

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

**On September 14, 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 David Brauning, Acting Chair, Robert Tabler, and George Harmening were present as well as Assistant County Attorney Timothy Dixon, Counsel to the Board, Jo Vance, Administrative Hearings Coordinator, Keith Benfer, Liquor Inspector, and Mike Penkert, Liquor Inspector.**

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

1. Upon a motion by Mr. Tabler and seconded by Mr. Harmening, the Board voted unanimously to approve the minutes from the August, 2016 meeting.
2. A request for a one day liquor license for an outdoor event from the Mt. Airy Main Street Association for a Corn Hole Tournament to be held at the Railyard on October 8, 2016 was approved by the Board.
3. A request for two one day liquor licenses for outdoor events from the City of Westminster for a beer garden at Gehr Lot and a wine garden at Birdie's Café during the Oyster Stroll on October 8, 2016 was approved by the Board.
4. A request for a one day liquor license for an outdoor event from the LTH Foundation for a fundraiser to be held at the Sykesville-Freedom Fire Department grounds on September 17, 2016 was approved by the Board.
5. A request from the Manchester Volunteer Fire Department to have alcohol at an outside event called the First Annual Chili Cook-off on their carnival grounds on September 24, 2016 was approved by the Board.
6. A letter from the Shriners Hospital for Children in memory of Chuck Kaizer was presented to the Board and staff for their review.
7. A discussion occurred concerning Baskets of Cheer and Whiskey Wheels. Mr. Dixon had a decision from the Attorney General's office stating that non-profits could hold games of chance for baskets of cheer and whiskey wheels. Inspector Benfer and Ms. Vance both stated that they were not able to find anything in the alcoholic beverages article prohibiting such raffles. There was some discussion about the Board rule #62, but it was decided by the Board that per the opinion of the Attorney General's office and the lack of prohibition in State law, that Carroll County would start allowing these types of raffles when asked.
8. There was a question about the transfer of a Class A – Beer and Wine license for the Taneytown Exxon and whether or not the Board would approve either a transfer, or a

- request for a new license for that establishment if a sale did not happen while the liquor license was still in force. The Board decided that if an applicant met all the necessary requirements to be a licensee, that they could approve a transfer of the license, or a request for a new license if it was done in a timely manner.
9. Drawings were presented for the expansion of Greenmount Station into the former bank building next door. Inspector Benfer explained the new floor plan to the Board and the Board approved the expansion as presented.
  10. A request for a one day liquor license for an outdoor event from the Iron Order Motorcycle Club for a Charity Ride Event on October 8, 2016 was approved by the Board pending Inspector Benfer's inspection of the site prior to the event.
  11. **Case #5973** – A hearing on the matter of a Class C – Beer, Wine and Liquor license issued to Matthew Blake, Richard D. Isaac and Jamie M. Isaac for the use of River Downs Golf Club, Inc., t/a River Downs Golf Club, 1900 River Downs Drive, Finksburg, Maryland 21074 - Violation Hearing (Sale to a Minor). On August 18, 2016 Inspector Benfer sent an underage volunteer into the clubhouse to purchase an alcoholic beverage. The volunteer ordered a Yuengling beer. The server did not ask for identification and sold the beer to the volunteer. The server, Mark Sizemore, testified that it was a particularly busy time and that he had only gone into the grill area to help out the server who was working that area and that he didn't even think about asking for ID. He also was not TAM or TIPS certified. Mr. Isaac and Mr. Sizemore both testified that the new policy for the Club is that every patron is to be carded prior to being served alcohol. Mr. Isaac also testified that there were several employee meetings to stress the importance of being diligent in carding their patrons. Mr. Tabler did express concern that the Resident Licensee was not present at the hearing. Upon a motion by Mr. Tabler, seconded by Mr. Harmening, the Board voted unanimously to find the establishment culpable and they levied a fine of \$300.00 for this first offense.
  12. **Case #5974** – A hearing on the matter of a Class A – Beer, Wine and Liquor license issued to James Mitchell Coyle, III for the use of Two C's, Inc., t/a The Liquor Barn, 520 East Baltimore Street, Suite 40, Taneytown, Maryland 21787 – Violation Hearing (Sale to a Minor). On August 24, 2016 at 12:03 p.m., Inspector Penkert sent an underage volunteer into the Liquor Barn to purchase alcohol. The volunteer took a six pack of beer to the counter and was asked for identification by the clerk, Mr. Coyle. He showed his vertical Maryland license, but Mr. Coyle made the sale to the volunteer anyway. Mr. Coyle testified that he had no explanation for why he made that sale other than he just was not thinking clearly. The store policy is that no vertical IDs are accepted and he is TAM certified. He apologized to the Board and informed the Board that his daughter has held several employee meetings because of this incident to stress the proper procedures to all the employees. This was the third violation of this nature in a period of three years. Because of a mistaken picture being submitted as an exhibit, the record shows that Exhibit 1 was withdrawn, but Exhibit 2 is still a part of the evidence. The Board adjourned to seek advice of

counsel, and upon their return informed the licensee that they found the establishment culpable and levied a fine of \$1,200.00 for this offense.

13. **Case 5975**, - a hearing on the matter of a Class A – Beer, Wine and Liquor license issued to Gerald H. Brandon and Yvonne O. Brandon for the use of Jer-Von, Inc., t/a The Whiskey Basket, 6156 Taneytown Pike, Taneytown Maryland 21787 – Violation Hearing (Sale to a Minor). On August 24, 2016 at 12:35 p.m., Inspector Penkert sent an underage volunteer into the store to purchase alcohol. The volunteer took a bottle of Bud Lite beer to the counter and the clerk on duty did not ask for any identification and made the sale. The clerk, who is Mr. Brandon's sister-in-law was not TAM certified and was working on a short term basis as a favor to Mr. Brandon who has recently lost his wife. Mr. Brandon testified that he had operated the store for many years without any violations and that if he had been in the store at the time that most likely this violation would not have occurred. Upon a motion by Mr. Tabler, seconded by Mr. Harmening, the Board voted unanimously to find the establishment culpable and levied a fine of \$300.00.
14. Mr. Dixon and Ms. Vance at this time for clarification about the baskets of cheer and whiskey wheels to make sure that the understanding from the Board was that they would now be allowed for non-profit, fraternal and religious organizations only. The Board concurred that this was the case.

At this time, Mr. Brauning adjourned the meeting at approximately 11:20 a.m.

Respectfully submitted by:

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Jo Vance  
Administrator Hearings Coordinator  
Office of Administrative Hearings