

**THE ALCOHOL BEVERAGE BOARD
THURSDAY, AUGUST 9, 2018 @ 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 9, 2018 at 1:00 P.M. in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Kevin Hall, Chair
Linda Palchinsky, Vice-Chair
Betty Currie, Member- **ABSENT**
Leonard Kohl, Member
James Tanavage, Attorney
Tamara Hildebrand, Board Administrator
Suzan Whilden, Administrative Assistant
Garland Thompson, Inspector
Sgt. Stephen Myers, Alcohol Enforcement Coordinator

Chairman Hall called the meeting to order at 1:00 p.m. Member Kohl moved to approve the July 12, 2018 minutes. Motion was seconded by Vice-Chair Palchinsky. Motion carried.

Old Business

- Extensions of Conditional Approvals

Brudergarten – Geraldine A. L’Heureux - requesting 90 day extension of conditional approval

Raphael L’Heureux appeared before the Board and was sworn in. A letter was presented giving Mr. L’Heureux permission to speak on behalf of the licensee Geraldine L’Heureux. Mr. L’Heureux has requested a 90 day extension of approval as they have had problem with the contractors they had hired. Mr. L’Heureux stated that they are hoping to have the construction completed by the end September to mid- October. Member Kohl made a motion for the 90 day extension of conditional approval. Motion was seconded by Vice-Chair Palchinsky. Motion carried.

Coles Point Tavern – Ann Hyder and Michael Davis - requesting 90 day extension of conditional approval

Ann Hyder appeared before the Board and was sworn in. A letter was presented giving Ms. Hyder permission to speak on behalf of the other licensee Michael Davis. Ms. Hyder requested an extension of the conditional approval for the completion of the

addition to a deck. Member Kohl made a motion for a 1 year extension of conditional approval. Motion was seconded by Vice-Chair Palchinsky. Motion carried

Tacos Hacienda – Savanna Lee - requesting 90 day extension of conditional approval

Savanna Lee and Maria Ruiz appeared before the Board and were sworn in. Ms. Lee has requested a 90 day extension of approval. Ms. Lee stated that the Fire Marshall inspection has not been completed. Member Kohl made a motion for the 90 day extension of conditional approval. Motion was seconded by Vice-Chair Palchinsky. Motion carried.

New Business

- **Violations**

DJ's One Stop - Licensees: Amar S. Malhi, Manmohan S. Malhi and Phillip Bailey
Sale of alcoholic beverages to a person under the age of twenty-one (21) in violation of Section 6-304 of the Alcoholic 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.

Amar S. Malhi and Manmohan S. Malhi appeared before the Board and were sworn in. Phillip Bailey was present and gave permission for Amar Malhi and Manmohan Malhi to speak on his behalf. Mr. Amar Malhi admitted that the violation did occur. Member Kohl made a motion for a fine of \$1,000.00; \$500.00 to be held in abeyance for 3 years. Motion denied. Member Kohl made a motion for a fine of \$500.00, \$250.00 to be held in abeyance for 3 years, payable in 10 days. Motion was seconded by Vice-Chair Palchinsky. Motion carried.

Employee: Sherri Elizabeth Johnson

Sherri Elizabeth Johnson, 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 Alcoholic Beverages Article of the Annotated Code of Maryland.

Sherri Johnson appeared before the Board and was sworn in. Ms. Johnson admitted that the violation did occur. Vice-Chair Palchinsky made a motion for a fine of \$500.00, \$250.00 to be held in abeyance for 3 years. Vice-Chair Palchinsky amended the motion to correct the fine to be \$250.00 and attend RAST. Motion was seconded by Member Kohl. Motion carried.

Other Business

- **Board Administrator – Tammy Hildebrand**

1. Legislation 2019 .

- a. Proposal to submit legislation that would exempt Per Diem license holders from multiple license prohibition. Member Kohl made a

motion to approve the submission. Motion was seconded by Vice-Chair Palchinsky. Motion carried.

- b. Increasing Class A quota limitation. The Board discussed the need to get more input from businesses and the community. Member Kohl made a motion to table the proposal to the September meeting. Motion was seconded by Vice-Chair Palchinsky. Motion carried.
- c. Proposal for corrective bill for §28-2003(b)(2), §28-2004(b)(2) and §28-2004(c)(2). Member Kohl made a motion to submit the proposal. Motion was seconded by Vice-Chair Palchinsky. Motion carried.

- **Alcohol Enforcement Coordinator – Sgt. Stephen Myers**

Sgt. Myers stated that for the month of July he was at Prince Georges County Police Department but he reports the Alcohol Enforcement Unit did 12 compliance checks, and 12 tobacco checks with no violations. Sgt. Myers also reported 21 DUI's and 2 violations in the Hot Spot Area as well as attended several alcohol related meetings.

- **Board Inspector – Garland Thompson**

Mr. Thompson inspected 14 establishments for the month of July.

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

Mr. Dent participated in the discussion with the Board on the 2019 proposed legislation. Mr. Dent will be doing his own research on the Class A quota limitations.

- **Community Alcohol Coalition**

Ms. Maryellen Kraese and her high school intern reported that from April until June there had been 216 compliances checks; 117 were on premise and 99 were off premise. 97 % passed on premise and 97% passed off premise. Ms. Kraese stated the data that is related to alcohol crime will be analyzed and relayed back to the AEC.

Adjournment- Member Kohl made a motion to adjourn at 2:35 pm. Motion was seconded by Vice-Chair Palchinsky. Motion carried.

Respectfully submitted,

Suzan Whilden, Recording Secretary

Kevin M. Hall, Chair