

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

On July 9, 2014, 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 Meerdter, Chairman, Robert Tabler, and David Brauning were present as well as Assistant County Attorney Timothy Dixon, Counsel to the Board, Jo Vance, Administrative Hearings Coordinator and Charles Kaizer, Liquor Inspector.

10:00 a.m., the Board addressed the following official business:

1. The minutes from the June 11, 2014 meeting were approved on a motion from Mr. Tabler, seconded by Mr. Brauning with a unanimous vote.
2. A hearing was held in the matter of Case 5753, the application of Catherine Ader, Rajendra Patel and Arjun Patel for a Class D – Beer and Wine License for the use of Arman, LLC, t/a Deer Park Corner, 602 Deer Park Road, Westminster, in Election District 4. Mr. Dixon read the file into evidence and it was accepted by the Board. Mr. Arjun Patel testified that the convenience store was purchase approximately 1 year ago and that many customers have requested that the store sell beer and wine products. The applicants were questioned as to the setup of the store and where the liquor would be displayed in the store. Catherine Ader testified as the owner of the property and gave some history of the property and about the multiple requests from customers for alcohol sales. Tom Hall of a Class A establishment, Still and Grill, testified against granting the Class D license for this establishment because it is not a tavern and because there are already 5 Class A licensed establishments in the District. Pete Samios testified against granting the Class D license because he felt it would set a precedent and that Class D licenses should be reserved for “boutique” establishments. Mr. Samios felt that everyone who has a convenience store or gas station would be applying for Class D licenses if this license was approved. Mr. Kaizer testified that historically Class D licenses were used as punishments to restaurants that had held Class B licenses when they didn’t serve enough food to meet the Class B requirements. Ms. Ader was then asked if she held a financial interest in the establishment, and other than being the property owner, she testified that she did not but that she expected to gain income from the liquor license. The Board then went into closed session to consult with counsel. Upon their return, on a motion made by Mr. Tabler and seconded by Mr. Brauning, the Board voted unanimously to deny the application.
3. A hearing was held in the matter of Case 5760, the application of Bruce Jones for a Class B – Beer, Wine and Liquor License for the use of E.J.’s Restaurant, Inc., t/a E.J.’s Restaurant, 35 North Main Street, Union Bridge, in Election District 12. Mr. Bruce Jones, Mr. Derek Bendit and Mr. Paul Florimbio testified in this matter. The Board noted that the Fire Marshall, the Health Department and the Bureau of Permits and Inspections had all stated that E.J.’s did not meet their offices’ requirements at the time of the hearing. Mr. Florimbio stated that they had complied with all the requests from the Fire Marshall’s office, that they only had one permit to pull for installing a grease trap and that the Health Department was requiring only that the grease trap be installed. They all testified that Mr. Jones is still the owner of the establishment

but that Mr. Bendit and Mr. Florimbio are managing partners who will share profits with Mr. Jones. The Board then went into closed session to consult with counsel. Upon their return, on a motion made by Mr. Tabler and seconded by Mr. Brauning, the Board voted unanimously to approve the application subject to the approval of the Health Department, the Fire Marshall and the Bureau of Permits and Inspections.

4. A request from Stephanie Heck of the Sykesville Memorial Post No. 223, American Legion for an outdoor event at their Pavilion on 7/19/14 was approved by the Board.
5. The Board voted on the proposed change to Rule 46a of the Rules and Regulations of the Board of License Commissioners and unanimously approved the suggested change.
6. The Board discussed the proposed changes to Rules 43a and 49f of the Rules and Regulations of the Board of License Commissioners. After discussion, and with no citizen comments, it was decided that a vote on whether or not to approve the recommended changes will be held at the August 13, 2014 meeting.
7. Stables restaurant submitted drawings and a photo of their new patio/deck area for the Board's approval, but they did not submit a written request for permission to include this area as part of the licensed premises of the establishment. The Board will write a letter to them instructing them that they must request permission from the Board in writing to extend their licensed premises to this area.
8. A letter and drawings from T Bone and More was submitted for the Board's review. Mr. Kaizer informed the Board that the establishment was currently closed for renovations and had been closed for more than ten days. The owner stated to Mr. Kaizer that he did not realize that he needed Board approval to be closed. After some discussion the Board asked Mr. Kaizer to cite the owner/licensee of T Bone and More with a violation of the rules regarding closure so that he can be brought before the Board for a hearing
9. After some discussion, it was also decided that the rules and regulations needed to be updated regarding Class D licenses. The Board asked that Ms. Vance and Mr. Kaizer review the rules and regulations for Carroll County and make suggested changes for an update and revision of the rule book. They also asked that a section be created regarding the Growlers allowed under the new bill.
10. Mr. Kaizer asked if the office should no longer accept applications for Class D licenses of the same nature as the hearing in Case 5753, i.e. convenience stores and/or gas stations. The Board agreed that we should not accept those application requests.
11. The new part-time liquor inspector position was discussed. Upon approval from Human Resources, it was decided to get Keith Bedford to complete a Carroll County Employment Application and provide a resume for review prior to an offer being made.
12. The meeting was adjourned upon a motion made by Mr. Tabler and seconded by Mr. Brauning with a unanimous vote at 12:40 p.m.

Respectfully submitted by:

Jo Vance
Administrator Hearings Coordinator
Office of Administrative Hearings

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