

**THE ALCOHOL BEVERAGE BOARD
THURSDAY, SEPT. 11, 2014 @ 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, September 11, 2014 at 1:00 P. M in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Moses Saldaña, Chairman
Linda Palchinsky, Vice Chairman
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

Chairman Saldaña called the meeting to order and introduced the Board to the audience. Member Hall moved to approve the minutes of August 14, 2014 and it was seconded by Member Currie. Motion carried. Chairman Saldaña suggested modifying the agenda and moving the Applications and Special Permits to the top of the list.

➤ **New Business**

Applications:

Zee Best Café & Carryout Application for Julia Lynn Vance, Jennifer Lee Stewart & Deborah Marie Jones to purchase a Class B (Restaurant) BWL license & t/a Zee Best Café & Carryout (Zee Best Diner, LLC), 26945 Three Notch Rd., Mechanicsville, MD 20659.

The license holders appeared before the Board and presented their plans for the establishment. This is the Old 235 Diner. Member Mathis made the motion to approve the transfer and it was seconded by Member Currie. Motion carried.

CoCoo's Caribbean Authentic Jerk Application for Neville Churchill Brown & Barbara Ann Bankins to purchase a Class B (Restaurant) BWL license & t/a CoCoo's Caribbean Authentic Jerk (Nevpau Corp), 19661 Three Notch Rd., Lexington Park, MD 20653. And permission for extension of premise to include detached building for office & storage.

The license holders appeared before the Board with Paula Brown as their spokesperson. She presented the plans for the restaurant and acknowledged that they still need TAM certification and traders license. Member Currie made the motion to approve the request and the extension of premises pending all the permits for seven days. Vice Chairman Palchinsky seconded the motion. Motion carried.

Premise changes:

Riverside Bistro ó Cynthia Salvo & Joseph Norris - Correction of original application to include approx. 700 sq ft of lower level for storage, cold boxes & office.

The license holders appeared before the Board with their request. They inadvertently omitted the lower level for storage, cold boxes and office and wish to correct their application. Member Hall made the motion to approve the request and Member Mathis seconded. Motion carried.

Officer/Member/Trade Name changes:

Cali's Removing Zane A. Esche

Member Mathis made the motion to remove Zane A Esche and it was seconded by Member Currie. Motion carried.

Violations:

Chairman Saldaña explained the procedures for hearing the violations and the penalty phase.

Loveville Tavern ó Rochelle A. Jackson Consumers remaining on the premises of the establishment (including in the parking lot) after the termination of the permitted hours of sale in violation of §4.02(a) of the Rules and Regulation of the Alcohol Beverage Board of St. Mary's County.

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

Acts which violate the peace and safety of the community in which the place of the business is located, including, but not limited to: failure to comply with agreed upon recommendations of the Alcohol Enforcement Coordinator to curb the history of incidents at the premises, and a general failure to maintain and secure the

premises which include reported fights and gunfire from the parking lot of the premises on August 23, 2014, allowing the Board to take action for a violation under §10-401(a)(2) of Article 2B of the Maryland Annotate Code and §5.01 of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Ms. Jackson appeared before the Board without a lawyer. Accompanying her was Melvin Price. Chairman Saldaña asked for a motion to postpone the hearing until their lawyer was present and received none. Chairman Saldaña made the motion to proceed with the hearing and Member Currie seconded. Motion carried. Ms. Jackson asserted that the violations did occur. Mr. Tanavage read the facts into record. On count one; Chairman Saldaña made the motion for \$500 fine with 250 suspended if no violations occur for 3 years. Member Mathis seconded. Chairman Saldaña amended the motion to bring forward the previous \$250 from an earlier violation fine. Member Mathis seconded. Motion carried. Total fine \$500.

For the second violation, Member Hall made the motion for \$500 with \$250 suspended if no violation occurs for 3 years. Also to bring forward the previous \$250 fine from an earlier violation. Total fine is \$500. Member Mathis seconded and the motion carried.

For the third violation, Vice Chairman Palchinsky made the motion to suspend the license for 90 days. Member Hall seconded. After discussion of the violation, the Board unanimously opposed the motion. Member Currie made the motion for 60 day suspension and it was seconded by Chairman Saldaña. Motion failed 4-1 with Member Currie voting for her motion. Chairman Saldaña made the motion to revoke the license. Member Hall seconded. Motion carried 3-2 with Vice Chairman Palchinsky and Member Currie opposed.

Seabreeze Restaurant ó Jeffrey A. Quade & Elizabeth A. Quade - Disturbance of the neighborhood (excessive noise emanating from the licensed premises) in violation of §5.04(h) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Chairman Saldaña recused himself from participating in this portion of the Agenda. Shane Mattingly appeared before the Board with the license holders. Mr. Tanavage read the facts into record. Mr. and Mrs. Quade agreed that the violation did occur. The complainant and the license holders agreed to exchange phone numbers so that in the future, if there is a complaint, the business can be called directly to take care of the problem. Member Mathis made the motion to fine the establishment \$250, suspended if no violations occur within three years. Member Hall seconded and the motion carried.

Special Privilege applications:

ABC Liquors ó Gary & Marie Rogow Requesting Refillable Container Permit effective October 1, 2014.

Mr. Rogow appeared before the Board for his request. He also had a signed letter from Marie Rogow allowing him to speak on her behalf. This establishment will be the first in St. Mary's to have the refillable container permit. Member Hall made the motion to allow his request and it was seconded by Vice Chairman Palchinsky. Motion carried.

➤ **Other Business:**

Board Administrator – Tamara Hildebrand

The St. Mary's County Commissioners signed the Grant Agreement presented by Tammy.

Alcohol Enforcement – Cpl James Stone

Cpl Stone has training the following week and he has been working on the RAST Power Point Training. A sobriety check point was done in August.

Board Inspector – Garland Thompson

Mr. Thompson performed 16 inspections and two follow ups.

License Beverage Association - The next meeting is scheduled for Sept 2. They plan to work more closely with the Community Alcohol Coalition and they are attempting to come up with some sort of penalty for minors that attempt to purchase alcohol illegally.

Member Currie made the motion to adjourn the meeting and it was seconded by Member Mathis. Motion carried.

Respectfully submitted:

Fran Hammett, Recording Secretary

Moses Saldaña, Chairman