

**THE ALCOHOL BEVERAGE BOARD  
THURSDAY, AUGUST 13, 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, August 13, 2015 at 1:00 P.M. in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

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

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

**Old Business:**

- Extensions of Conditional Approvals

**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 extension of premise to the conditional approval already in place. Mr. Belden stated that the Fire Marshall's office is in contact with his architect about the drawings and approval should be soon. Vice Chair Palchinsky points out that this pending approval has been going on for almost a year. Member Mathis made the motion for approval and Member Currie seconded. Motion carried.

**New Business:**

- Applications:

**Toots** - Application of Thomas E. Olson to transfer Toots (Family Happens, LLC) Class D-BWL license from Patrick Dugan & t/a Toots Bar (Hops Rice and Barley, LLC) 23971

Mervell Dean Rd., Hollywood, MD 20636. And permission for extension of premise & extra serving counter.

Thomas Olsen appeared before the Board and was sworn in. Mr Olsen stated he had recently retired and wanted to try something different so he was purchasing this bar. He stated nothing will be different in his operation of the business. He is aware of the RAST training and plans to attend the class himself but several of his employees have taken the training. The Board has approved a 90 day conditional approval pending the Fire Marshall, Retail Sales and Use (of previous owner), Traders license and Use and Occupancy. Member Hall made the motion for approval and Member Currie seconded. Motion carried.

**Beacon Liquors** - Application of Bhupendra Patel to transfer Beacon Liquors (Beacon Liquors, LLC) Class A-1 BWL license from Eric L. Ford & t/a Beacon Liquors (Callaway Mahadev, LLC) 20975 Point Lookout Rd., Callaway, MD 20620

Bhupendra Patel appeared before the Board represented by his attorney Michael Davis. Mr. Patel was sworn in. Mr. Davis verified Mr. Patel's residency and background. Member Mathis asked if any changes would be made to the existing business which Mr. Patel assured would be the same. Mr. Patel will be going to closing on that same day as the Board meeting. The Board approved the requested 30 day conditional approval pending the Fire Marshall, Traders license and Use and Occupancy. Member Currie made the motion for approval and Member Hall seconded. Motion carried.

**Hollywood Shakers** - Application of Donny Lynn Dunbar, Jr. & Sean Earley to transfer Dew Drop Inn (J&G's Lucky Leap, Inc.) Class D-BWL license from Judith Mae Ragan & Gordon Henry Ragan Jr. & t/a Hollywood Shakers (J&G's Lucky Leap, Inc.) 23955 Mervell Dean Rd., Hollywood, MD 20636. And permission for extension of premise & extra serving counter.

Donny Lynn Dunbar and Sean Earley appeared before the Board represented by their attorney Nathaniel Chapman and were sworn in. Attorney Chapman questioned the background of Mr. Dunbar and Mr. Earley pertaining to any alcohol licensing in St. Mary's County. The Board attorney, James Tanavage, read into testimony a letter of opposition of the approval of the transfer of license for Hollywood Shakers. The letter was written by Rob and Cindy Caldwell that had been sent to Cpl. Stone. The letter explains that the Caldwell's live in a neighborhood about 1½ miles from the establishment and that they have been experiencing excessive noise (loud music and profanity) coming from neighboring establishment. Mr. and Mrs. Caldwell appeared before the Board and were sworn in. The Caldwell's both testified that in the past four (4) years they have never had problems with the noise from either Dew Drop Inn or Toots. This problem started in May when the establishment changed ownership. They also testified they had emails from other neighbors that were unhappy with the problems of the excessive noise and profanity and several persons had called the Sheriff's Office

to complain. Member Currie stated she had spoken with a friend who lives on Mervell Dean Road but they have not heard the excessively loud music. Cpl. Stone testified about his compliance visit to the neighborhood where the Caldwell's live. And he stated that the noise was also excessive. Cpl. Stone pointed out that the location of the stage has been changed since the new ownership has taken over. Two (2) witnesses for Hollywood Shakers appeared before the Board and were sworn in. Attorney Chapman questioned both witnesses, Bayyinah Vaughan and Karen Lyons, and they stated they live in close proximity to the establishment but that the noise does not bother them. The Board reiterated to all parties that all testimony is going on record. The Board decided to address the request in two parts; interior and exterior. Member Mathis made a motion to grant a 30 day conditional approval of interior premise pending approval of Personal Property Tax release, Fire Marshall, Traders License, Sales and Use Tax, and Use and Occupancy permit, seconded by Member Currie. Discussion ensued with Member Hall asking Member Mathis if he would amend his motion to prohibit outdoor music for one year. Member Mathis amended his motion. The vote was tied with Members Mathis and Hall voting for and Members Currie and Palchinsky voting against. Motion did not carry. Member Mathis made an alternate motion to grant a 30 day conditional approval of interior premise pending approval of Personal Property Tax release, Fire Marshall, Traders License, Sales and Use Tax, and Use and Occupancy permit, and that the outdoor stage area be moved back to the original location, music be kept at or below 65 decibels, and that the business maintain a good relationship with the residents of the neighborhood. Motion was seconded by Member Currie. Motion carried 3 to 1, with Member Hall voting against. Member Mathis granted a 90 day conditional approval for the exterior premise pending approvals from the Health Department, LUGM and Fire Marshal, seconded by Member Currie. Motion carried.

Member Mathis reiterated to the applicants their responsibility to keep the noise down to acceptable levels for their neighbors or they could find themselves before the Board for a violation and face the possibility of losing their license.

**Apple Basket Antiques** - Application for Mary Charlene Tsirigotis to purchase a Class A-3 BW license & t/a Apple Basket Antiques (Apple Basket Antiques, Inc.) 27056 Mt. Zion Rd., Mechanicsville, MD 20659

Mary Charlene Tsirigotis appeared before the Board and was sworn in. Member Currie made the motion for approval and Member Hall seconded. Motion carried.

**Stardust Lounge** - Application for Philip I. Swales to purchase a Class D BWL license & t/a Stardust Lounge, 26130 Three Notch Rd., Mechanicsville, MD 20659. And permission for extension of premise & extra serving counter for ball games.

Philip Swales appeared before the Board and was sworn in. The Board questioned Mr. Swales if he had ever been in the alcohol business previously. Mr. Swales stated he will have the previous establishment manager to assist him in his operating the business.

The Board explained the policy on drinking in the parking lot and where patrons may and may not purchase their alcohol during the ball games. The Board granted a 90 day conditional approval pending the closing of the business sale, Fire Marshall, Traders license and Use and Occupancy. Member Hall made the motion for approval and Member Currie seconded. Motion carried.

“ **Premise changes**

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

Soubia Shafiq appeared before the Board and was sworn in. A letter was presented on behalf of Salma Shafiq that she would be absent for the Board meeting and that Soubia Shafiq would speak on her behalf. Member Mathis made the motion for approval and Member Currie seconded. Motion carried.

“ **Officer/Member/Trade Name changes**

**Applebees** . Member change removing Brian Lutton & adding Kevin Hyland

Member Hall made the motion for approval and Member Currie seconded. Motion carried.

**Other Business:**

- **Board Administrator – Tammy Hildebrand**

**Rules & Regs changes-**

Discussion to add an annual beer & wine tasting license.

Ms. Hildebrand is to follow up with Comptroller on the matter.

**Proposals for legislation**

1) Adopt language adding §8-219.2, creating a Special beauty salon beer & wine license for St. Mary's County. A) First is an Industry version:

Member Currie made the motion for disapproval and Member Hall seconded. Motion carried.

B) Second is a Local version:

Member Mathis made the motion for disapproval and Member Currie seconded. Motion carried.

2) Amend 8-410.4(f)(2) to change 3 ounce sample of beer to 2 ounce sample, thereby allowing a total of 4 . 2 ounce samples.

Member Hall made the motion for approval and Member Currie seconded. Motion carried.

3) Adopting language adding 8-410.5, creating an annual beer & wine tasting (BWT) permit.

Member Hall made the motion for approval and Member Currie seconded. Motion carried

“ **Alcohol Enforcement Coordinator – Cpl. James Stone**

Cpl. Stone elaborated in more depth about the complaints at Hollywood Shakers. The State Police conducted a Sobriety Check Point on July 24. One (1) civil citation was given for marijuana possession. Cpl. Stone will be working on underage drinking and Fake IDs with the upcoming of school starting and the college students back at St. Mary's College and St. Mary's City in particular.

- **Board Inspector – Garland Thompson- Absent**
- **St. Mary's Licensed Beverage Association- Dave Dent**

Dave Dent spoke about the Open Forum that was held by Senator Steve Waugh at the Lexington Park Library. Wholesalers, retailers, the Alcohol Board and other alcohol related groups were in attendance. Topics of discussion were past and future legislation as well as alcohol education and awareness.

“ **Community Alcohol Coalition- Absent**

Ms. Hildebrand did update the Board the CAC has been re-funded for their grant for another year.

Adjournment - Member Hall made the motion for adjournment and Member Currie seconded. Motion carried

Respectfully submitted,

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Suzan Whilden, Recording Secretary

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Moses Saldaña, Chair