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| IN THE MATTER OF THE | * | BEFORE THE ALCOHOLIC |
| APPLICATION OF SUSAN M. JARBOE, | * | BEVERAGE HEARING BOARD |
| TRAVIS DUNN AND DENNIS ARTHUR | * | OF |
| KANADY ON BEHALF OF BWW LEX | * | HOWARD COUNTY, MARYLAND |
| PARK, LLC T/A BUFFALO WILD | * | |
| WINGS FOR A TRANSFER OF A CLASS | * | Case No. 21-11 |
| B, BEER, WINE & LIQUOR 7-DAY | * | |
| ON-SALE LICENSE | * | |

DECISION AND ORDER

The Board of License Commissioners for Howard County, Maryland (the "Liquor Board"), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the "Hearing Board").

On January 26 and March 9, 2021, using WebEx, a web-based on-line platform, the Hearing Board heard the application of Susan M. Jarboe, Travis Dunn and Dennis Arthur Kanady ("Applicants") on behalf of BWW Lex Park, LLC t/a Buffalo Wild Wings ("BWW") for a transfer of a Class B, Beer, Wine and Liquor, 7-day on-sale license from Robert Arthur Thomas and John Albert Weiler on behalf of WAA-Columbia Crossing, LLC t/a Buffalo Wild Wings for a 7,716 square foot restaurant with a 861 square foot outdoor patio located at 6191 Columbia Crossing Circle, Columbia, MD 21045.

The hearing was properly advertised, and the property was posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Linda Carter, Esq. and there were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference.

SUMMARY OF TESTIMONY

Linda Carter, attorney for applicants, stated that she has represented Buffalo Wild Wings (BWW) for 10 years and that the LLC is in the process of acquiring 14 units in Maryland. Ms. Carter informed the Board that the LLC acquiring Buffalo Wild Wings has had only one permit violation in Maryland and that the corporate policy is stringent. Ms. Carter stated that all front house employees will be alcohol awareness certified and there will be regular trainings for employees. Ms. Carter submitted into evidence a packet containing the floor plan, menu, safety plan and COVID response, which the Board accepted and marked as **Applicant's Exhibit No. 1.**

Dennis Kanady, Regional Vice President of BWW, was sworn in and testified that he oversees 14 Maryland BWW locations and will visit this BWW 2-3 times per month. Mr. Kanady testified that he has regular communications with the District Manager, Malcolm Mordue, who will be on site 1-2 times per week, and any problems will be reported to him.

Mr. Kanady testified that he has never been convicted of a crime, is familiar with the Board's Rules and Regulations and understands that he will be responsible for any liquor permit violations. Mr. Kanady testified that he does not intend to make any significant changes to this location but will clean it up and make sure everything is in order.

Travis Dunn, District Manager for BWW in Northern Virginia for 10 years and proposed licensee, was sworn in and testified that he has the obligation to ensure that this BWW will be conducted according to all applicable laws. Mr. Dunn testified that in his capacity as a licensee, he will visit this restaurant every six months, will communicate with the District Manager to check on operations, and if a permit violation should occur, he

Mr. Herold testified that there are 45 employees at this location – 30 of which work are out front serving customers and are alcohol awareness certified. Mr. Herold testified that after orientation, new hires are required to take a safe serve course on day one of employment and cannot work the floor until they are certified. Mr. Harold stated that there are two other managers at this location and both are alcohol awareness certified as well. Mr. Herold testified that he reminds the staff about safe service during pre-shift meetings and that he spends five minutes with each team members to go over alcohol service policies.

Mr. Herold testified that it is the company's identification policy to card anyone who looks under the age of 40, but that they do try checking identification for everyone regardless. Mr. Herold testified that all employees are aware that if any employee miscalculates and does not card someone as they should, there is no second chance and they will be terminated immediately.

Malcolm Mordue, District Manager for seven Buffalo Wild Wings, including the Columbia location, was sworn in and testified that he has been involved in the hospitality industry for 35 years and has previously been a licensee on liquor licenses in Howard County for Bertucci's and Carrabba's. Mr. Mordue testified that when he served as a licensee he never received a permit violation, however, when he was a manager in Pennsylvania, there was one permit violation and in response, he re-trained all employees with Alcohol Awareness training.

Mr. Mordue testified that he plans to visit this location three to four times per month and will stay for 4-5 hours each visit. Mr. Mordue testified that he has worked with Mr. Herold since the end of October.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants

waived their right to request the Liquor Board to hear the case.

Based on the evidence presented at the hearing, the Alcoholic Beverage Hearing Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Hearing Board finds that Susan M. Jarboe, Travis Dunn and Dennis Arthur Kanady, on behalf of BWW Lex Park, LLC t/a Buffalo Wild Wings have applied for a transfer of a Class B, Beer, Wine and Liquor, 7-day on-sale license from Robert Arthur Thomas and John Albert Weiler on behalf of WAA-Columbia Crossing, LLC t/a Buffalo Wild Wings for a 7,716 square foot restaurant with a 861 square foot outdoor patio located at 6191 Columbia Crossing Circle, Columbia, MD 21045.
2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.
3. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.
4. The Hearing Board finds that the granting of the application will not unduly disturb the peace and safety of the residents of the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Susan M. Jarboe, Travis Dunn and Dennis Arthur Kanady, on behalf of BWW Lex Park, LLC t/a Buffalo Wild Wings have applied for a transfer of a Class B, Beer, Wine and Liquor, 7-day on-sale license from Robert Arthur Thomas and John Albert Weiler on behalf of WAA-Columbia Crossing, LLC t/a Buffalo Wild Wings for a 7,716 square foot restaurant with a 861 square foot outdoor patio located at 6191 Columbia Crossing Circle, Columbia, MD 21045.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

4. The Hearing Board concludes that the granting of the application would not unduly disturb the peace and safety of the neighborhood.

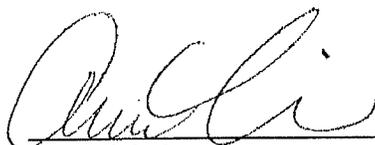
ORDER

For the foregoing reasons, it is this 17th day of MAY, 2021, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Susan M. Jarboe, Travis Dunn and Dennis Arthur Kanady, on behalf of BWW Lex Park, LLC t/a Buffalo Wild Wings for a transfer of a Class B, Beer, Wine and Liquor, 7-day on-sale license from Robert Arthur Thomas and John Albert Weiler on behalf of WAA-Columbia Crossing, LLC t/a Buffalo Wild Wings for a 7,716 square foot restaurant with a 861 square foot outdoor patio located at 6191 Columbia Crossing Circle, Columbia, MD 21045, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicants comply with all State and County Rules and Regulations; and
- (b) That Susan Jarboe submit her alcohol awareness certification to the Liquor Board office; and
- (c) That the Applicants satisfy any requirements necessary to obtain the license by August 15, 2021, unless that deadline is extended by the Board upon good cause shown; and
- (d) Failure to comply with these conditions shall render this Proposed

(e) Decision and Order null and void.

ATTEST:



Ann Nicholson
Asst. Board Administrator

**ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND**



Mary Bird, Chairperson

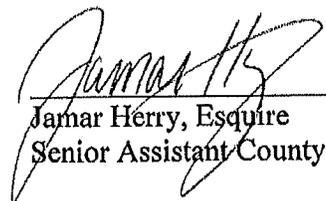


Harry Evans, Vice Chairperson

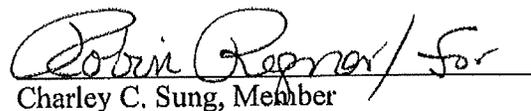
**REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR**



Steven Chen, Member



Jamar Herry, Esquire
Senior Assistant County Solicitor



Charley C. Sung, Member



Claire Kim, Member