

LIQUOR AND LICENSE COMMISSION
McHenry County Government Center – Administration Building
667 Ware Road - Woodstock IL 60098

MINUTES OF WEDNESDAY, OCTOBER 8, 2008

Chairman Hammerand called the meeting to order at 9:15 a.m. The following members were in attendance: John Hammerand; James P. Kennedy; Yvonne M. Barnes; and Nick Provenzano. Mary McCann arrived at 9:24 am. Also in attendance: Jamie Rein, Assistant State's Attorney; Captain Tony Cundiff – Sheriff's Office; and County Board Chairman Kenneth Koehler.

John Hammerand, Chairman
Yvonne M. Barnes James P. Kennedy
Mary T. McCann Nick Provenzano

MINUTES OF THE PREVIOUS MEETING

Mr. Provenzano made a motion, seconded by Mr. Kennedy, to approve the minutes of the September 10, 2008 Liquor and License Commission meeting. Mr. Kennedy asked that a typo be corrected. The minutes were approved as corrected with all members present voting aye.

PUBLIC COMMENT: None.

PRESENTATION: None.

NEW BUSINESS:

Liquor License: None.

Raffle Applications: Members reviewed the following four Raffle Permit Applications: Hospice of Northeastern Illinois; FISH of McHenry, Kiwanis Club of McHenry; and Riley Music Department. Noting all documents were completed and bond information provided for each organization, Mr. Provenzano made a motion, seconded by Ms. Barnes to approve the four requests as submitted. The motion carried with all members voting aye on a roll call vote (Barnes, Kennedy, Provenzano and Hammerand).

Ms. Rein noted that BBTs in Wonder Lake has a pending misdemeanor and it is her understanding that the establishment will be changing hands in the near future.

Ms. Rein asked that the Committee enter executive session to discuss the Mobile Speed Mart.

EXECUTIVE SESSION: Mr. Provenzano made a motion, seconded by Mr. Kennedy to enter executive session for the purpose mentioned above. The motion carried with all members present voting aye on a roll call vote.

The Committee was in executive session from 9:15 am until 9:58 am.

On a motion by Mr. Provenzano, seconded by Mr. Kennedy, the Committee re-entered regular session at 9:59 am with all members present voting aye on a roll call vote (Provenzano, Kennedy, Barnes, McCann and Hammerand).

Mr. Kennedy made a motion, seconded by Mr. Provenzano, to direct the State's Attorney file an appeal to the Order regarding Rachina-1, inc. D/b/a Mobil Speed Mart located in McHenry.

OLD BUSINESS

Incident Reports: No new incident reports.

Update on Sting Operations: Captain Cundiff commented that the State should not be dictating the number of sting operations as it is the responsibility of the Sheriff's Department to insure that all establishments are complying with the law and the department will conduct as many stings as necessary when an establishment is found to be in violation.

Members questioned how the State could dictate or modify a penalty imposed by the County and noted that by appealing the Order imposed by the State Liquor Control Commission, Ms. Rein made be arguing precedent.

Liquor Ordinance: Ms. Rein distributed a reviewed Ordinance and asked that members review the document for continued discussion at the next meeting. She pointed out that proposed amendments include the following: (1) a definition for Wine and Wine Maker; (2) a Class "G" license; (3) a Class "G-1" license; and requirements for BASSET training.

Approved: 2/25/09

Chairman Koehler stated the addition of a license for the sale of wine by a wine maker and a license for a sampling event are steps in the right direction. Mr. Provenzano stated he would not support a wine tasting event for someone that does not already sell liquor. Chairman Koehler stated that many such events are held by charitable organizations at which a wine maker comes to pour for the event. He went on to suggest a shut down time of 10p.m. Ms. Barnes stated her initial reaction is to support such licenses. She questioned if the "tasting" event could be held off the premise, as the wording suggests that the sampling event is only for consumption with the premise and/or the property lines of the establishment. She noted this would not allow for "sampling events at other locations. Ms. Rein she only considered events at the establishment and had not considered events being held off property. She noted if an individual is having a private gathering they could hold such an event as long as it was not open to the public. Chairman Koehler stated wording should be considered to allow for the tasting of at least up to 5 samples (not 3). Ms. Rein stated she would review the Liquor Ordinance for Door County to provide insight into how they have set-up such licensing. It was also noted that there is also the issue of zoning in ag areas and that it may be necessary to amend the Zoning Ordinance to allow for such licenses. Other changes to the current ordinance would be to consider wording to follow the State Ordinance on fines and a progressive plan of discipline. Ms. Rein will also review this issue. Members agreed that an "Appendix" section should be added that lists license fee information.

ADJOURNMENT: Noting no further business, the meeting adjourned at 10:39 a.m. on a motion by Mr. Kennedy, seconded by Ms. Barnes, with all members present voting aye.

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