a.m. closing time for special events (i.e., UFC Fight on Pay-Per-View) and how to properly secure the alcoholic beverages during off hours. Mr. Tabler felt they should stick to the law with no exceptions. Mr. Meerdter requested Ms. Windsor work on ways she thinks this could work with securing the alcohol after hours.

Respectfully submitted by:

Nancy David
Administrative Hearings Coordinator