

APPROVED

Record of Meeting of the Liquor Control Board held October 14, 2015 at the Department of Liquor Control, 13 Green Mountain Drive, Montpelier, Vermont

LCB Members Present: Stephanie O'Brien, Chair and Melissa Mazza-Paquette, Member,
Thomas Lauzon, Member and Julian Sbardella, Member

Others Present: Jim Giffin, Interim Commissioner, Wesley Lawrence, Board Counsel,
Bill Goggins, Director Enforcement, Licensing and Education, Jacob
Humbert, Assistant Attorney General, Laurie Pecor, Office Manager
and Ashley Griffin Administrative Assistant

9:30 a.m. meeting begins.

- Board action on draft minutes & meeting held September 9, 2015 – Approved
- Licenses issued September 2 – October 1, 2015 –Approved
- A motion is made to approve 802 Cocktails LLC new license. Motion carries.

9:34 a.m.

Public Comment:

- There is no one here for Public Comment.
- Chair O'Brien received email from Mike Donahue from the Burlington Free Press concerning agenda's and meeting minutes. He requests to be emailed these each time.

10:43 a.m. Enforcement

- **Vermont Brewers Association** – Received an administrative ticket for violations of General Regulation 49(a). They are disputing this violation which was a warning.
 - States Exhibit 1 is Copy of Administrative ticket number 01895
 - States Exhibit 2 is Copy of check written by Vermont Brewers Association
 - Licensee Exhibit 1 is Copy of Investigator Gonyo's report.

Findings are offered and waived.

10:54 a.m. Board enters Executive Session

11:12 a.m. Board reconvenes.

- **Dusty Bottle LLC**. 9 Barton Street, Bradford. Violation of General Regulation number 16, 37 and 49(a) and violation of a Board Order. AAG Humbert asks the Board to take official notice of a previous Board Order issued to the Dusty Bottle. The State and the licensee have come to a settlement agreement. Licensee will serve a 20 day suspension starting November 1 through November 20, 2015. Settlement is accepted.
 - States Exhibit 1 is a Copy of Board Decision dated April 1, 2015

- **Ck's Sports Inc.**, 12 Malletts Bay Avenue, Winooski. Violation of General Regulation number 21 and 50(a). Chris Coleman, Owner, did not realize he had to disclose everyone on his original application.
 - States Exhibit 1 is sworn statement from Chris Coleman
 Findings are offered and waived.

12:05 p.m. Board enters Executive Session

12:35 p.m. Board reconvenes.

Board Decision: Licensee is suspended three days starting open of business November 21 through close of business November 23, 2015. Licensee is also fined \$100.00 for each year of violation for a total of \$700.00. Furthermore, no renewal or new license will be approved for this location until the suspension and fine has been paid.

- **Ck Sports Inc.**, 12 Malletts Bay Avenue, Winooski. A new application is submitted by Joshua Santerre. License application is denied because information submitted is in contrast to what Mr. Coleman testified to. Motion to deny application carries.

12:50 p.m.

- Interim Commissioner Giffin hands out a matrix of licenses and permits for the Board's perusal. This is posted to the website for applicants.
- Pownal Agency – Concerns are raised about the contract. Motion is made to renew for 6 months with Commissioner Giffin sending a letter to agent of the Boards concerns and recommend Commissioner Giffin deliver the contract in person. Motion carries.
- Agency Contracts – Contracts expiring in December are renewed for one year excluding agency A-13 Norwich.
- November agent meeting – This will be a working agency meeting. In November the Board and Department staff will come up with 4 questions to ask each group.
- Modernization Study – Discussion of sending a memo to the committee highlighting areas of concern for the Board. Board Counsel Lawrence will draft a letter to the committee and identify key points.
- Fortified wine permits for agents – Legislature intent was for specialty wine shops to hold this permit. Motion is made to approve proposed regulation that requires buying in case lots, approved as requested. Board is concerned on the possibility that special orders will languish in Agent stores and what alternatives do we have. Commissioner Giffin will investigate current practice and see if there are additional recommendations.
- 2016 Liquor Board meetings – Kathy O'Hara will send out possible meeting dates to Liquor Board for their approval.
- Commissioner and Deputy Commissioner – A Sub- committee is created to look into recruiting for these positions. Thom Lauzon and Melissa Mazza-Paquette will be the sub-committee for this reason.

2:55 p.m. Member Thom Lauzon leaves meeting.

- Commissioner update – Director Bill Goggins has worked with the Commissioner and Zone Sergeants on territories. Investigator Waldo's position has been given up in order to have the position of Deputy Commissioner. A request to hire a 3rd Coordinator by the end of

November 2015 has been submitted. The Commissioner and staff are working on the annual report. Board requested the opportunity to review before finalized. This has not been consistent in the past. It will be ready by the time the Legislature convenes in January 2016. Director Goggins is working on the Legislative Tobacco report. The Department is working with American Express and the contract with them. AAG Humbert is helping with this. All violations in the work-safe report have been corrected. The Commissioner has tasked Barry and Tonia to establish a schedule for the Chet Willey recommendations.

- The Board reminds Interim Commissioner Giffin to keep track of his accomplishments.
- AOL dial ups – Two machines have been ordered for an internet connection. This is an interim solution until the new POS system is in place.
- Break open Ticket Reporting – Commissioner Giffin, Director Goggins, and Administrative Coordinator Laurie Pecor are working on getting accurate reporting from manufacturers and distributors.
- Discussion of ideas for allocated spirits.

3:19 p.m. Board enters Executive Session to discuss contracts.

3:44 p.m. Board reconvenes.

- Motion is made to extend Interim Commissioner Giffin's contract past December 2015. Motion carries to approve as presented.

3:45 p.m. Board adjourns.

Next Board Meeting November 18, 2015