

**THE ALCOHOL BEVERAGE BOARD
THURSDAY, MAY 14, 2015 @ 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, May 14, 2015 at 1:00 P.M. in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Moses Saldaña, Chairman- **Absent**
Linda Palchinsky, Vice Chairwoman
Aaron Mathis, Member
Betty Currie, Member
Kevin Hall, Member
James Tanavage, Attorney
Tamara Hildebrand, Board Administrator
Suzan Whilden, Sr. Office Specialist
Garland Thompson, Inspector
Cpl. James Stone, Alcohol Enforcement Officer

Vice Chairwoman Linda Palchinsky called the meeting to order and introduced the Board to the audience. Member Mathis moved to approve the minutes of April 9, 2015 and it was seconded by Member Hall. Motion carried.

Old Business:

- Extensions of Conditional Approvals
 1. Bob's Sunoco- Requesting 90 day extension to conditional approval of extended premise.

Bob Belden was sworn in and appeared before the Board to request another 90 day extension to his second (90 day) conditional approval in order to receive approval for an addition made to his building. Mr. Belden stated that the Fire Marshalls Office has required him to submit architectural drawings for approval before they will sign off on his permit. This approval should be available within the 90 day requested extension. Member Currie made the motion for approval and Member Mathis seconded. Motion carried.

2. Brambly Inn-Requesting 90 day extension of conditional approval of application & request to update premise plot plan of original application

Darryl Carter presented a letter on behalf of Ernest Carter to represent him at the meeting. Martha Carter and Darryl Carter were sworn in and appeared before the Board to request an extension of the 90 day approval to add 672 square feet to the original plan submittal as requested by other approving County agencies and to make

clarification that the fence will not be built at this time as per original application submittal. Member Mathis made the motion for approval and Member Hall seconded. Motion carried.

3. Holiday Inn Express- Requesting 180 day extension of conditional approval of application.

Prahladbhai Patel, Milan Sheth, Kulbeer Dhillon were sworn in and appeared before the Board to request a 180 day extension of approval to their application. The construction of the Holiday Inn Express is 75 % complete and they request additional time for the completion. Member Hall made the motion for approval and Member Currie seconded. Motion carried.

New Business

- Applications:
 1. Avenue 54- Application for Claude A. Dukes & Daniel P. Snyderman to purchase a Class B (restaurant) BWL license & t/a Avenue 54 (Avenue 54, LLC), 23154 Wetstone Lane, California, MD 20619. And permission for extension of premise for outside dining.

Postponed until June.

2. Pho Saigon Vietnamese Restaurant & Bar- Application for Peter T. Nguyen to purchase a Class B (restaurant) BWL license & t/a Pho Saigon Vietnamese Restaurant & Bar (Pho Saigon Vietnamese Restaurant & Bar, LLC), 40874 Merchants Lane, Leonardtown, MD 20650. And permission for extension of premise for outside dining.

Peter Nguyen was sworn in and appeared before the Board with his attorney Daniel Slade in request to purchase a Class B-BWL license. Mr. Slade conducted several questions addressing Mr. Nguyen on verification of his credentials and awareness of the current liquor laws. Questions were asked of the requested extension of premise for outside seating. There will be seating for 25 persons, fencing is all around the outdoor premise and access can only be gained through the inside of the restaurant. Member Currie made the motion for approval and Member Mathis seconded. Motion carried.

- Special Privilege Applications:
 1. The Lime Lounge at Twist Wine & Spirits . John Winters, Ruby Hurt & Dwane MacRae- Requesting Refillable Container Permit

John Winters was sworn in and presented a letter to speak on behalf of the other licensees, Ruby Hurt and Dwane MacRae. Mr. Winters stated he was aware of the sanitation on refilling. Member Hall made the motion for approval and Member Currie seconded. Motion carried.

2. Lenny's Restaurant . Daniel L. Rebarchick- Requesting Refillable Container Permit

Daniel Rebarchick was sworn in and made his request to the Board for a Refillable Container Permit Mr. Rebarchick was aware of the sanitation requirements. Member Mathis made the motion for approval and Member Hall seconded. Motion carried.

- Premise changes:
 1. Stoney at Clarkes Landing - Eugenia Cousineaux, Louis Stone & Katherine York- Requesting temporary extension of premise for June 6, 2015, for the Rubber Duck bathtub races to benefit Southern Maryland Center for Family Advocacy

Eugenia Cousineaux was sworn in and presented a letter to speak on behalf of Louis Stone and Katherine York. Ms. Cousineaux will have to obtain the required Special Event Permit from LUGM for this event and has stated she has the State Police hired to do security for the event. The extension of premise is for persons attending this event to be allowed to walk around the grounds including the parking lot, with alcoholic beverages. No serving counters will be outdoors. This is a conditional approval of this event upon getting the Special Events Permit. Member Mathis made the motion for approval and Member Currie seconded. Motion carried.

2. Capt. Sam . Soubia Shafiq & Salma Shafiq- Requesting permanent extension of premise of 800 sq. ft. for storage.

Soubia Shafiq and Salma Shafiq were sworn and have requested an extension of premise to the existing premise. The Board has granted a 60 day conditional approval pending the Use and Occupancy. Member Hall made the motion for approval and Member Currie seconded. Motion carried.

3. Guenther Fine Wine & Spirits- Requesting reduction of premise of 288 sq. ft. for the external storage building, which will no longer be in use as of May 31, 2015.

Postponed until June.

Other Business:

- Proposals for Legislation & Rules & Regulations changes- Board Administrator . Tammy Hildebrand

Ms. Hildebrand discussed with the Board about the need for the licensee (s) to be present at the meeting when there is a Reduction of Premise. The Board decided it will be discussed at the June meeting.

As per 2.17 of the Rules and Regulations, a licensee no longer will need a low priority health permit for a Beer/Wine Tasting License unless food is being served.

Ms. Hildebrand has brought to the attention of the Board the need for something in our Rules and Regulations clarifying about when a Notice is posted; most specifically, the notices that are posted during renewal time. The Board has requested something in writing.

Ms. Hildebrand discussed the re-introduction of the Salon Bill, that was red-lined from St. Mary's legislation last year for the Corporate Town of Leonardtown. The re-introduction will be countywide and will follow the same legislation as what Montgomery County had approved.

- MALA review

Ms. Hildebrand gave an update on the highlights of the MALA meeting. One of the topics discussed was the issue of underage sales and whether the clerk making the sale should be held liable in violation as well as the licensee (s). Charles County has implemented in their Rules and Regulations that the selling clerk would receive civil fines (up to \$500.00).

Ms. Hildebrand also discussed with the Comptroller's office about a property rented to a for profit group with a BYOB status. There needs to be better clarification of this in 2B to cover St. Mary's County of this liability.

Ms. Hildebrand brought up discussion of the possibility of new Classes of Licenses in St. Mary's County in order to cover the diverse types of businesses in the County and possibly change license fees to be comparable to other counties similar to St. Mary's.

Ms. Hildebrand ended the MALA discussion with the update to the new website and the updates being made to 2B.

- RAST revised

Ms. Hildebrand explained the work that she and Corporal Stone have been doing to streamline the RAST program.

- Alcohol Enforcement Coordinator- Cpl. James Stone

Cpl. Stone reported that the Sheriff's office had 24 DUI violations and 6 alcohol citations for the month. The scheduled sobriety checkpoint was canceled. Maryland has implemented a Click It or Ticket law where as any violator not wearing their seat belt will receive a \$83.00 fine. Cpl. Stone stated that the Sheriff's office has made him the coordinator for Crime Solvers for St. Mary's County and they sent him to a conference in Orlando, Florida. Calvert County has requested Cpl. Stone to give ID training for the Sheriff's Department.

- Board Inspector . Garland Thompson

Mr. Thompson made 15 inspections for the month with 2 follow- ups.

- License Beverage Association- Dave Dent

Mr. Dent started his discussion by stating he and the SMLBA were in support of clerks being fined when in violation of underage sales. Mr. Dent also is in support of underage violators who try to purchase alcohol with a fake ID. Mr. Dent reported that the program Mystery Shoppers was a success. The program sends a shopper into an establishment, who is of age but looks very young, to see if the clerks will ask them for their identification. All the establishments did ask for ID's.

- Community Alcohol Coalition- Kendall Wood

Ms. Wood thanked the Board for writing a letter on behalf of CAC. April was Alcohol Awareness month and now the CAC is advertising for Project Graduation and safe and responsible drinking for the up-coming holidays as well; Memorial Day, 4th of July. Member Hall made the motion to adjourn the meeting and it was seconded by Member Currie. Motion carried.

Respectfully submitted:

Suzi Whilden, Recording Secretary

Moses Saldaña, Chairman