

**THE ALCOHOL BEVERAGE BOARD
THURSDAY, JULY 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, July 14, 2016 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
Kevin Hall, Member
Leonard Kohl, Member
James Tanavage, Attorney
Tamara Hildebrand, Board Administrator
Suzan Whilden, Administrative Assistant
Garland Thompson, Inspector- ABSENT
Cpl. James Stone, Alcohol Enforcement Coordinator

Chairman Theodore Bellevoine called the meeting to order at 1:05 p.m. and introduced the Board to the audience. Member Currie moved to approve the minutes of June 9, 2016 and it was seconded by Vice-Chair Palchinsky.

Announcement

Appreciation recognition for former Chairman Moses Saldaña.

Chairman Bellevoine presented former Chairman Saldaña with a plaque of appreciation for his service on the Alcohol Beverage Board. Several people thanked Chairman Saldaña for his service and pictures were taken by pressman John Wharton.

Old Business

- Extensions of Conditional Approvals

Stardust Lounge – Philip Swales- requesting 60 day extension of conditional approval

Mr. Swales was unable to attend the meeting. Ms. Hildebrand stated that Mr. Swales had come into the office in the morning to explain that he would not be able to attend the meeting due to medical reasons and was on his way to the doctors. The Board made the decision to grant Mr. Swales an additional 30 day extension to his conditional approval. Vice-Chair Palchinsky made the motion for approval and was seconded by Member Currie. Motion carried.

New Business

- **Violations**

California Wine and Spirits – Bipinchandra Patel

1. Sale of alcoholic beverages to a person under the age of twenty-one (21) in violation of Section 12-108(a) of Article 2B of the Annotated Code of Maryland and Section 5.04(j) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Bipinchandra Patel and Samuel Craddock, Jr., a clerk from the store, appeared before the Board and were sworn in. Mr. Patel admitted that the violation did occur. Attorney Tanavage read the facts into the record. Ms. Hildebrand stated that the business had not had any violations in the last three (3) years. Member Hall made the motion for a fine of \$750.00; \$250.00 held in abeyance, pending no further violations in the next three (3) years; payment to be made within 10 days and mandatory RAST. The motion was seconded by Member Currie. Motion carried.

Hollywood Shakers – Donny Dunbar & Sean Earley

1. 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.
2. Disturbance of the neighborhood (excessive noise emanating from the licensed premises) in violation of Section 5.04(h) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Donny Dunbar appeared before the Board and was sworn in. A letter had been sent to Ms. Hildebrand stating that Mr. Dunbar would be speaking on behalf of Mr. Sean Earley, the other licensee. Mr. Dunbar admitted that both violations did occur.

For the first violation, Attorney Tanavage read the facts of the case into the record. Ms. Hildebrand stated that previous violations were on record and fines were held in abeyance. Member Hall made the motion for a fine of \$1000.00, reinstatement of a previous \$1000.00 fine held in abeyance; payment to be made within 10 days and mandatory RAST. The motion was seconded by Member Kohl. Vote was 3:2 with Member Currie and Vice-Chair Palchinsky opposing. Motion carried by Chairman Bellevoine, Members Hall and Kohl.

For the second violation, Attorney Tanavage read into record the facts of the case. Member Hall made the motion for a fine of \$1000.00 plus a 30 day suspension, payment to be made within 10 days. The motion was seconded by Member Currie. Vote was 4:1 with Chairman Bellevoine opposing. Motion carried by Members Hall, Kohl, Currie and Vice-Chair Palchinsky.

- **Applications**

Kevin's Corner Kafe - Application of Byron Kevin Thompson to transfer Kevin's Corner Kafe Class B (restaurant) BWL license location from 41565 Park Ave., Leonardtown, MD 20650 to 24509 Point Lookout Rd., Leonardtown, MD 20650.

Kevin Thompson appeared before the Board and was sworn in. Mr. Thompson stated that he will be transferring his business to a new location that he plans to purchase and hopes to be open by September 1, 2016. Mr. Thompson assured the Board that the second floor will be used for residential use only. The Board approved a 90 day conditional approval pending the Health Dept., Fire Marshall, updated Traders License, Use and Occupancy permit as well as the final settlement to transfer the license. Member Currie made the motion for approval and was seconded by Vice-Chair Palchinsky. Motion carried.

La Rive Breton- Application of Brian Wilson & Karleen A. Jaffres to transfer Café des Artistes (Café des Artistes, Inc.) Class B (restaurant) BWL license from Loic Francois Jaffres & Karleen A. Jaffres & t/a La Rive Breton (Crab and Bull Provisions, LLC), 41655 Fenwick St., Leonardtown, MD 20650. And requesting permission for outdoor service and corkage.

Brian Wilson appeared before the Board. Benedict Duke appeared on behalf of Karleen Jafferries. Mr. Wilson and Mr. Duke were sworn in. Mr. Wilson stated that he will be conducting his business very similar to the previous owners as far as cuisine, capacity and service. The outside seating will remain and he has requested a special privilege of corkage. The Board approved a 90 day conditional approval pending the Health Dept., Fire Marshall, Retail Sales, Traders License, Use and Occupancy permit, Alcohol Awareness certification and mandatory RAST to transfer the license. Also, the previous owners' taxes need to be cleared before final approval. Vice-Chair Palchinsky made the motion for approval and was seconded by Member Kohl. Motion carried.

Leonardtown Cigars- Application of Jeffrey J. Lustig & Jacki Lynn Wobser to purchase a Class D-BWL license & t/a Leonardtown Cigars (Leonardtown Cigars, LLC), 40955 Merchants Lane, Ste. 14 Leonardtown, MD 20650. Request is for on-sale only. Jeffrey Lustig and Jacki Wobser appeared before the Board and were sworn in. Attorney Daniel Slade was there to represent the applicants. Mr. Lustig stated that he and his wife had previously owned a cigar bar in Waldorf and after selling it 2 years ago, decided to open a new business in Leonardtown. Mr. Lustig explained that this business will feature high-end cigars paired with high-end alcohol. The Board approved a 60 day conditional approval pending the Health Dept., Fire Marshall, Use and Occupancy permit as well as the mandatory RAST. Member Kohl made the motion for approval and was seconded by Vice-Chair Palchinsky. Motion carried.

Urban Bar-B-Que - Application of Jessica A. Western & Jill L. Hutchinson to purchase a Class B (restaurant) BWL license & t/a Urban Bar-B-Que (Western BBQ, LLC), 22854 Washington St., Leonardtown, MD 20650. And permission for outdoor service.

Jessica Western and Jill Hutchinson appeared before the Board and were sworn in. Attorney Troy Hansen was there to represent the applicants. Mrs. Western stated that the final construction of the establishment would not be finished until approximately November 1, 2016. Mrs. Western requested outside seating as a special privilege with only 16 seats on the outside patio. The Board approved a 180 day conditional approval pending the Health Dept., Fire Marshall, Traders, Use and Occupancy permit as well as the mandatory RAST. Mrs. Western stated that she had completed the TAMs required class and would provide copies to Ms. Hildebrand. Vice-Chair Palchinsky made the motion for approval and was seconded by Member Currie. Motion carried.

- **Premise changes**

MIR Beer . Donna Gagnon - Request for temporary extension of premise for Spartan Race on August 27-28, 2016.

Donna Gagnon appeared before the Board and was sworn in. Ms. Gagnon stated that all persons of legal age would be issued a wrist band to identify for alcohol service. Cpl. Stone suggested Ms. Gagnon have her servers and other staff attend RAST to become better educated on fraudulent IDs since there will be such a large crowd of people in attendance. Member Hall made the motion for approval and was seconded by Member Currie. Motion carried.

- **Officer/Member/Trade Name changes**

Plaza Tolteca . Removing Maria O. Ruiz & adding Yarilis Rodriguez
Member Currie made the motion for approval and was seconded by Vice-Chair Palchinsky. Motion carried.

Applebee's . Removing Kevin Hyland & adding Mark Kaiser
Vice-Chair Palchinsky made the motion for approval and was seconded by Member Kohl. Motion carried.

- **Other Business**

AMC Loews Lexington Park . Leanne Schrecengost- Discussion of planned renovations to AMC theatre & possibility of adding alcohol service

Leanne Schrecengost and Frank Lewis came before the Board to explain a planned renovation to the AMC Loews Theatre located in Lexington Park. In this renovation plan, AMC Loews would like to possibly add a better food service along with an alcohol service. The purpose of the presentation was to make the Board aware of the renovations plans.

Board Administrator- Tammy Hildebrand

Ms. Hildebrand stated that she has provided new establishment lists for all the Board members and that there will be a RAST training at the end of July.

Alcohol Enforcement Coordinator . Cpl. James Stone

Cpl. Stone stated that there was nothing new going on and that everyone has passed their compliance checks.

Board Inspector . Garland Thompson

Inspector Thompson was absent for the meeting so Ms. Whilden provided his report for the month of June. Inspector Thompson inspected 13 establishments, 4 follow-ups and 2 re-inspections.

St. Mary's Licensed Beverage Association . Dave Dent

Mr. Dent stated that there will be a Town Hall meeting on alcohol legislation with Senator Steve Waugh. The meeting will be held on July 26, 2016 at 5:30 pm at the Lexington Park Library.

Community Alcohol Coalition- Lauren Abell - Responsible Alcohol Retailer (RAR) Awards

Ms. Abell introduced herself to the new in-coming Board members and explained what her role is with the CAC. The Responsible Alcohol Retailer (RAR) Awards had been planned for this month but will be postponed until later in the fall.

Respectfully submitted,

Suzan Whilden, Recording Secretary

Theodore Belleavoine, Chair