

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

**On April 8, 2015, the Board of License Commissioners met in Room 003/004 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, Charles Kaizer, Chief Liquor Inspector, and Keith Benfer, Liquor Inspector.**

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

1. A hearing was held in the matter of Case **5829**, violation – sale to a minor by a Class A – Beer, Wine and Liquor license issued to Shital Shah for the use of Shita N Ram, Inc., t/a Finksburg Liquors, 3000 Gamber Road, Finksburg, MD 21048. Testimony was given by Inspector Benfer that alcohol was sold to an underage volunteer. The clerk who sold the alcohol was new to the liquor store business and had not been TAM or TIPS trained. After testimony, the Board voted unanimously to find the establishment culpable in the matter and fined them \$300.00 for the first offense.
2. At 10:20 a.m., the Board conducted a portion of their business meeting. On a motion by Mr. Tabler, and seconded by Mr. Brauning, the Board voted unanimously to approve the minutes from the March 11, 2015 meeting. A letter from Stables requesting permission for a proposed renovation was submitted to the Board along with more detailed drawings and pictures. After discussion, and on a motion made by Mr. Tabler and seconded by Mr. Brauning, the Board approved the renovations.  
The Board was presented with three requests for one-day liquor licenses for outdoor events for the Frederick Celtic Festival, the Forest & Stream Club, and the Carroll County Community Foundation/Sykesville Main Street. After discussion, all three events were approved by unanimous vote. The Board then returned to the public hearings at 10:30 a.m.
3. A hearing was held in the matter of Case **5830**, violation – sale to a minor by a Class B - Beer, Wine and Liquor license issued to Francesco DiFatta, Frank DiFatta and Robert DiFatta, for the use of Papa Sal, Inc., t/a Belisimo's, 2900 Baltimore Boulevard, Finksburg, MD 21048. The bartender who sold a Bud Lite to an underage volunteer testified that she got confused by the date of birth on the license. Mr. DiFatta testified that he plans on doing a TAM training at his business for all of his employees. After all testimony, the Board found them culpable and fined them \$900.00 by unanimous vote.
4. A hearing was held in the matter of Case **5831**, violation – sale to a minor by a Class A – Beer, Wine and Liquor license issued to John Hunt and Richard Hunt for

the use of Titanium Legs, LLC, t/a Stubby's Main Course, 2825 Baltimore Boulevard, Finksburg, MD 21048. Inspector Benfer testified that a six-pack of Bud Lite was sold to an underage volunteer without being asked for ID. Mr. Hunt testified that he will be TAM training his employees. After testimony, the Board found them culpable in this matter and fined them \$300.00 for the first offense.

5. At 11:15 a.m., the Board resumed the Business meeting by discussing three additional one-day liquor license outdoor event requests. After discussion, the Board approved outdoor events for McDaniel College Alumni Office, Common Ground on the Hill Festival, and the Deer Creek Fiddler's Convention. A letter and drawings from Papa Joe's Mexican Restaurant was submitted to the Board requesting their permission to extend their liquor license to outside seating in the front of the restaurant. After discussion and on a motion made by Mr. Tabler, and seconded by Mr. Brauning, the Board approved the request contingent on the State Fire Marshall giving his approval to the plans. A letter and plans from Cinco De Mayo were then presented to the Board requesting permission to add a tented area to their establishment on their side parking lot for a Cinco De Mayo celebration. After review and discussion, the Board voted unanimously to approve this request contingent on Mr. Kaizer's approval of the tent and plans, and with a letter to them stating that this expansion for alcohol service is for the one time only. At this time of 11:30 a.m., the Board returned to the hearings scheduled.
6. A hearing was held in the matter of Case **5832**, violation – sale to a minor by a Class B – Beer, Wine and Liquor license issued to Kimberly Hare and Melody McMahan for the use of New York J & P Pizza, 3000 Gamber Road, Finksburg, MD 21048. Inspector Benfer testified that an underage volunteer sat at the bar and was served a Bud Lite draft. Ms. Hare testified that the employee who served the minor was TAM certified, but she was fired for causing this violation. After all testimony, the Board found them culpable in this matter and fined them \$600.00.
7. A hearing was held in the matter of Case **5841**, an application by William B. Wiley, III to replace Melody McMahan as the Resident Licensee on a Class B – Beer, Wine and Liquor license issued to Kimberly Hare and Melody McMahan for the use of New York J & P Pizza, 3000 Gamber Road, Finksburg, MD 21048. Ms. McMahan testified that she wants to come off of the license because she is moving to a different state. Mr. Wiley testified to his background and to the time and interest that he will be devoting to the business if he becomes the Resident Licensee. After hearing his testimony and the testimony of Mr. Wiley's character witnesses the Board voted unanimously to approve this application.

The Board then adjourned for lunch at 12:05 pm.

**At 1:30 pm**, the Board addressed the following official business:

8. A hearing was held in the matter of Case **5834**, an application by Valerie Ann Peters and Terrie Lee Carter for a new Class B – Beer, Wine and Liquor license for the use of Broken Spoke Bar and Grill, LLC, t/a Broken Spoke Bar and Grill, 5525 Taneytown Pike, Taneytown, MD 21787, in Election District 1. Ms. Carter testified that she would be the 90% owner of the business and Ms. Peters would own 10%. Ms. Carter shared her extensive background in the restaurant and bar business and Ms. Peters also testified that she has a background in the same area. After all of the licensee’s testimony was given and character witnesses spoke, the Board made a motion to approve the application contingent on Mr. Kaizer’s approval of the floor plans and remodeling, and on all regulatory approvals being received. The motion was approved by unanimous vote.
9. A hearing was held in the matter of Case No. **5835**, violation – sale to a minor of a Class A – Beer, Wine and Liquor license issued to Thomas E. Dougherty and Margaret A. Phillips Dougherty for the use of Tom & Map, LLC, t/a BJ’s Liquors, 506 E. Ridgeville Blvd., Mt. Airy, MD 21771. Inspector Benfer testified that an underage volunteer entered BJ’s Liquors and bought a six-pack of Bud Lite. Mr. Dougherty testified that his employees are not TAM certified but that he constantly stresses the need to check IDs to all of them. The Board found the establishment culpable in this matter and imposed a fine of \$300.00.
10. A hearing was held in the matter of Case No. **5846**, violation – sale to a minor of a Class A – Beer, Wine and Liquor license issued to Thomas E. Dougherty and Margaret A. Phillips Dougherty for the use of Tom & Map, LLC, t/a BJ’s Liquors, 506 E. Ridgeville Blvd., Mt. Airy, MD 21771. Inspector Benfer testified that an underage volunteer entered BJ’s Liquors and bought a six-pack of Bud Lite. Mr. Dougherty again testified that his employees are not TAM certified but that he constantly stresses the need to check IDs to all of them. The Board found the establishment culpable in this matter and imposed a fine of \$600.00 for this offense.
11. A hearing was held in the matter of Case No. **5836**, violation – sale to a minor of a Class B – Beer, Wine and Liquor license issued to Joanne Edwards and James Dichiarra for the use of Mt. Airy Tavern, LLC, t/a Mt. Airy Tavern, 1001 Twin Arch Road, Mt. Airy, MD 21771. Inspector Benfer testified that two underage volunteers entered the establishment and ordered a Coors Lite each. They were carded but were still served the beer. The bartender testified that it had been a long time since he had seen a vertical license and he did not pick up on the dates correctly. The Board found the establishment culpable in this matter and imposed a fine of \$600.00.
12. A hearing was held in the matter of Case **5814**, Application of Tammie L. Thomas to replace the Resident Licensee, Michael Gemmill, for a Class B – Beer, Wine and Liquor license for the use of Kent Love, LLC, t/a GL Shacks Grill, 2107 Liberty Road, Eldersburg, MD 21784 in Election District 14. This hearing was continued from the March 11, 2015 hearing where Ms. Thomas was asked to correct three

outstanding items. Ms. Thomas submitted the corporate minutes requested showing her partial ownership in the business, and another \$2,500.00 check to bring her investment in the business to the minimum required of \$5,000.00, and she brought her character witnesses as requested. After all testimony and information was submitted, the Board voted unanimously to approve this application

13. At the time of 4:20 p.m. the Board returned to the final item on the Business meeting agenda which was a letter from Benny Kirkner of Total Discount Liquors regarding the change in Rule 56 in the Rules and Regulations of The Board of License Commissioners of Carroll County. After discussion about the steps that had been taken to notify licensees of the discussions, and the amount of time that had been devoted to discussions about the rule, and the fact that the Board had recommended to the License Beverage Association that they might want to invest their efforts in the getting the State law changed, the Board suggested that a letter be written to Mr. Kirkner.

The meeting adjourned at 4:25 p.m.

Respectfully submitted by:

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Jo Vance  
Administrator Hearings Coordinator  
Office of Administrative Hearings