



Baldwin County Commission

Legislation Text

File #: 20-0605, **Version:** 1

Meeting Type: BCC Regular Meeting

Meeting Date: 1/21/2020

Item Status: New

From: Wayne A. Dyess, County Administrator; Anu Gary, Administrative Services Manager

Submitted by: Barbara Pate, Commission Executive Assistant

ITEM TITLE

Case No. LV-20001 - Triple B Convenience Store Inc. d/b/a Triple B Convenience Store 3 - Request from Applicant to Waive Baldwin County Commission Policy #2.6 - Alcohol License Applications

STAFF RECOMMENDATION

At the request of Mr. Shane Brill, Applicant for Case No. LV-20001 - ABC License Requests [050 - Retail Beer (Off Premises Only) and 070 - Retail Table Wine (Off Premises Only)] for Triple B Convenience Store Inc. d/b/a Triple B Convenience Store 3, located at 10930 County Road 64 Daphne, Alabama, 36526, take the following action:

1) Waive Baldwin County Commission Policy #2.6 - Alcohol License Applications, in order for the Applicant to begin the three-week required advertising for the public hearing, without the required Alabama Department of Public Health Food Permit in place.

STAFF NOTE: Once policy is waived by the Commission, staff will set the public hearing date and inform the Applicant of the same. The Applicant is responsible for advertising the hearing as required. Once the advertising is completed, the County Commission will hold a public hearing to consider the license requests at the next available regular Commission meeting. Staff recommends at that time, the approval be contingent upon the Applicant providing the Commission with a copy of the Alabama Department of Public Health Food Permit as well as the proof of publication (affidavit) of the public hearing, as required by County Policy #2.6.

BACKGROUND INFORMATION

Previous Commission action/date: January 14, 2020, BCC Work Session - Item was discussed by Commission and Attorney for Applicant.

Background:

Triple B Convenience Store 3 is currently under construction and is located at 10930 County Road 64 Daphne, Alabama, 36526. The Applicant is requesting the approval of 050 - Retail Beer (Off Premises Only) and 070 - Retail Table Wine (Off Premises Only) licenses.

Mr. Shane Brill, the Applicant and owner of Triple B Convenience Store 3, is requesting the Commission to waive its Policy #2.6 in order for Mr. Brill to begin the required advertising (three consecutive weeks in Gulf Coast Newspapers) for the public hearing without the required Alabama Department of Public Health Food Permit in place.

The ADPH (Baldwin County Health Department) will not conduct its final inspection or issue any final permits until the newly constructed establishment is ready to open. Waiving of BCC Policy 2.6 will allow County staff to set the public hearing date and in turn allow Mr. Brill to begin the three-week advertisement early.

Staff has verified the applicant has a current business license, all sales tax requirements have been satisfied, and the Baldwin County Sheriff's Office does not oppose the issuance of this license.

FINANCIAL IMPACT

Total cost of recommendation: N/A

Budget line item(s) to be used: N/A

If this is not a budgeted expenditure, does the recommendation create a need for funding? N/A

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?
N/A

Reviewed/approved by: N/A

Additional comments: N/A

ADVERTISING REQUIREMENTS

Is advertising required for this recommendation? Yes

If the proof of publication affidavit is not attached, list the reason: Advertising will take place after Commission approval.

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: N/A

Individual(s) responsible for follow up:

Correspondence to:

Applicant, Shane Brill (via email only - triplebstoreinc@gmail.com)
Attorney for Applicant, Jon Archer (via email only - associate@jbplaw.com)

Cc:

State of Alabama ABC Board
c/o Ms. Betty Dean
2715 Gunter Park Drive, West
Montgomery, Alabama 36109

Via email only: betty.dean@abc.alabama.gov

Action required (list contact persons/addresses if documents are to be mailed or emailed): N/A

Additional instructions/notes: N/A