

**THE ALCOHOL BEVERAGE BOARD
THURSDAY, JANUARY 10, 2019 @ 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, January 10, 2019 at 1:00 PM in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Kevin Hall, Chairman
Mark Denietolis, Vice - Chairman
April Trossbach, Member (**ABSENT**)
Leonard Kohl, Member
David Willenborg, 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 pm and introduced the Board and staff.

Vice-Chair selection- Chairman Hall made a motion to nominate Member Denietolis for the Vice Chair position. Motion was seconded by Member Willenborg. Motion carried.

Member Willenborg moved to approve the December 13, 2018 minutes. Motion was seconded by Member Kohl. Motion carried.

New Business

- **Violations**

McKays Market and Café

1. **Licensee- Marilyn McKay-** Sale of alcoholic beverages to a person under the age of twenty-one (21) in violation of § 6-304 of the Alcoholic Beverages Article of the Annotated Code of Maryland and § 5.04(j) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County

Mr. Thomas McKay and Ms. Mary Jeanette Norris were sworn in and appeared before the Board. The Power of Attorney letter was presented for Mr. Thomas McKay to speak on behalf of the licensee, Mrs. Marilyn McKay. Mr. Michael Davis, attorney for McKay's

Market and Cafe was present to represent the establishment for the violation. Attorney Davis stated that the violation did occur. Attorney Tanavage read into the record the facts of the underage sale violation which happened on December 9, 2018 at 10:20 am. Member Kohl made a motion based on the fact that McKay's has not had any violations in the past 3 years, a fine of \$500.00 be imposed, with \$250.00 to be held in abeyance for 3 years, payable in 10 days. Motion was seconded by Vice-Chair Denietolis. Motion carried.

2. **Clerk- Mary Jeanette Norris** . 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 § 28-2802(b) of the Alcoholic Beverages Article of the Annotated Code of Maryland

Mr. McKay stated that Ms. Norris has been a 30 year employee of McKay's and has never had a violation. McKay's Market and Café implemented a program on their computer system that prompts the clerks to answer whether the customer is of age to purchase alcohol and/or tobacco. Mr. McKay stated that he has imposed a one week suspension without pay as a penalty to Ms. Norris because of the violation. Vice-Chair Denietolis made a motion for a fine of \$250.00 with \$125.00, to be held in abeyance for 3 years, payable in 10 days. Member Kohl asked to amend this motion with the suggestion of the clerk attending RAST. Motion was seconded by Member Kohl. During discussion, Member Willenborg suggested lowering the fine on the basis that the clerk was being suspended without pay by the employer and has not been found guilty of any violations in over 30 years of employment. Vice-Chair Denietolis made an amended motion based on these facts and lowered the fine to \$50.00, with no probation. Motion was seconded by Member Kohl. Motion carried.

- Officer/Member/Trade Name changes:

a) Pal Liquors & Gas - deleting Harold Starr

Member Kohl made a motion to approve the officer/member change. Motion was seconded by Vice-Chair Denietolis. Motion carried.

b) Red Robin - deleting Terry D. Harryman; adding David M. Hansen

Member Kohl made a motion to approve the officer/member change. Motion was seconded by Vice-Chair Denietolis. Motion carried

Other Business

- **Board Administrator- Tammy Hildebrand
FY20 Budget**

Member Kohl made a motion to approve the FY20 budget. Motion was seconded by Vice-Chair Denietolis. Motion carried.

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

For the month of December, Sgt. Myers reported 12 compliance checks with 0 violations; 10 tobacco checks with 1 violation and 12 DUI's. Tobacco checks in schools for December 5 violations which is a decrease of the last several months. **Statistical values for 2018**, 141 alcohol compliance checks with 4 violations at 97.2 %; 159 tobacco checks with 4 violations at 97.0% and 134 DUI's.

- **Board Inspector – Garland Thompson**

For the month of December, Inspector Thompson did 11 inspections.

- **St. Mary's Licensed Beverage Association- ABSENT**

- **Community Alcohol Coalition- Mary Ellen Kraese**

Ms. Kraese reported to the Board that the compliance check Red Card/Green Card program letters have been sent out to establishments throughout the County. CAC will be tracking all the information from this program and sharing with the Board. Ms. Kraese stated that there will be a meeting on January 15, 2019 to discuss ideas for when and where to have an Alcohol Conference. CSM has formed an Alcohol Task Force and CAC has tried to find funding to help with that program. The Coordinators position should be filled by January 30, 2019.

Adjournment- Member Willenborg made a motion to adjourn at 1:55 pm. Motion was seconded by Vice-Chair Denietolis. Motion carried.

Respectfully submitted,

Suzan Whilden, Recording Secretary

Kevin M. Hall, Chair