

**THE ALCOHOL BEVERAGE BOARD
THURSDAY, AUGUST 10, 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, August 10, 2017 at 1:00 P.M. in the County Commissioners Conference Room, Chesapeake Building, and Leonardtown, Maryland.

Theodore Belleavoine, Chair- **ABSENT**
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**
Alcohol Enforcement Coordinator – **VACANT**

Vice-Chair Linda Palchinsky called the meeting to order at 1:00 p.m. and introduced the Board to the audience. Member Currie moved to approve the July 13, 2017 minutes. Motion was seconded by Member Hall. Motion carried.

Old Business

- **Extension of Conditional Approval**

Bay Country Liquors – Hui Cha Missun, Kurt Missun & Brian H. Jones- requesting 90 day extension of conditional approval

Hui Cha Missun and Kurt Missun appeared before the Board and were sworn in. A letter had been presented to the Board Administrator by Mr. Jones giving the Missuns' permission to speak on his behalf. Mr. Missun explained to the Board that the construction of his liquor store has been delayed past the extension of time the Board had originally given him and he is requesting another 90 day extension. Member Kohl made a motion for a 90 day conditional approval. Motion was seconded by Member Currie. Motion carried.

New Business

- **Violations**

Jugheads

Donna McMurray - Employee

- a) Donna McMurray, was an employee of a license holder and sold or provided alcoholic beverages to an individual under the age of twenty-one years in violation of Section 28-2802(b) of the Alcohol Beverages Article of the Annotated Code of Maryland

Donna C. McMurray appeared before the Board and was sworn in. Ms. McMurray was accompanied by her attorney Mr. Larry Cumberland. Attorney Cumberland spoke on behalf of Ms. McMurray admitted to the guilt of the violation. Board Attorney Tanavage read into record the facts of the violation. Member Currie made a motion for a \$250.00 fine to be paid within 10 days. Motion was seconded by Member Hall. Motion carried.

Ajit Singh – Licensee

- a) Sale of alcoholic beverages to a person under the age of twenty-one (21) in violation of Section 6-304 of the Alcohol Beverages Article 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.

Ajit Singh appeared before the Board and was sworn in. Mr. Singh stated he was not present at the time of the violation but for the record, admits to the guilt of this violation after speaking with his wife and Sgt. Fleenor. Mr. Singh had (2) two witnesses, Christina Corson and Sheila Rishel, who had previously worked for him, who both spoke highly of Mr. Singh as an employer. Member Hall made a motion based on the admission of guilt, a fine of \$500.00, \$250.00 suspended and held in abeyance for 3 years to be paid within 10 days. Motion was seconded by Member Kohl. Motion carried. Member Hall amended the motion to add the RAST training as part of the penalty. Final motion carried.

- b) Sale of alcoholic beverages by a clerk, agent, employee or servant of the licensee who was intoxicated or under the influence of alcohol in violation of Section 5.04(r) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Mr. Singh also admitted guilt to the second violation. Member Hall made a motion based on the admission of guilt, a fine of \$500.00, \$250.00 suspended and held in abeyance

for 3 years to be paid within 10 days. Motion was seconded by Member Currie. Motion carried.

- **Applications**

1) Jughead Liquor Wine Beer- Application of Namratabahen Patel & Narendrabhai Patel to transfer Jugheads (WE R7, LLC) Class A-1 license from Agit Singh & t/a Jughead Liquor Wine Beer (Laxmi Narayandev, LLC), 45315 Alton Lane, Ste 16036, California, MD 20619

Namratabahen Patel and Harry Patel (husband) appeared before the Board and were sworn in. A letter was presented to the Board Administrator by Mr. Narendrabhai Patel giving Namratabahen Patel permission to speak on his behalf. As per the application, Ms. Patel had received a prior violation for an underage sale. Member Kohl stated, for the record, that Ms. Patel be made aware of the concerns of the violation that had been heard at today's meeting. Member Currie made a motion for a 90 day approval pending the Health Department, Use and Occupancy permit, Traders License, clearing of all taxes and closing of the sale of the business. Motion was seconded by Member Kohl. Motion carried.

2) S-Kape Salon & Spa - Application for Karyn L. Hudson & April S. Woodburn to purchase a Class S (Salon) license & t/a S-Kape Salon & Spa (S-Kape Salon Service, Inc.), 41675 Fenwick St., Leonardtown, MD 20650

April Woodburn and Karyn Hudson appeared before the Board and were sworn in. Ms. Woodburn and Ms. Hudson explained to the Board that they would like to be able to offer the regulated amounts of beer or wine to their clients at their hair salon/spa. They have a designated employee who will be serving and keeping track of all alcohol services. Member Kohl made a motion for a 90 day approval pending the Health Department, clearing of all taxes and attendance of RAST. Motion was seconded by Member Currie. Member Hall denied the vote. Vote was 2-1 Vice-Chair Linda Palchinsky did not vote. Motion carried.

- **Premise changes**

MIR Beer – Donna L. Gagnon - Requesting temporary extension of premise & extra serving counter for Spartan Athletic Competition on September 9 & 10, 2017 from 9:00 AM to 6:00 PM.

Donna Gagnon appeared before the Board and was sworn in. Ms. Gagnon explained the plan for the Spartan competition to the Board. Member Hall made a motion for a conditional approval pending the Health Department approval. Motion was seconded by Member Currie. Motion carried

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

- 1) **Hermanville C-Store** - Removing Darlene Newman; adding Tekneca Mason

Member Hall made a motion for an approval. Motion was seconded by Member Currie. Motion carried.

- 2) **Thai Inter Restaurant** - Removing Ka Ming Ting; adding Parit Yuwapanichsampan

Member Currie made a motion for an approval. Motion was seconded by Member Hall. Motion carried.

- 3) **New Market Citgo** - Removing Diane L. VanWart; adding Ronald V. Carrico

Member Currie made a motion for an approval. Motion was seconded by Member Hall. Motion carried.

- 4) **Breton Bay Golf & Country Club** - Removing David D. Darden; adding Frank A. Phillip

Member Hall made a motion for an approval. Motion was seconded by Member Currie. Motion carried.

Other Business

- **Board Administrator – Tammy Hildebrand**

Ms. Hildebrand explained to the Board about the new ethics law that goes into effect on October 1, 2017. There will be a training that all staff and Board members will be required to take and also a financial disclosure statement that would need to be filed. Ms. Hildebrand stated that the Sheriff's Office has a prospect to fill the AEC position. Ms. Hildebrand also brought up the discussion of the licensees on retail and per diem non-profit licenses as a possible issue in the future and would like the Board & SCLBA to weigh-in on the issue. Ms. Hildebrand provided the Board with some reports that the

Chairman had requested and Mr. Kohl has requested more information to be added to this report.

- **Sheriff Liaison – Sgt. Todd Fleenor**

No new business at the time.

- **Board Inspector – Garland Thompson**

Inspector Thompson performed 12 inspections and 12 follow-ups for the month of July.

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

Mr. Dent stated that the next SMCLBA meeting would be on September 5 at Buzzy's Country Store. Ms. Hildebrand plans to discuss the retail versus per diem licensees with Mr. Dent at the next SMCLBA meeting.

- **Community Alcohol Coalition – Lauren Abell**

Ms. Abell reported that St Mary's County is tied with Queen Anne's County in the top position on binge drinking in the State. Ms. Abell stated that the next CAC meeting will be on August 22 at 12:00 noon in the Outreach building at St Mary's Hospital.

Adjournment

Member Hall made a motion for adjournment. Motion was seconded by Member Currie. Motion carried. Meeting adjourned at 2:58 P.M.

Respectfully submitted,

Suzan Whilden, Recording Secretary

Theodore A. Belleavoine, Chair