

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

MINUTES OF WEDNESDAY, OCTOBER 10, 2007

Chairman Hammerand called the meeting to order at 9:15 a.m. The following members were in attendance: John Hammerand, Chairman; Yvonne M. Barnes; James P. Kennedy; and Nick Provenzano. Mary McCann arrived at 9:20 a.m. Also in attendance: Jamie Rein, Assistant State's Attorney.

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 Ms. Barnes, to approve the regular session minutes of September 12, 2007. Ms. Barnes noted an error in roll call votes and asked that the minutes be amended to indicate her vote. The minutes were approved as corrected with all members present voting aye.

PUBLIC COMMENT: None

PRESENTATION: None.

NEW BUSINESS

*New and Renewal Liquor License, Manager and/or Amusement License Requests:* The Commission reviewed a Special Liquor License application received from the McHenry County Fair Association for a motor cross event to be held on October 13<sup>th</sup>. The application included a copy of the liquor liability insurance. The application indicated that security plans for the "beer" tent will be handled by two officers from the McHenry County Sheriff's Department. The Woodstock Police will address traffic control and additional security at the event will be through EES Security (a private security firm). Ms. Barnes made a motion, seconded by Mr. Kennedy, to approve a Special One-Day Liquor License for the McHenry County Fair Association. After the motion, members discussed the request and raised concern with the short notice of this event and the estimated number of attendees (between 1,000 and 5,000) compared to the number of security personnel. It was noted that volunteers would staff the beer tent in the same manner that was done for the County Fair. The motor cross event is being put on by KME and they have received a permit from the Planning and Development Department to host this event. To date 600 tickets have been sold. Members raised concern with security plans and asked if the Sheriff had provided a written confirmation that off-duty deputies would serve as security officers at this event. UnderSheriff Gene Lowery joined the Commission and stated he was unaware of any security agreement for this event, but he would contact the Department to see if more information would be available. Mr. Provenzano made a motion, seconded by Ms. McCann to table this motion until later in the meeting so the UnderSheriff can check into this issue further. The motion carried with a voice vote of all ayes.

*Raffle Permits:* A Raffle Application was reviewed for CASA of McHenry County. Noting all paperwork was completed, Mr. Provenzano made a motion, seconded by Mr. Kennedy, to approve a raffle permit as requested for CASA of McHenry County. The motion carried with a unanimous voice vote of all ayes.

The Commission next reviewed a Raffle application from Christian Mother's Society of St. Peter's Roman Catholic Church located in Spring Grove. Ms. McCann made a motion, seconded by Mr. Provenzano, to approve a raffle permit for Christian Mother's Society of St. Peter's Roman Catholic Church. The motion carried with all members present voting aye.

A third Raffle application from the McHenry County Harley Owners Group was reviewed after which Ms. Barnes made a motion, seconded by Ms. McCann, to approve a raffle permit as requested. The motion carried with a unanimous voice vote of all ayes.

*Liquor License:* In response to the Commission's request Belul Estrefi, Nuredin Estrefi, and Osmon Estrefi met with the members to review their application for a liquor license for an establishment to be known as Chicago Char House located at 24015 W. Grant Highway in Marengo IL. At the last meeting, the applicants were asked to provide three letters of recommendation and a health permit. The three letters were submitted to the Commission and it was noted that the Health Department will be conducting an inspection of the establishment within the next few days. In addition, finger print results were reviewed. Ms. McCann made a motion, seconded by Ms. Barnes to approve a liquor license for the Chicago Char House subject to receipt of a Health Permit. On a roll call vote, the motion carried with all members present voting aye (Barnes, Kennedy, McCann, Provenzano and Hammerand).

Mr. Kennedy made a motion, seconded by Ms. McCann, to continue their discussion and consideration of a Special Liquor Permit for the McHenry County Fair Association. The motion carried with all members voting aye on a voice vote. UnderSheriff Lowery reported that the calls he made revealed that the Sheriff's Department has no knowledge of the event being planned for Saturday, October 13, 2007. He noted that such extra duty details are usually worked out between the Woodstock Police Department and the Sheriff's Department. He stated the plans would need further review and he would see what could be done to insure proper security for this event. He stated he would work with the Fair Association to try to meet the security requirements of this event. The Fair Association representative agreed that the event would not move forward without proper security. It was also noted that a meeting of the Fair Association will be held this morning at 10 a.m. UnderSheriff Lowery stated he would make arrangements for a Sheriff's representative to attend this meeting to see what could be done to assist with this event. Mr. Kennedy made a motion, seconded by Ms. McCann, to recommend approval of a Special One-Day Liquor License for the Fair Association for a Motor Cross event to be held Saturday, October 13, 2007 subject to the Sheriff's agreement to provide off-duty Sheriff's Deputies. The motion carried with all members present voting aye.

Mr. Provenzano raised concerns that the request from the Fair Association came at the last minute and without proper security plans. He stated that the Sheriff's Department is being very gracious in agreeing to attend the Association's meeting, but in the future such requests should be received at least 30 days or more before an event. The requests should also include a security plan with permitting from the Planning and Development Department. He also stated it might be helpful to have some kind of registration of private security firms for the County so details of training and licensing is provided. Security plans need to be defined more clearly and a check-list of required information and documents need to be provided to those requesting a one-day liquor license. Mr. Austin noted that work is being conducted to address mass gatherings through an ordinance and these issues are being researched.

*Incident Reports:* Recent incident reports were reviewed and concerns were raised that the Lizard Lounge continues to have problems. One of those incident reports appear to be gang related and members noted that perhaps additional security in the parking area may be helpful. UnderSheriff Lowery noted that such security may not prevent such actions. He stated that safety is always a concern with officers and incidents happening after a midnight at a liquor establishment can be very serious. He stated that sting operations are being planned, but such events do not target just one establishment. Several issues are addressed during sting operations included under age drinking/sales; over selling; violence and narcotic sales and trafficking. He stated if the commission has concerns with an establishment they should not delay addressing those concerns. If an incident merits attention, the commission should move forward. He stated he would ask that deputies take a hard look at the Lizard Lounge and if necessary make arrests. Members asked if they had any authority to address security in parking areas and Ms. Rein stated she would check into this to see what could be done. Ms. Barnes asked that a Sheriff's representative be available to attend all commission meetings if possible. UnderSheriff Lowery stated he would make sure such a representative attends.

*Discussion – Liquor Commission Members' Badges:* UnderSheriff Lowery provide several samples of ID badges that could be provided to Liquor Commissioners. Chairman Hammerand stated he is concerned with how such badges would be used, potential liability issues and possible conflict of interest should a hearing be necessary. Mr. Kennedy disagreed with Chairman's Hammerand's observations, noting that as a Liquor Commissioner they have the right to enforce a violation and if a hearing is necessary they could recuse themselves from that hearing. County Board Chairman Koehler stated that he would highly recommend such ID badges, noting that many times an establishment is doing the right things and the ID would provide a way to give a valid complement. It is a positive effort. Mr. Provenzano added that a badge could provide "good will" and should not be looked at in a negative fashion. Chairman's Hammerand noted issues of favoritism could arise. In response, County Board Chairman Koehler noted that if a member takes advantage they do not deserve to set on the Commission or the County Board. Chairman Hammerand stated we are commission members and County Board Chairman Koehler serves as the Liquor Commissioner, he felt the power of a commission member was at the meetings and after a meeting members leave as citizens. Mr. Provenzano disagreed noting that as a member of the County Board, he is a County Board Member whether attending a meeting or not and the same would hold true as a Commissioner. After discussion, Mr. Provenzano made a motion, seconded by Mr. Kennedy, to ask that all members of the Liquor Commission be provided with ID badges. Ms. Barnes stated she was not opposed to such badges if they were used appropriately. Ms. McCann echoed Ms. Barnes' observation. The motion carried with four ayes and one nay (Hammerand). Ms. Barnes stated she would like those that use these ID badges to report on their experience and how they used this ID, if it was necessary and if any problems arose.

ADJOURNMENT: Noting no further business, the meeting adjourned at 11:03 a.m. on a motion by Mr. Provenzano, seconded by Mr. Kennedy, with all members present voting aye.

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