

THE ALCOHOL BEVERAGE BOARD
THURSDAY, DECEMBER 09, 2010 @ 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, December 09, 2010 at 1:00 P. M. in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Moses Saldaña, Chairman
Tom Sacks, Vice-Chairman
Betty Currie, Member
Linda Palchinsky, Member
Joann Wood, Attorney
Tamara Hildebrand, Board Administrator
Tommy Thompson, Inspector - **ABSENT**
DFC James Stone, Alcohol Enforcement Officer
Fran Hammett, Recording Secretary

Chairman Saldaña called the meeting to order at 1:00 p.m.

APPROVAL OF MINUTES:

Chairman Saldaña entertained a motion for approval of the minutes of the meeting of November 10, 2010. A motion was made by Member Palchinsky to approve the minutes and it was seconded by Member Currie. Motion carried.

Chairman Saldaña read aloud a Certificate of Appreciation for Adam Morgan, a Member who moved to Virginia after his marriage for his support, dedication and service from April 1, 2008 to July 2010 to the Alcohol Beverage Board. His replacement may come on board in April.

APPLICATIONS

- Club Maryland
 - Application of James O. Dickens, Vickie Harris, & Cassandra Fooks to transfer the View Lounge (Hands, LLC) Class B (Restaurant) – BWL License from Veronica Holley, Huntington F. Wiggins, & Aaron J. Wiggins and t/a Club Maryland (Club Maryland, LLC), 48593 Seaside View Rd., Ridge, MD 20680. And permission for extension of premise for outside picnic area.

James O. Dickens & Cassandra Fooks appeared before the Board for conditional approval to operate a restaurant, bar and lounge at the old Seaside View Restaurant. They need the permits from the Health Department, U & O, and the trader's license. Mr. Dickens is attending the TAM course on the 13th of December. The extended premise will include the picnic area. They will post signs regarding where alcohol is permitted. Chairman Saldaña suggested that Ms. Fooks or the other license holder also attend the TAM certification. Vice Chairman Sacks made the motion for a 90 day conditional approval, based on the diagram submitted. Member Currie seconded and the motion passed.

- Loveville Tavern
 - Application of Joseph Husick Jr. & Christina Renee Ward to purchase a Class D – BWL License and t/a Loveville Tavern (Loveville Tavern, LLC), 28275 Point Lookout Rd., Leonardtown, MD 20650. And permission for extension of premise for smokers and horseshoe games.

Joseph Husick and Christina Renee Ward appeared before the Board to request a new license for the old Brewski's. Five years ago, Mr. Husick renovated the tavern and his partner Lisa managed it. She left unexpectedly and closed out the license without his knowledge. Mr. Husick is not a County resident but Ms. Ward is, and she will be the manager. She will live in the apartment above the tavern. There will not be any storage or alcohol served upstairs; only in the designated area. The extended premise is for Horseshoe games and smokers only. Ms. Ward is TAM certified. They need the Fire Marshall, Health Department, U & O permits. They had all these permits when the establishment was open before and he doesn't expect any problems getting them. He needs the approvals in the new name. There were no protests from the audience,

emails, or mail. Member Palchinsky made the motion to grant the 90 day conditional approval and it was seconded by Member Currie. Motion carried.

- Twist Wine & Spirits
 - Application of John Joseph Winters, Ruby E. Hurt, and Dwane D. MacRae to purchase a Class A-1 BWL License and t/a Twist Wine & Spirits (Twist Wine & Spirits, LLC), 22608 Three Notch Rd., Lexington Park, MD 20653.

Mr. Winter, Ms Hurt, and Mr. MacRae appeared before the Board to operate an off sale package store on the corner of Millstone Lane and Three Notch Road. They presented an informational package to the Board. Currently there are 18 licenses in that district and there are 22 allowed. They are the land owners. The signage has been approved by LUGM. They submitted before and after pictures of the intersection and the appearance of it is greatly improved. There will be a full time manager on site at all times and they will be attending the TAM class on the 13th. Suite # 2 will be a separately leased space. There were no protests from the audience, email or mail. U & O, Health Department, traders license and Fire Marshall permits are still needed. Member Currie made the motion to grant 90 day conditional approval and Vice Chairman Sacks seconded. Motion carried.

OTHER BUSINESS

- Creekside Pub – Marlene Donovan & Lindsay Canter
 - Requesting 30 day extension of conditional approval

Ms. Donovan and Ms. Canter appeared before the Board requesting additional time to get the establishment ready for opening. The heavy rains that came in September flooded the establishment and they basically had to start rebuilding all over. They would like to change their initial request from 30 days to 90 days because there is so much work to be done. Vice Chairman Sacks made the motion to approve the request and it was seconded by Member Currie. Motion carried.

- Big Dogs Paradise
 - Deleting James Gilbert Adkins Jr.

Member Currie made the motion to delete James Gilbert Adkins Jr. and it was seconded by Member Palchinsky. Motion carried.

- New Years Requests

Member Palchinsky made the motion and read aloud all the establishments requesting to stay open on New Years Day from 2:00 AM to 6:00 AM on the condition that it is for on sale only and they have to serve prepared free food during those hours to their patrons. Member Currie seconded and motion carried.

Board Administrator – Tammy Hildebrand

Tammy passed out an ALERT flyer from Montgomery County to the Board. The Alcohol Enforcement Officer, Ms. Hildebrand, the Inspector and the Board Attorney get asked a lot of questions that are specific to the Rules and Regulations. After some searching, they found Montgomery County offers a free seminar related to their some of the general rules and situations that are relevant to their specific County. They have extended an invite to see if it would be feasible to offer the same type of seminar here and to see if we could tailor it to fit St. Mary's. They offer it twice a month and every one is usually full. The Retail Beverage Association has often said they wished there were some sort of class on the local rules or how other license holders are handling certain situations. It doesn't replace the TAM certification and Tammy feels this County could modify what they offer to fit St. Mary's County. The licensees often plead ignorance of the law, so this may help eliminate that. January 4 is their next meeting and Tammy, Mr. Thompson and Deputy Stone request permission to attend and then it could be put on the January agenda for discussion. The Board thought it would be a good idea and approved the request to attend.

Ms. Hildebrand is still putting the Budget together for FY 2012 and will present it to the Board at the February meeting. This office took a big hit last year and there's not a lot that can be cut this year.

Alcohol Enforcement Coordinator – DFC James Stone

Last month Deputy Stone was in Annapolis trying to get a grant for Alcohol Awareness, underage drinking, and binge drinking. Thru that grant he was going to invite the Board and the Retail Beverage Association to join in the coalition with Walt Biscoe in the Department of Human Services to apply for a large grant on the County's behalf. It is a federally funded grant for underage and binge drinking.

Regarding the K2 & K3 incense that is being sold in package stores, the DEA has made it a scheduled drug and has put a ban on those products. The stores can be fined if they are in possession of it and it has to be off the shelves by December 24. Deputy Stone suggested that the ABB put letter together to send out to all licenses informing them of the ban.

The Sheriff's Office is setting up multiple sobriety checkpoints and saturation details during the Holidays to get drunk drivers off the road. They will also be conducting surveillance for public drinking, spot checking vehicles in parking lots of the bars, increase compliance checks of the businesses making sure everyone is of age and the employees are carding everyone. There is also a big concern with non-profits and their BYOB's. There was a shooting in the parking lot of a Fire House after a private party that required calling Calvert and Charles Counties for assistance to maintain the peace. There have been instances of non-profit functions that spilled into other places such as gas stations creating disturbances. The problem is that they are serving themselves at a BYOB and no one is monitoring or controlling how much they have to drink. Article 2B is not really specific for BYOB's at social halls or Fire Houses. Promoters and social clubs are using non-profits to promote these BYOB's to avoid maintaining a permanent place of business which isn't fair to license holders in the area. Deputy Stone would like for the Board to add some verbiage to 2B to make it more specific. The Board Attorney was hesitant to question non profits, saying that it had to be handled very carefully. If the Comptroller's Office says that they are a non profit, who is to say they are not. The party at the Fire House didn't apply for the non-profit status until the day before the event. There are legitimate non profits but there are also some that take advantage of the rules. It's hard to determine who is actually a non-profit and who is not. Hopefully the training that they go to in Montgomery County may shed some light on what can be done.

Deputy Stone also brought in some bags, tree tags and window decals funded by the State Highway Association promoting Designated Drivers during the holiday season. They are being given out to local retail establishments.

Deputy Stone will request a press release from the Sheriff's Office advising the establishments of the DEA ban.

RETAIL BEVERAGE ASSOCIATION

Mr. Dent appeared on behalf of the Retail Beverage Association and stated that there is nothing new to report. He is in support of the ALERT Program and is hoping that a lot of questions can be answered.

Chairman Saldaña will not be here for the January meeting. Member Currie made the motion to adjourn and it was seconded by Member Palchinsky. Motion carried.

Respectfully submitted

Fran Hammett
Recording Secretary

Tom Sacks
Vice-Chairman