

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

**On April 20, 2016, 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, Chair, 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, Senior Liquor Inspector, and Keith Benfer, Liquor Inspector.**

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

1. Roland Meerdter began the meeting with an explanation of why the Board had asked three establishment's licensees (Johansson's, Westminster Greene Turtle and Belisimo's) to come in about reports linking their businesses to DUI reports from the Carroll County Sheriff and the Maryland State Police. He stated that the Board understood that not all of the drinking necessarily took place in their establishments, but that some takes place in the individual's cars or in adjacent parking lots. However, when asked by the police where they consumed alcohol, many drivers will only name the business they were in last.

Dave Johansson stated that it was very difficult to mount a defense when you don't know what people do after they leave your establishment. Mr. Johansson stated that he believes his business has more TAM certified staff than any other business in Carroll County; that with the exception of kitchen staff, busboys and four new hires, everyone is TAM certified. He also stated that they routinely and weekly deny serving people for various reasons. He stated that fewer and fewer places in Carroll County offer any kind of entertainment and he feels that more should be offered. He stated that the age range of clients in his Down Under establishment is 21 to 33 years old. He stated that Thursdays are usually the younger crowd. He then asked the Board if they felt there was any difference between the 140 corridor and the Rt. 32/Liberty Road area. He believes the 140 corridor has more law enforcement working that area so more people are caught in that area. Inspector Kaizer stated that Amante's in Eldersburg had the highest number of DUIs last year so he did not feel that the 140 corridor was necessarily more patrolled than the other area.

Mr. Meerdter stated that he was asking the establishments to make a concerted effort to not over serve patrons and to try and come up with concrete methods of how to deal with this problem. Mr. Tabler suggested wrist bands that would limit the number of drinks a patron is served. Mr. Meerdter also informed the establishments that the liquor inspectors and office staff are always a resource for them.

Steven Tiedeman from the Westminster Greene Turtle stated that their staff is all TAM certified, but that there is always a turnover in staff. He said it was easier to control underage drinking than overserving because it is a judgment call as to whether a person is under the influence or not.

Francesco DiFatta stated that he is sure that some people come into his establishment after they have been at another establishment in Baltimore County and may have been drinking before coming to his place, but then name Belisimo's as the last place they drank if they get stopped by an officer.

Dave Johansson stated that he had just settled a case from 2012 in which a 26 year old was at his place on a Thursday night and she had on open toed shoes and she turned and spinned and fell onto a beer bottle and cut her artery in her leg. She wasn't intoxicated, but she won the case and his establishment was found responsible.

The Board stressed again that they asked these establishments to be very aware of how many drinks a patron has been served and again, to try and come up with some concrete ideas of how to help their staff achieve not overserving someone.

2. Pete Samios and Darren Barnes appeared before the Board to request that the Board mandate the amount of space a Class D license could use for retail/off-premise sales of beer and wine. They asked that they be limited to 20% of their business space for that purpose. They suggested that because there are now no limitations on Class D licenses that anything could happen, such as a nightclub come in and use the full 7,000 feet of space that a Class D currently allows. The Board promised that they would take this suggestion under consideration.
3. On a motion by Robert Tabler, and seconded by David Brauning, the minutes from the March, 2016 meeting were approved by a unanimous vote.
4. It was agreed by all to change the July, 2016 hearing date from the 13<sup>th</sup> to the 6<sup>th</sup>, and to change the January, 2017 hearing date from the 11<sup>th</sup> to the 4<sup>th</sup>.
5. The Board reviewed a request from Todd Bricken of Brick Ridge restaurant about the possibility of opening a patio area at his restaurant. He currently did not have any drawings or specific plans for the deck. The Board stated that they would be amenable to the request once he had specific plans that he could show them.
6. The Hampstead American Legion submitted a request for approval of a list of events for which they want to use their outdoor Pavilion in the summer of 2016. The Board unanimously approved the list.
7. There was a letter and drawings submitted to the Board from the Mt. Airy Greene Turtle requesting the use of a portion of their parking lot for outdoor seating on Friday and Saturday evenings from May through September. The Board agreed that they could serve alcohol in the space and have some tables, but no seats in that area.

8. There was a letter notifying the Board of a change in ownership shares for the Greenmount Group, Inc. that owns the Liquor Shoppe of 40% shares from Kishor Shah to Ashish Parikh.
9. Three one day liquor license requests for outdoor events were approved by the Board. They were: Sykesville Community Foundation's Art & Wine Festival on May 1, 2016; City of Westminster for the Flower and Jazz Festival's 5K on May 7, 2016; Baldwin's Station and Cork and Bottle Spirit Shoppe for all of Sykesville's outdoor festivals through February of 2017; and the Forest & Stream Club event to be held on August 13, 2016 at their club.
10. There were requests from E.W. Becks and Market Tavern that dealt with the upcoming Art & Wine Festival in Sykesville on May 1: Becks asked that patrons be allowed to enter and exit their facilities with alcoholic beverages; and Market Tavern asked that they be allowed to expand their outdoor seating area. Both requests were approved by the Board.
11. Memories Charcoal House presented a letter and drawings to the Board requesting the addition of a temporary bar on their outside patio. The Board approved this request contingent upon their applying for a receiving the correct permits and inspections and that it be stipulated in a letter that the bar is temporary.
12. Stables submitted drawings for the Board's approval to add a covering to their patio area. Inspector Kaizer had the drawings and explained the addition to the Board and the Board unanimously approved this addition.
13. The Westminster VFW submitted a list of dates for which they wanted permission to serve alcohol and use their outdoor pavilion for the summer of 2016. The Board unanimously approved this request.
14. There was a brief discussion about the new tasting license law that will go into effect in July that will cost \$150.00 for unlimited tastings. It was decided that if an establishment had already paid for 2 or 3 tastings, that they could be issued a new tasting license without any fees. If an establishment only had 1 tasting, then they would pay an additional \$50.00 for the new tasting license. There will be no refunds, though, of any fees.
15. There followed a discussion of the merits of the request about the Class D licenses. After much discussion, Mr. Tabler made a motion to leave the Class D license regulations as currently written. For lack of a second, the motion did not go forward, but the outcome is that there will not be any change at this time to the Board's rules and regulations regarding Class D licenses in Carroll County.

At this time Mr. Meerdtter adjourned the meeting at 12:30 p.m.

Respectfully submitted by:

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Jo Vance  
Administrator Hearings Coordinator  
Office of Administrative Hearings

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