

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

On August 13, 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, Chief Liquor Inspector.

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

1. A hearing was held in the matter of Case 5761, the application of Karen Horsey to be added as a second Resident Licensee for a Class BW – Beer and Wine License for the use of Stead, Inc., t/a Hampstead Pizza Hut, 761 Hanover Pike, Hampstead, MD, in Election District 8. Mr. Dixon read the file into evidence and it was accepted by the Board. Mr. Brooks Leahy, attorney for the applicant, presented the request and then took testimony from Ms. Horsey. Upon completion of her testimony, the Board asked questions of Ms. Horsey that were answered to their satisfaction. Mr. Leahy then called three character witnesses for Ms. Horsey. They were Karen Kortises, Lisa Madairy and Kathy Walther. They all testified as to Ms. Horsey being a fit and proper person to hold a liquor license. Mr. Kaizer then testified regarding the history of the establishment. On a motion made by Mr. Brauning and seconded by Mr. Tabler, the Board voted unanimously to grant the application.
2. The minutes from the July 9, 2014 meeting were approved on a motion from Mr. Tabler, seconded by Mr. Brauning with a unanimous vote.
3. After discussion about the proposed rule changes for 43a and 49f of the Rules and Regulations of the Board of License Commissioners for Carroll County, on a motion made by Mr. Tabler, and seconded by Mr. Brauning, the Board voted unanimously to accept the suggested changes.
4. A one day liquor license application from Audrey Cimino for the Community Foundation of Carroll County/Sykesville Main Street Association for a Beer & Chili Fest on September 6, 2014, was unanimously approved by vote upon a motion made by Mr. Tabler and seconded by Mr. Brauning.
5. A one day liquor license application from Audrey Cimino for the Community Foundation of Carroll County/Mount Airy Community Fund for an outdoor fundraising event on September 20, 2014, was unanimously approved by vote upon a motion made by Mr. Tabler and seconded by Mr. Brauning.
6. A one day liquor license application from Aaron M. Lubick for Mount Airy Main Street Association for a corn toss tournament on October 11, 2014 at the Rail Yard in Mount Airy was unanimously approved by vote upon a motion made by Mr. Tabler and seconded by Mr. Brauning.

7. Presentation of a letter and drawings from College Square Liquors were given to the Board explaining a request for expansion of their licensed premises by building an addition onto the back of the present structure. There was discussion by Mr. Kaizer and discussion by the Board. And upon a motion by Mr. Tabler, seconded by Mr. Brauning, the Board voted unanimously to approved the addition.
8. Presentation of a letter and drawings from Greene Turtle of Mount Airy was given to the Board regarding their request to extend their licensed premised to an outside area for a cornhole tournament to be held on August 23, 2014 with a rain date of August 24, 2104. After discussion by Mr. Kaizer, and upon a motion by Mr. Tabler, and seconded by Mr. Brauning, the Board voted unanimously to approve the outdoor event.
9. Drawings were presented to the Board of a change in the floor plan of Total Discount Liquors for the inclusion of a proposed growler station in their establishment. After discussion, and upon a motion by Mr. Tabler, and seconded by Mr. Brauning, the Board voted unanimously to approve the change.
10. A letter was presented to the Board from Jerry Brandon of the Whiskey Basket informing them of his closing the business for ten business days from August 7, 2014 through August 20, 2014. After discussion, and upon a motion by Mr. Tabler, seconded by Mr. Brauning, the Board voted unanimously to approve the closure.
11. A hearing was held in the matter of Case 5763, the violation hearing for sale to a minor of Kimberly A. Hale and Melody McMahan for a Class B – Beer, Wine and Liquor License for the use of Gamber Road, LLC, t/a New York J & P Pizza, 3000 Gamber Road, Finksburg, MD, in Election District 4. Mr. Kaizer presented the case for the violation. Ms. Hale then testified about the circumstances surrounding the sale and identified the server, Stacy Cohen. The Board asked questions about the on-site training that employees received about checking IDs. After all testimony was given, the Board met in closed session with counsel. Upon their return, on a motion made by Mr. Tabler, and seconded by Mr. Brauning, the Board voted unanimously to find Ms. Hale and Ms. McMahan guilty of the violation and to impose a fine of \$300.00.
12. A hearing was held in the matter of Case 5764, the violation hearing for sale to a minor of Franceso DiFatta, Frank DiFatta and Robert DiFatta for a Class B – Beer, Wine and Liquor License for the use of DiFatta Family, Inc., t/a Belisimo’s, 2900 Baltimore Boulevard, Finksburg, MD, in Election District 4. Mr. Kaizer presented the case for the violation. Mr. Francesco DiFatta then testified as to the circumstances surrounding the sale to a minor and named the server who conducted the sale, but who was not present at the hearing. The Board asked questions about the on-site training that employees received about checking IDs. After all testimony was given, the Board met in closed session with counsel. Upon their return, on a motion made by Mr. Tabler and seconded by Mr. Brauning, the Board voted unanimously to find Francesco DiFatta, Frank DiFatta and Robert DiFatta guilty of the violation and to impose a fine of \$600.00.
13. A hearing was held in the matter of Case 5765, the application to change the corporate name of

Francesco DiFatta, Frank DiFatta and Robert DiFatta for a Class B – Beer, Wine and Liquor License for the use of DiFatta Family, Inc., t/a Belisimo’s, 2900 Baltimore Boulevard, Finksburg, MD, in Election District 4. The request from the DiFatta’s was to change the corporate name from DiFatta Family, Inc. to Papa Sal, Inc. Mr. Francesco DiFatta then testified as to the circumstances that were the cause for the request relating to Football Sunday charges and music copyright charges. The Board asked questions about the rationale for the change. After all testimony was given, upon a motion made by Mr. Tabler and seconded by Mr. Brauning, the Board voted unanimously to allow the corporate name change.

14. A hearing was held in the matter of Case 5766, a violation hearing for temporary closing of an establishment by Rachel Jean Louise Brodsky and Hossein Kalarestaghi for a Class B – Beer, Wine and Liquor License for the use of T-Bone and More, LLC, t/a T-Bone and More, 1834 Liberty Road, Eldersburg, MD, in Election District 5. Neither the licensees nor the owner attended the hearing. Mr. Kaizer presented his testimony as to the date of closing of the restaurant, which began as on June 14, 2014 or earlier. He also testified regarding the proposed public auction of the restaurant and the fact that the Health Department has pulled the restaurant license. Mr. Kaizer also testified, that in addition to hand delivering the notice of the hearing, that he had twice reminded Mr. Mehdi Kalarestaghi of the date and time of the hearing. After all testimony was given, on a motion made by Mr. Brauning and seconded by Mr. Tabler, the Board voted unanimously to revoke the license for T-Bone and More and impose a fine of \$2,000.00
15. The meeting was adjourned upon a motion made by Mr. Tabler and seconded by Mr. Brauning with a unanimous vote at 12:50 p.m.

Respectfully submitted by:

Jo Vance
Administrator Hearings Coordinator
Office of Administrative Hearings