

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

MINUTES OF WEDNESDAY, AUGUST 12, 2009

Chairman Hammerand called the meeting to order at 9:15 a.m. The following members were in attendance: John Hammerand; Bob Bless; James P. Kennedy; Mary McCann; and Barbara Wheeler. Also in attendance: Jamie Rein and Sarah Jansen, Assistant State's Attorney; Captain Tony Cundiff – Sheriff's Office; John Labaj, Deputy County Administrator; Peter Austin, County Administrator; Kenneth D. Koehler, Chairman – McHenry County Board and Liquor Commissioner.

John Hammerand, Chairman  
Bob Bless                      James P. Kennedy  
Mary T. McCann              Barbara Wheeler

MINUTES OF THE PREVIOUS MEETING

Mr. Kennedy made a motion, seconded by Mr. Bless, to approve the minutes of the July 8, 2009 Liquor and License Commission meeting. The minutes were approved as submitted with all members present voting aye.

PUBLIC COMMENT: Mr. Dennis Leo of 710 County Club Drive, McHenry, Illinois addressed the Commission and raised his concerns with the noise coming from the newly licensed establishment Snug Harbor. He stated the noise level is loud until the early hours of the morning. He would like the Commission to look into these concerns. Most the noise is coming from crowds at the establishment and not music, although loud music is also a problem. Captain Cundiff stated he would contact the owner to discuss these concerns and try to resolve the problem.

NEW BUSINESS:

*New Liquor Establishment Manager:* The Commission reviewed an application of Donna Schwarz who is applying to be a new manager for the Clubhouse of Cary. The former manager recently resigned from this position. Finger printing will be done today. The Commission also noted that Ms. Schwarz would need to submit three letters of recommendation. After discussion, Ms. Wheeler made a motion, seconded by Mr. Bless, to approve Ms. Schwarz as the liquor manager for the Clubhouse of Cary subject to finger print results and the acceptance of the three letters of recommendation. The motion carried with all members present voting aye on a roll call vote (Bless, Kennedy, McCann, Wheeler and Hammerand).

*Raffle Permit:* Members reviewed the following three Raffle Permit Applications: Cary Grove Booster Club; Marengo Area Schools Education Foundation; and the Wonder Lake Ski Show Team Organization. Noting all paperwork and completed properly, Ms. McCann made a motion, seconded by Mr. Kennedy to approve the Raffle permits as submitted. The motion carried with all members voting aye on a roll call vote (Bless, McCann, Kennedy, Wheeler and Hammerand).

Ms. Wheeler asked if a Resolution could be drafted to recognize the Wonder Lake Ski team. Chairman Hammerand will ask that staff draft such a Resolution to be forwarded to the County Board for consideration.

*Discussion – Micro loans and County loan policy:* Chairman Hammerand stated he wanted the Commission to discuss how they feel regarding the County approving loans for liquor establishments. Mr. Labaj joined the Commission to discuss this topic. Mr. Labaj provided background information on the County's Micro Loan Fund. He stated the Micro Loan Fund was established to provide a funding mechanism to the small business owner during these tough economic times. Loans of \$5,000 to \$25,000 are available to the small business owner through an application process. He stated there is a possibility that an application from a liquor establishment could be received and that the Finance and Audit Committee had determined to Chairman Hammerand stated that the Finance and Audit Committee had determined that would review these applications on a case by case basis. Ms. Rein pointed out that if liquor establishments were restricted from applying to these loans it would only apply to those establishments in unincorporated areas of the County. Chairman Hammerand stated he would like the members input regarding this issue and perhaps provide some guidance to the Finance and Audit Committee when they are reviewing applications. Mr. Labaj noted that when an application is received he contacts the municipality when the establishment is located and lets them know about the application and does an investigation how the applicant currently runs their business and if there has been any negative feedback. Members felt such a background investigation should be conducted for liquor establishments including an inquiry of any violations. Mr. Bless stated that if such investigations are conducted they must be done for all applicants and that the process needs to be consistent for all requests. Chairman Koehler stated that the loan agreement could include a clause relative to a liquor establishment stating that if there were to be a liquor violation the loan could be immediate callable. After discussion, members agreed that word should be included as part of the loan agreement and asked that language be created to address these concerns. It was noted that such a change would also need the consent of the Finance and Audit Committee.

OLD BUSINESS: None

EXECUTIVE SESSION: Ms. McCann made a motion, seconded by Mr. Kennedy, to enter executive session to discuss litigation and review executive session minutes. The motion carried with all members present voting aye on a roll call vote (Bless, Kennedy, Wheeler, McCann and Hammerand)

Ms. McCann made a motion, seconded by Mr. Kennedy, to go out of executive session and re-enter regular session. The motion carried with all members present voting aye on a roll call vote (Bless, Kennedy, Wheeler, McCann and Hammerand).

The Commission was in executive session from 10:00 am until 10:18 am.

Ms. McCann made a motion, seconded by Ms. Wheeler, to approve the executive session minutes of February 2, 2009 for review but not release. The motion carried with all members present voting aye on a roll call vote (Bless, Kennedy, Wheeler, McCann and Hammerand).

REPORTS: Ms. McCann asked that the Commission review sections of the Liquor Ordinance that pertain to fines and suspensions and consider amending the Ordinance to be able to impose a fine plus suspension if appropriate. Ms. Rein stated she would draft an amendment to the appropriate section for consideration at the next meeting.

ADJOURNMENT: Noting no further business, the meeting adjourned at 10:22 am on a motion by Ms. McCann, seconded by Ms. Wheeler, with all members present voting aye.

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**RECOMMENDED FOR BOARD ACTION/REVIEW:**

None

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