

FREDERICK COUNTY LIQUOR BOARD

Public Meeting Minutes *Monday January 9, 2023*

Those Present: Ms. Joan Aquilino, Chair
Mrs. Debbie Burrell, Board Member
Mr. Chris Glass, Board Member
Ms. Jennifer Keefer, Assistant County Attorney
Mr. Bob Shrum, Alcoholic Beverage Inspector
Mr. Robert Lind, Alcoholic Beverage Inspector
Mrs. Dawn Shugars, Director
Mrs. Ashley Kneessi Gay, Administrative Coordinator
Mrs. Candace Sier, Administrative Specialist II
Mrs. Tabitha Vanleeuwen, Administrative Specialist II
Mrs. Trisha Lawson, Administrative Specialist II

A Public Meeting was held in person and called to order at 8:30am by the Chair, Joan Aquilino. Introductions and Board overview was shared by Chair, Joan Aquilino. Ashley Kneessi-Gay swore in all participants for today's hearing.

1. TRANSFER

a. Application #258423

DECISION

Santa Rosa Restaurant
Jorge Ramos, William Flores, and Roberto Ramos
For the use of Santa Rosa Restaurant, Inc
Transfer From: Roberto Ramos and Roxana Delcid
For use of Santa Rosa Restaurant, Inc
Class B, On Sale, Beer, Wine, and Liquor License

MOTION: Commissioner Burrell made a motion for conditional approval for Santa Rosa until January 31, 2023. Pending all rules, regulations and laws of the State, County, municipalities, and Liquor Board are met.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Burrell – Aye
Commissioner Glass – Aye
Chair Aquilino –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

b. Application #258916

DECISION

Viniferous
Luke Kannor
For the use of Viniferous, LLC
Transfer from: Luke Kannor and Deborah Cerullo

MOTION: Commissioner Burrell made a motion for conditional approval for Viniferous until January 31, 2023. Pending all rules, regulations and laws of the State, County, municipalities, and Liquor Board are met.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Glass – Aye
Commissioner Burrell – Aye
Chair Aquilino – Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

c. Application # 260618

DECISION

Maple Run Golf Course
Jeffrey Barber
For the use of Barber Golf Operations, LLC
Transfer from: Jeff Ellis, Mark Hahn, and Dave Crum
Class C, On Sale, Beer, Wine, and Liquor License

MOTION: Commissioner Burrell made a motion for conditional approval for Maple Run Golf Course until February 28, 2023. Pending all rules, regulations and laws of the State, County, municipalities, and Liquor Board are met.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Burrell – Aye
Commissioner Glass – Aye
Chair Aquilino – Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

2. TRANSFER

a. Application #260619

DECISION

Glory Day's Grill
Kenny Russo, Jesse McPherson, and Stephen Dimitrievch
For the use of Play Ball USA, LLC
Transfer from: Jeffrey Newman and Robert Garner
Class B On Sale Beer, Wine, And Liquor License

MOTION: Commissioner Burrell made a motion for conditional approval for Glory Day's until April 9, 2023. Pending all rules, regulations and laws of the State, County, municipalities, and Liquor Board are met.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Burrell - Aye
Commissioner Glass - Aye
Chair Aquilino - Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

3. RECONSIDERATION

a. License # 258527

DECISION

Frederick Wine House
Gary Zorechak, Kevin Storm, and Lauren Storm
For use of WBL, INC
Transfer of location from 2440 Osprey Way Ste C Frederick MD

MOTION: Chair Aquilino made a motion to reconsider Plus Marts request for reconsideration.

SECOND: There was no second.

MOTION FAILED CASE CLOSED

4. NEW

a. Application #258423

DECISION

Plaza Mexico of Frederick II
Eduardo Murillo and Benigno Ayala
For the use of Plaza Mexico of Frederick II, LLC
Class B, On Sale, Beer, Wine, and Liquor License

MOTION: Commissioner Burrell made a motion for conditional approval for Plaza Mexico of Frederick II until February 28, 2023. Pending all rules, regulations and laws of the State, County, municipalities, and Liquor Board are met.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Burrell – Aye
Commissioner Glass – Aye
Chair Aquilino –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

5. EXTENSION OF CONDITIONAL APPROVAL

a. Application #260539

DECISION

Maximus Beer Wine and Liquor
Michael Hanna III

MOTION: Chair Aquilino made a motion for extension of conditional approval for Maximums Beer, Wine, and Liquor until the next hearing on February 13, 2023, give Director Shugars authority to extend the conditional approval by 2 weeks if she feels it is necessary, and the applicant send the Board progress reports.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION:

Commissioner Burrell stated the Board should go ahead and give the two weeks and move the conditional approval date until February 28th so the authority would not have to be delegated to Director Shugars. Chair Aquilino stated that date does not give the proper 2-week notification prior to the March hearing. Commissioner Glass stated February 27th would meet the deadline of the 2-week notification for the March hearing. Director Shugars stated February 27th would not give the next applicant enough time to be on the March agenda as there will need to be time to process their application prior to it being advertised for the March hearing, therefore she would suggest putting the decision on for February 13th for another applicant to be on the March hearing agenda.

VOTE: Chair Aquilino asked for a vote, none were in favor, so the motion failed.
(Motion Failed)

MOTION: Commissioner Glass made a motion for an extension of conditional approval for Maximus Beer Wine and Liquor until March 13, 2023. Pending all rules, regulations and laws of the State, County, municipalities, and Liquor Board are met.

SECOND: Chair Aquilino second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Glass- Aye
Commissioner Burrell- Aye
Chair Aquilino- Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

6. Adopt December 12, 2022, Hearing minutes

MOTION: Commissioner Glass made a motion to adopt the December 12, 2022, Hearing minutes.

SECOND: Chair Aquilino second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Glass – Aye
Chair Aquilino –Aye
Commissioner Burrell- Aye

The vote was unanimous ***Ayes 3, Nay-0***
(Motion passed)

7. STAFF MEETING

a. Rules and Procedure Amendment

- i. Director Shugars stated the updates to the rules and procedure starting with the change to have a bye month in December. Commissioner Burrell stated her concern having the bye month is December because in the past there have been violations that needed to be addressed at that time. Chair Aquilino stated her reasoning is because December seems to be the hardest month to have a full board due to the holidays. Commissioner Burrell stated that it may be easier to remove a hearing than to add one. Director Shugars stated that the December hearing was rather full, and it was a matter of businesses being able to open during the holiday season. Director Shugars suggested having two hearings in November. Chair Aquilino agreed.
- ii. Director Shugars stated the next two changes to the rules and procedures with no further discussion from the Board. Director Shugars then moved to the fourth change regarding Board attendance. The proposed change is “if any Board Member cannot attend a hearing, they will need to notify the Director and the presiding Chair 30 days prior to a hearing to allow ample time for any agenda changes, if needed.” Chair Aquilino recommended adding language “except during extenuating circumstances.” Director Shugars stated there is no consequence for not attending a hearing, therefore, it is not needed. Ms. Keefer agreed with Director Shugars. Commissioner Burrell asked if this change needs to be in the rules. Chair Aquilino stated this is to help guide new board members. Commissioner Glass suggested to strike the part “within 30 days”, as well as remove “informing the presiding chair.”

MOTION: Chair Aquilino made a motion to adopt those changes to the rules and procedure.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Burrell – Aye
Commissioner Glass – Aye
Chair Aquilino – Aye

The vote was unanimous ***Ayes- 3, Nay- 0***
(Motion passed)

b. Review Regulation corrections

- i. Director Shugars stated the corrections to the regulations. Ms. Keefer stated that her changes to the late fees were so the Director would have the discretion to process an application at the last minute or not based on staffing availability, but the late fee would still be assessed if the application is processed. Director Shugars continued with the review of regulation corrections, with no further discussion from the Board. The changes will be posted to the liquor board website for public

input. In addition, a mass email will be sent to all license holders for the opportunity to have input on any of the updates. The changes are slated to be adopted at the February 13, 2023, hearing.

c. Delegation of Authority

- i. Director Shugars read through the changes to the Delegation of Authority, the change being at the end where it says that board has the authority to rescind or change this authority at any time and that the Director may not assign this authority to any other staff at any time and the board would reassign the authority if an emergency should arise. Ms. Keefer expressed her concerns with this document and wanted to table this issue until the February 13, 2023, hearing to give her an opportunity to research this more. The Board agreed to table this issue until the February 13, 2023, hearing.

d. New Year's Eve compliance Check

- i. Inspector Lind gave his report on the New Year's Eve compliance checks, he stated that there were no major issues, just some places that were overcrowded and those places began to adopt the one in and one out system.

e. General public comment-NONE

8. ADJOURN

MOTION: Commissioner Glass made a motion to adjourn

SECOND: Commissioner Burrell second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Glass – Aye
Commissioner Burrell - Aye
Chair Aquilino –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

MEETING ADJOURNED: 11:12am

Respectfully submitted,
Trisha Lawson, Administrative Specialist II
FREDERICK COUNTY LIQUOR BOARD