

## APPROVED MINUTES

Record of Meeting of the Liquor Control Board held October 26, 2016  
at 13 Green Mountain Drive, Montpelier, Vermont

LCB Members present:

Stephanie O'Brien, Chair, Melissa Mazza-Paquette, Thom Lauzon and Julian Sbardella, Members.

Others Present:

Patrick Delaney, Commissioner, Wesley Lawrence, Board Counsel, Jacob Humbert, Assistant Attorney General, William Goggins, Director, Education, Licensing & Enforcement, Laurie Pecor, Administrative Coordinator II and Ashley Griffin, Program Technician I.

9:30 a.m. Meeting begins.

1. Additions/Deletions to agenda: None
2. Board actions on Draft minutes, Licenses and Decisions:
  - Minutes for meeting held October 12, 2016 – Approved.
  - New licenses October 1 – October 19, 2016 - Approved
  - Board decisions –
    1. Selly Entertainment, dba Karib, 51 Federal Street, St. Albans. The Board found one violation of general regulation 17, the \$510.00 administrative penalty was upheld. This must be paid within 31 days of this date.
    2. 165 Church Street LLC, dba Zen Lounge, 165 Church Street, Burlington. Violation of general regulation 17, Board imposes a \$500.00 administrative penalty. A motion is made that this penalty must be paid in full before any application or reapplication by this licensee or licensee's principals, or any other entity applying for a liquor license at the same premises is issued. Motion carries.
3. Public Comment - There is no one here for public comment.
4. Discussion concerning personal guarantee for agency contracts. Commissioner Delaney and Board Counsel Lawrence will get together to go over the contracts and come up with a policy on this.

**10:00 a.m.**

5. Edgewater Inc., dba Trak In Steak House, A/K/A Fishtails 2551 Route 30 N, Bomoseen. Re: violation of General Regulation number 7, 17 (6counts) 17(a) (3 counts). Licensee Rosemary Rogers was represented by Attorney Matthew Hart. Attorney Hart requests that he be allowed to supplement the "Black Box" information to today's hearing once he is able to obtain it. Chair O'Brien states that because the incident was in March the licensee has had ample time to get the information. The Board has also granted a motion to continue the hearing from its original hearing date of October 12, 2016. The Board feels there is appropriate amount of time for this information to come to light. The State does not need the information to move forward with its case. The Board will look to re-evaluate this request at the end of the hearing

Attorney Hart has until Friday to give an update on the Black Box findings. Internal deadline for evidence will be closed by November 10, 2016. Findings of Fact will be due by November 23, 2016.

- States Exhibit 1 is: Final report of inspection on Andrew Laramie
- States Exhibit 2 is: Final report of inspection on Caleb Kinney.
- States Exhibit 3 is: Final report of inspection on Samantha Forrest
- States Exhibit 4 is: Picture of Drake Road take by Detective Dechen.
- States Exhibit 5 is: Picture of Drake Road a few feet down showing tire marks and where the vehicle struck the tree 8 feet above the ground taken by Detective Dechen.
- States Exhibit 6 is: Vehicle with tarp over it taken by Detective Dechen.
- States Exhibit 7 is: Vehicle wreckage with victims still inside showing an unstable car taken by Detective Dechen.
- States Exhibit 8 is: The bar tab from the Trak In Steak House on that night.

5:15 p.m. Board enters Executive Session

6:10 p.m. Member Sbardella left hearing.

6:15 p.m. Board reconvenes.

A motion was made, that due to the violation of general regulation 7 and the extenuating concern for public safety the Board should immediately suspend the license for a period of 30 days beginning on October 28, 2016 at noon and ending on November 27, 2016 at noon. Motion carries.

6:30 p.m. Meeting adjourns.