

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

MINUTES OF WEDNESDAY, AUGUST 20, 2008

Chairman Hammerand called the meeting to order at 9:23 a.m. The following members were in attendance: John Hammerand; James P. Kennedy; Mary McCann; Nick Provenzano; and Yvonne M. Barnes. Also in attendance: Jamie Rein, Assistant State's Attorney; Captain Tony Cundiff and Erin Felb – Sheriff's Office; Court Reporter, Gina Marie Zangara; Stephen Haugh, Hearing Officer; and Ken Koehler, County Board Chairman.

John Hammerand, Chairman  
Yvonne M. Barnes      James P. Kennedy  
Mary T. McCann      Nick Provenzano

MINUTES OF THE PREVIOUS MEETING

Ms. McCann made a motion, seconded by Mr. Kennedy, to approve the regular session minutes of August 13, 2008 Liquor and License Commission meeting. The minutes were approved as submitted with all members present voting aye.

PUBLIC COMMENT: None.

PRESENTATION: None.

NEW BUSINESS:

*Liquor Hearings:* It was noted that the Commission is meeting today to hold a liquor hearing for Rachina-1 Inc. Mobil Speed Mart, Liquor License #048.

Ms. Rein reported that the Citation and Notice of Hearing was properly served on August 15, 2008. She reviewed the citation. Attending commissioners were identified (James Kennedy, Yvonne Barnes, Mary McCann, Nick Provenzano, John Hammerand, and Ken Koehler). Defendants Sunil Patel, Arvind Patel and Piyush Joshi identified themselves for the record. Mr. Joshi owns forty percent of the business with other two owners holding 30 percent each of the business. The statement of facts were read by Ms. Rein. Defendants agreed with the stipulated facts. It was noted that this is the third citation for selling to a minor in less than eight months for this establishment and all three sales were done by the same clerk. Members raised concerns that the establishment did not take action after the first two incidents. Mr. Joshi explained that he had talked with the employee and that he was going to attend BASSET training, but this had not taken place. Mr. Haugh reviewed the possible consequences to this third offense, which could include a fine of up to \$2,500, a suspension or revocation of the liquor license. Mr. Joshi stated he was aware of these and noted he would like to be able to keep the license. He stated he has held this license for the last eight years. Responsibilities of ownership were reviewed with the owners. After discussion, the Commission asked to enter executive session.

EXECUTIVE SESSION: Mr. Provenzano made a motion, seconded by Mr. Kennedy, to enter executive session to discuss litigation on the hearing on Rachina-I Inc.

The Commission was in executive from 9:54 am to 10:10 am

The Commission re-entered open session at 10:10 am.

Chairman Hammerand reviewed the findings of the hearing. Mr. Provenzano made a motion, seconded by Mr. Kennedy, to revoke Liquor License #048. After discussion, a roll call vote on the motion was called. The motion carried with all members present voting aye (Provenzano, McCann, Kennedy, Barnes and Hammerand).

Ms. Rein's explained that the revocation is effective immediately and asked that the owners surrender their license to the Commission today. She explained that they have 20 days to appeal the ruling through the State Liquor Commission.

ADJOURNMENT: Noting no further business, the meeting adjourned at 10:23 a.m. on a motion by Mr. Provenzano, seconded by Ms. Barnes, with all members present voting aye.

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