

APPROVED MINUTES

Record of Meeting of the Liquor Control Board held February 10, 2016
at 13 Green Mountain Drive, Montpelier, Vermont

LCB Members Present: Stephanie O'Brien, Chair, Melissa Mazza-Paquette, Julian Sbardella and John Cassarino, Members

Others Present: Patrick Delaney, Commissioner, James Giffin, Interim Deputy Commissioner, Wesley Lawrence, Board Counsel, Jacob Humbert, Assistant Attorney General, Martin Prevost, Administrative Sergeant, Laurie Pecor, Administrative Coordinator II and Ashley Griffin, Administrative Secretary

9:30 a.m. Meeting begins.

1. Board action on Draft minutes, Licenses and Decisions:
 - a. Meetings held January 13, 27 and February 2, 2016 – Approved
 - b. Licenses issued January 6, 2016 through February 2, 2016 – Approved
 - c. Board Decisions – None
2. Public comment: No one is here for public comment.
3. Recommendation and Board action on January listings and de-listings – Approved as recommended.
4. Plan for next steps for Deputy Commissioner – Moved to later in agenda.
5. Recommendation and Board action on “What constitutes a meal” for the purpose of licensing – Board asks Sgt. Prevost to work with Attorney Lawrence and AAG Humbert to rewrite the description and present to the Board at the March meeting.
6. Recommendation and Board action on criteria licensing will use in evaluating a 4th class tasting room inside a second class license – Motion is made to accept Sgt. Prevost’s description with the addition to not co mingle funds and must have separate employees. Motion carries.
7. Recommendation and expected Board action on the evaluation criteria for the agencies – Motion is made to approve the criteria as presented. The motion is withdrawn and the discussion is tabled until the March Board meeting.
8. Pownal Agency – Motion is made to advertise for a new agency in the Pownal area, limit shipments to the store, as well as authorize the Commissioner to do an emergency shut down if 3 weeks in arrears. Motion carries

9. Brandon Agency – Motion is made to inform agency that they will advertise in the area for a new agent and authorize the Commissioner to do an emergency shut down if 3 weeks in arrears. Motion carries.
10. Bradford Agency – Interim Deputy Commissioner Giffin would like the Board to approve a required twenty-thousand-dollar bond from the agency. Motion is made to accept the recommendation. Members Sbardella and Cassarino vote yes, Member Mazza-Paquette and Chair O’Brien vote no. Discussion on Bonds is continued. Member Mazza-Paquette changes her vote to yes. Motion carries to change Bond to twenty-thousand.

11:42 a.m. Board recesses.

11:55 a.m. Board reconvenes

11. Discussion on long standing practice of Sunday closures for Danville and Norwich agencies – The Board asks Jim to bring the discussion back at the March meeting if the files or minutes do not contain Board approval.
12. POS System Update- Linda Vincent updates the Board on the status and where we are at in the process. The RFP’s are broken up into two separate ones for hardware and software.
13. Discussion of Legal Services next steps – Board is concerned that there will be added duties in the future that counsel might need to do in regards to the modernization study. AAG Humbert will schedule a meeting with his Division Director, himself and the Board to meet on various types of legal work and what is the direction the Board may want to pursue.
14. Quality Dairy Farms, Inc., dba Mercer’s Dairy Declaratory Ruling Update – Attorney Lawrence has come up with questions to send to the company before the Board makes its ruling.
15. Discussion of St. Albans City Liquor Control Ordinance – Discussion is tabled until the March meeting.
16. Agent meetings – Board challenges Kim Walker and Commissioner Delaney to come up with a retail advocate committee and recommend how the Board would use that committee.
17. Discussion on ideal warehouse – What is the Board’s vision.
18. Commissioner Updates:
 - a. Funds for Warehouse research project – additional funding is available
 - b. Chet Wiley and Associates have started a project to evaluate the routes of the delivery trucks.
 - c. Legislation – Resort catering license.
 - d. Farm Distillers License – Department’s inability to enforce that regulation. DLC would like the bill redirected to the Agriculture Department.
 - e. Discussion with Vermont Brewers Association – relative to a sampling bill. Recommends they take a different approach
 - f. Keg Return Policy – appears to be put aside

- g. Retailing of growlers in Bars and Restaurants – Expressed to the committee that it is not a good idea due to the fact there are other avenues for the retailing of that package size and concerns about what could happen at last call.
- 19. Deputy Commissioner and Attorney Requests for Proposal – Due to the nature of these items, these will be discussed in Executive Session. Member Cassarino makes a Motion to go into executive session with only the Board members and the Commissioner present. Motion is carried.

1:40 p.m. Board enters Executive Session.

3:15 p.m. Board is back in Session. A motion is made to adjourn. Motion carries.

NEXT BOARD MEETING IS MARCH 9, 2016