

**THE ALCOHOL BEVERAGE BOARD
THURSDAY, APRIL 13, 2017 @ 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 13, 2017 at 1:00 P.M. in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Theodore Bellevoine, Chair
Linda Palchinsky, Vice-Chair
Betty Currie, Member- ABSENT
Kevin Hall, Member
Leonard Kohl, Member
James Tanavage, Attorney
Tamara Hildebrand, Board Administrator
Suzan Whilden, Administrative Assistant
Garland Thompson, Inspector
Alcohol Enforcement Coordinator - VACANT

Chairman Theodore Bellevoine called the meeting to order at 1:00 p.m. and introduced the Board to the audience. Member Kohl moved to approve the March 9, 2017 minutes; seconded by Member Hall. Motion carried.

New Business

- **Violation**

St. Mary's Fine Wine and Spirits – Young Ha Kim

Sale of alcoholic beverages to an intoxicated person in violation of §6-307 of the Alcoholic Beverages Article of the Annotated Code of Maryland and §5.04(i) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County

Mr. Kim, accompanied by his interpreter Ms. Myung Nam, appeared before the Board and were sworn in. Chairman Bellevoine asked Mr. Kim if he admitted or denied the violation. Mr. Kim's response was denial. Cpl. James Stone was asked to appear and was sworn in. Cpl. Stone stated that on January 17, 2017 at 1:30pm he was called to investigate an intoxicated person lying on the ground outside of St Mary's Fine Wine and Spirits. Oliver Malone was found lying near a stairwell with a vodka bottle in a bag next to him. John Mason, a witness at the scene, stated to Cpl. Stone that Mr. Malone had become confrontational and was cursing at him. Cpl. Stone called the ambulance to have Mr. Malone transported to the hospital. Cpl. Stone stated he made contact with the

store clerk who did state she had sold the vodka but didn't think Mr. Malone was intoxicated.

John Mason also testified that he was the person who called police and also had been in a verbal confrontation with Mr. Malone. Cpl. Stone was able to retrieve video coverage from Mr. Kim the following day of Mr. Malone entering the store, purchasing the vodka and then leaving the premise. Cpl. Stone showed footage of the video during the meeting. Member Kohl made the motion that the violation did occur and was seconded by Vice-Chair Palchinsky. Motion carried that the violation did occur. Member Hall made a motion for the penalty of a fine \$500.00, \$250.00 suspended and held in abeyance for 3 years and was seconded by Chairman Belleavoine. Motion carried.

- **Application**

Stoney's at Clarks Landing- Application of Eugenia Cousineaux, Louis P. Stone III & Charles F. Clarke to purchase a Class B (Restaurant) BWL license & t/a Stoney's at Clarks Landing (Stoney's at Clarks Landing, LLC) 24580 Clarks Landing Lane, Hollywood, MD 20636. Also requesting catering privilege and permission for extension of premise for outdoor service, use of two exterior walk-in boxes & one storage shed.

Ms. Cousineaux, Mr. Stone and Mr. Clarke appeared before the Board and were sworn in. The licensees failed to renew the alcohol license in time so they had to apply for a new license. The only change from the current licensed premise was the addition of another walk-in. Vice-Chair Palchinsky made a motion for approval; seconded by Member Kohl. Motion carried.

St. Mary's Gas Station - Application of Kim Poh Seow to purchase a Class A-1 BWL license & t/a St. Mary's Gas Station (St. Mary's Gas Station, LLC), 23950 Colton Point Rd., Clements, MD 20624.

Mr. Seow, accompanied by Mr. Donald Burch, appeared before the Board and were sworn in. Mr. Burch stated that the original building had been an auto service area but had been converted by Mr. Kim into a convenience store and now is requesting the approval of a license to sell alcohol beverages off sale. Member Kohl made a motion for approval pending the Fire Marshall approval; seconded by Vice-Chair Palchinsky. Motion carried.

- **Premise Change**

Quades Store – George Quade - Requesting temporary extension of premise & extra serving counter for six outdoor music events from May 2017 - Sept. 2017.

Mr. Quade appeared before the Board and was sworn in. Mr. Quade was requesting approval of six (6) outdoor music events. Dates & rain dates were stated in the

application. Member Hall made a motion for conditional approval pending the Health Department and LUGM permit approval; seconded by Vice-Chair Palchinsky. Motion carried.

Russell's Store - Janet Draper- Requesting temporary extension of premise for four outdoor wrestling events & one car show from May 2017 . Sept 2017.

Ms. Draper accompanied by her grandson Roger Buckler III, appeared before the Board and were sworn in. Mr. Buckler explained to the Board how the security will be handling the underage spectators from access to alcohol for both the wrestling matches and the car show. Member Hall made a motion for conditional approval pending the LUGM permit approval; seconded by Member Kohl. Motion carried.

Other Business

- **Board Administrator – Tammy Hildebrand-** FY18 Revenue/Legislative planning Phase I: implementation of administrative fees for new & transfer applications, renewal applications & license changes

The Board continued discussion on implementing administrative fees. Mr. Kohl made suggestions on fees, however the Chair felt they should get more input from the Beverage Association and also bring the plan before the County Commissioners. Ms. Hildebrand attended the budget meeting of the County Commissioners where she did mention the plan to them. Ms. Hildebrand was happy to announce that the increase for Ms. Whilden's 30 hour a week increase for FY18 was approved. Ms. Hildebrand explained to the Board of how the office is now responsible for creating and sending all licenses to the Treasures office and how this would affect licensees. In the past, the Treasurer was responsible for this task and licensees could leave go straight to the Treasurer after approval . now they would have to wait till the next day. The Board discussed the passing of the Salon & Art Establishment license bills and felt that a public notice needed to be sent out to inform the community of what the law entails. None of these types of businesses should be giving alcohol out without a license and if they are, they are in violation of the law . without a license though, they fall under the jurisdiction of the State Comptroller and the County Sherriff's office, not the Alcohol Beverage Board. The legislation takes effect on July 1, 2017.

- **Sheriff Liaison – Sgt. Steven Myers –**

Sgt. Myers has had no complaints. Sgt. Myers stated that the Sheriff's office can help with inspections if needed but it would be overtime for this work. Sgt. Myers agrees that the community be made aware of the new legislation going into effect July 1, 2017.

- **St. Mary's Licensed Beverage Association – Dave Dent**

Mr. Dent did not oppose the idea of administrative fees but would like the Board to allow the SMCLBA to have some input. Mr. Dent would like to see that specific licenses have specific fees and the fees be phased in over time.

- Board Inspector . Garland Thompson

Inspector Thompson reported that he performed 14 inspections and 8 follow-ups for the month of the March.

- Community Alcohol Coalition . Lauren Abell

Ms. Abell stated the next CAC meeting would be on April 25, @ noon.

Adjournment

Member Hall made a motion for adjournment; seconded by Member Kohl. Motion carried. Meeting adjourned at 3:26 P.M.

Respectfully submitted,

Suzan Whilden, Recording Secretary

Theodore A. Bellevoine, Chair