

**THE ALCOHOL BEVERAGE BOARD  
THURSDAY, APRIL 14, 2016 @ 1:00 PM  
COUNTY COMMISSIONERS CONFERENCE ROOM  
CHESAPEAKE BUILDING  
41770 BALDRIDGE STREET  
LEONARDTOWN, MD 20650**

The meeting of the Alcohol Beverage Board of St. Mary's County was held on Thursday, April 14, 2016 at 1:00 P.M. in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Moses Saldaña, Chair  
Linda Palchinsky, Vice-Chair  
Aaron Mathis, Member  
Betty Currie, Member - ABSENT  
Kevin Hall, Member  
James Tanavage, Attorney  
Tamara Hildebrand, Board Administrator  
Suzan Whilden, Administrative Assistant  
Garland Thompson, Inspector  
Deputy Greg Oresik, Alcohol Enforcement Coordinator

Chairman Moses Saldaña called the meeting to order at 1:00 p.m. and introduced the Board to the audience. Member Hall moved to approve the minutes of March 10, 2016 and it was seconded by Vice-Chair Palchinsky. Motion carried.

### **Announcement**

- **Appreciation Award for Cpl. James Stone**

The Board presented Cpl. Stone an appreciation award for his years with the Alcohol Beverage Board. Cpl. Stone has left ABB to become a Public School Resource Officer. Also the Board nominated Cpl. Stone for the People's Choice Award for St. Mary's County Government in which he was given the award for as well.

### **Old Business**

- **Extensions of Conditional Approvals**

#### **Seaside View Bar and Grille- Kevin Lee Graham**

Mr. Graham appeared before the Board and was sworn in. Mr. Graham requested an extension of his conditional approval stating he needs more time to finish the construction of the improvements required in the building. The Board approved an additional 90 days to his conditional approval. Member Hall made the motion for approval and was seconded by Member Mathis. Motion carried.

## **Big Dogs Paradise Bar & Liquor- Brian Adkins**

Mr. Adkins appeared before the Board and was sworn in. Mr. Adkins requested an extension to his conditional approval due to needing a waiver for MetCom. The Board approved an additional 60 days to his conditional approval. Member Mathis made the motion for approval and was seconded by Member Hall. Motion carried.

- **Applications**

### **Historic Sotterley - Application of Charles H. Johnston, Lynn R. Fitrell & Nancy L. Easterling**

to purchase a Class A-1 BWL license & t/a Historic Sotterley (Historic Sotterley Inc.), 44300 Sotterley Lane, Hollywood, MD 20636

Mr. Johnston, Ms. Fitrell and Ms. Easterling appeared before the Board and were sworn in. Ms. Easterling spoke on behalf of Sotterley to request a license to sell local wines and possibly local beers at a later time for off-sale only. There will be signs displayed in the areas where the alcohol is held that the products are for OFF-SALE only. Also this request will allow for the promotions of Maryland wines that are advertised and sold during the annual Wine Festival. All alcohol sale proceeds will go to the non-profit. Vice-Chair Palchinsky made the motion for approval and was seconded by Member Mathis. Motion carried.

- **Premise Changes**

**Quades Store- George Quade** - Request for temporary extension of premise & extra serving counter for outside music events from June 3rd . September 17th.

Mr. Quade appeared before the Board and was sworn in. Mr. Quade requested that the following dates be approved for an extension of premise and extra serving counter.

June 3- (rain date August 12)

June 24 . (rain date July 15)

July 16

August 26- (rain date October 1)

September 10

September 17

The Board granted a conditional approval upon Mr. Quade receiving a Special Events Permit from LUGM. Member Mathis made the motion for approval and was seconded by Member Hall. Motion carried.

**Green Door Tavern- Brian Tarleton** - Request for temporary extension of premise for American Cancer Society Relay for Life fundraiser event to be held on April 23rd -24th.

Mr. Tarleton appeared before the Board and was sworn in. Mr. Tarleton presented the Board with an approved Special Event Permits for the April 23 and 24 event he was requesting approval of. Member Hall made the motion for approval and was seconded by Vice-Chair Palchinsky. Motion carried.

**Buzzy's Country Store – Joseph Scott Ridgell** - Request for permanent extension of premise to include front porch & deck

Mr. Ridgell appeared before the Board and was sworn in. Mr Ridgell requested to have the front and side porch added to the premise. Pictures from Mr. Ridgell were entered into record. Vice-Chair Palchinsky made the motion for approval and was seconded by Member Mathis. Motion carried.

**New Business**

- **Violation**

**Hollywood Shakers – Donny Dunbar & Sean Earley-** Licensee being the holder of a %on-sale+ license, allowing an alcoholic beverage to be consumed in the parking lot of the licensee's business, a part of the premises which has not been specifically licensed for such uses by the Board, in violation of Section 5.04(k) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Mr. Earley and Mr. Dunbar appeared before the Board and were sworn in with all witnesses testifying. Mr. Earley spoke on behalf of Hollywood Shakers and pled not guilty to the charges.

Attorney Tanavage called the first witness, Cpl. James Stone. Cpl. Stone testified on the evening of March 17, 2016, he and Cadet Brianna Edelen were in pursuit of a possible DUI, whose vehicle turned into the parking area of Hollywood Shakers. While questioning the DUI subject, he observed a female consuming a bottle of Bud Lite in the parking area of Hollywood Shakers. Cpl. Stone asked the female to approach him. The female explained to Cpl. Stone that the beer had been purchased for her in Hollywood Shakers and she had come outside to smoke and talk to her friend; she was unaware she couldn't drink outside. Cpl. Stone finished with his DUI arrest and placed that person in the patrol car. At this time, Cpl. Stone went inside to make contact with management. Cpl. Stone spoke with several employees of Hollywood Shakers. The staff became confrontational with Cpl. Stone, including one security staff member exhibiting threatening gestures, upon which Cpl. Stone, ordered Cadet Edelen to get back into the patrol car. Cpl. Stone presented audio/video recording of the event for the Board. Chairman Saldaña asked Cpl. Stone if he was conducting surveillance on Hollywood Shakers on that evening and Cpl. Stone answered no, that he was conducting saturation patrol.

The second witness was Cadet Brianna Edelen. Cadet Edelen stated she was a ride-a-long for training with Cpl. Stone on March 17. When arriving at Hollywood Shakers Cpl. Stone and Cadet Edelen entered Hollywood Shakers to locate the suspected DUI driver. After locating the suspected DUI driver Cadet Edelen went back outside with Cpl. Stone. While standing with Cpl. Stone, Cadet Edelen stated she observed the female at the corner of the building who was drinking from a bottle of beer. Cadet Edelen reiterated the accounts of the events that Cpl. Stone had already stated. Chairman Saldaña asked Cadet Edelen if at any point was she concerned for her peace and safety and she answered that she was concerned when the security got aggressive.

The third witness, Lisa Dean, bartender for Hollywood Shakers. Ms. Dean stated that she went outside and a guy said to her that the female had ridden with him to the bar and that she had brought the beer with her. Ms. Dean stated that she did not service the female that evening and that she feels the security at Hollywood Shakers has been doing a good job. Chairman Saldaña asked Ms. Dean if she has ever feared for safety since working at Hollywood Shakers and she answered no.

Chairman Saldaña reiterated the importance of knowing the Rules and Regulations to the licensees and employees. Mr. Dunbar stated he felt that the business was being targeted. Chairman Saldaña

explained to Mr. Dunbar all the facts needed to be heard in order for the Board to have a complete understanding of what happened on March 17. Chairman Saldaña also stated that Cpl. Stone was not on surveillance at Hollywood Shakers that evening so they should not have felt they were being targeted. Chairman Saldaña made a suggestion that the licensees may want to have a meeting with Toots to help resolve some of the parking lot issues. Mr. Earley said he would do that.

There being no further witnesses or testimony, Chairman Saldaña asked the Board for a vote on whether the violation did occur. Member Hall made a motion that the violation did occur and it was seconded by Member Mathis. Motion carried. Chairman Saldaña advised that the licensees have 30 days to appeal that decision.

Chairman Saldaña asked for a motion on the penalty. Chairman Saldaña made a motion to suspend the license for two (2) weeks, a \$1000.00 fine to be held in abeyance for 3 years and suspended should no violations occur during that time, and the \$250.00 fine from previous violation held in abeyance, be reinstated and paid within 10 days or license will be suspended until fine is paid. Motion was seconded by Member Mathis. Motion carried.

Chairman Saldaña stated that the penalty for the previous three (3) violations that occurred could have been fines with suspensions and/or revocations of the license and this has been the worst performance by any licensee(s) in his time on the Board. Chairman Saldaña reiterated the importance of peace and safety and that he hopes the licensees will take corrective action.

## **Other Business**

- **Board Administrator- Tammy Hildebrand**

Ms. Hildebrand stated that our local legislation passed and was inserted into the new revised version of Article 2B with corrections. MALA is coming up before our next Board meeting and discussion on the revised Article 2B should take precedence. Ms. Hildebrand does not know when we will get a print copy. Ms. Hildebrand stated that licenses are on sale. She has not received any information on a new Chairman. Chairman Saldaña stated that he will continue to come to meetings until he has been replaced. Also Member Hall and Mathis's terms expired December 31, 2015 and are awaiting news on whether they have been accepted to serve another term. Ms. Hildebrand mentioned the contract for Attorney Tanavage is up for renewal. Motion for approval of the renewal of the contract was made by Member Hall and seconded by Vice-Chair Palchinsky. Motion carried.

- **Alcohol Enforcement Coordinator- Deputy Greg Oresik**

Dep. Oresik stated he will be attending the National Liquor Law Enforcement training. Dep. Oresik and the Sheriff's office will be monitoring the upcoming event 420- BuddsFest that will be on April 22-24.

- **Board Inspector- Garland Thompson**

Inspector Thompson performed for the month of March, 13 inspections and 1 follow-up. Dep. Oresik rode along with Inspector Thompson on several inspections to familiarize himself with some of the establishments.

- **St. Mary's License Beverage Association- David Dent**

Mr. Dent gave a brief account of the final results of alcohol legislation. The local bill did pass but the State bills that did not pass are: Multi-license bill, Chain Store bill, Dram Shop bill, 5cent Deposit Bottle bill and Lottery Commission to Agents bill. The State bill that did pass was the Noah's Law: inter-ignition device for DUI. Mr. Dent also stated that the powdered alcohol moratorium has been extended for two (2) more years.

- **Community Alcohol Coalition**

Lauren Abell introduced herself as the person who replaced Kendall Wood. CAC is also monitoring the 4-20 BuddsFest event and the issues of the possibility of the event getting out of hand.

### **Adjournment**

Motion for adjournment was made by Member Mathis and seconded by Member Hall. Meeting adjourned at 3:55 p.m.

Respectfully submitted,

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Suzan Whilden, Recording Secretary

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Moses Saldaña, Chair