

**ALCOHOL BEVERAGE BOARD
THURSDAY, MARCH 10, 2022 @ 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, March 10, 2022, at 1:00 PM in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Chairman David Willenborg called the meeting to order at 1:00 pm.

ROLL CALL

Present:

Chairman David Willenborg
Vice-Chair Richard Watts
Member Leonard Kohl
Member Richard Shin
Member Barbara Hill
Tamara Hildebrand, Administrator
Chris Beaver, Attorney
Suzan Dean, Recording Secretary
Kevin Hall, Inspector
Steve Myers, Alcohol Enforcement Coordinator

APPROVAL OF THE AGENDA

Member Hill moved to approve the agenda. Motion was seconded by Member Shin. Motion carried

APPROVAL OF MEETING MINUTES

Vice-Chair Watts moved to approve the minutes for the February 10, 2022 meeting. Motion was seconded by Member Shin. Motion carried.

OLD BUSINESS

- Extension of Conditional Approvals

Morris Point Restaurant – Christopher Soussanin and Debra A. Soussanin - requesting 90-day extension of conditional approval for outdoor seating

Christopher Soussanin appeared before the Board and was sworn in. There was a letter presented to the Board allowing Mr. Soussanin to speak on behalf of Debra Soussanin.

Mr. Soussanin explained to the Board that he would be having his hearing with the appeals board that evening so he would have his approval for his outdoor seating soon. Member Kohl made a motion to approve a 90-day extension of conditional approval. The motion was seconded by Member Hill. Motion carried.

NEW BUSINESS

- Premise changes

Brudergarten – Geraldine L’Heureux - Requesting extension of premise to expand outdoor seating area

Geraldine L’Heureux appeared before the Board and was sworn in. Mrs. L’Heureux explained to the Board where exactly she was going to expand her outdoor seating area. Member Kohl made a motion to approve the extension of premise to expand the outdoor seating area. The motion was seconded by Member Shin. Motion carried.

- Special Privilege Applications

Willows Recreation Center – Trisha R. Post - Requesting Catering privilege

Trisha Post appeared before the Board and was sworn in. Mrs. Post explained that she has gotten her catering license from the Health Department and has been catering corporate events and now would like to add alcohol to her catering aspects. Member Kohl made a motion to approve the catering privilege. The motion was seconded by Vice-Chair Watts. Motion carried.

- Violations

Patuxent Fine Wine & Spirits - Employee: Tatiana Nicole Robinson

The above individual, Tatiana Nicole Robinson, 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 §28-2802(b) of the Alcoholic Beverages Article of the Annotated Code of Maryland.

Tatiana Nicole Robinson appeared before the Board and was sworn in. Ms. Robinson explained that she was guilty of the violation. Attorney Beaver read the facts into the record. Vice-Chair Watts made a motion for a \$100.00 fine. There being no second, motion failed. Member Shin made a motion for \$50.00 fine. The motion was seconded by Member Hill. Vote was 4:1 with Vice-Chair Watts against. Motion carried.

Corner Liquors - Licensee: Shambhubhai Keshavial Patel

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.

Shambhubhai Keshavial Patel and Alpesh Patel appeared before the Board and were sworn in. Attorney David Weigel was present to represent the licensee. Mr. Patel explained that he was guilty of the violation. Attorney Beaver read the facts into the record. Vice-Chair Watts made a motion for a fine of \$1000.00, \$ 750.00 held in abeyance, \$250.00 to be paid within 10 business days and attend RAST class. The motion was seconded by Member Shin. Vote was 3:2 with Chairman Willenborg and Member Kohl against. Motion carried.

Corner Liquors - Employee: Ankit Babulal Patel

The above individual, Ankit Babulal Patel, 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 §28-2802(b) of the Alcoholic Beverages Article of the Annotated Code of Maryland.

Ankit Babulal Patel appeared before the Board and was sworn in. Mr. Patel explained that he was guilty of the violation. Attorney David Weigel was present to represent the clerk. Attorney Beaver read the facts into the record. Vice-Chair Watts made a motion for a \$100.00 fine to be paid within 10 business days. The motion was seconded by Member Hill. Motion carried.

Cooks Liquors - Licensee: Vijaykumar S. Patel

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.

Vijaykumar S. Patel appeared before the Board and had already been sworn in. Mr. Patel explained that he was guilty of the violation. Attorney David Weigel was present to represent the licensee. Attorney Beaver read the facts into the record. Vice-Chair Watts made a motion for a fine of \$1000.00, \$ 250.00 held in abeyance, \$750.00 to be paid within 10 business days and attend RAST class. The motion was seconded by Member Kohl. Vote was 3:2 with Chairman Willenborg and Member Shin against. Motion carried.

Cooks Liquors - Employee: Varshangi Alpeshkumar Patel

The above individual, Varshangi Alpeshkumar Patel, 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 §28-2802(b) of the Alcoholic Beverages Article of the Annotated Code of Maryland.

Varshangi Alpeshkumar Patel appeared before the Board and was sworn in. Ms. Patel explained that she was guilty of the violation. Attorney David Weigel was present to represent the clerk. Attorney Beaver read the facts into the record. Vice-Chair Watts made a motion for a \$25.00 fine. The motion was seconded by Member Kohl. During discussion the motion was amended. Vice-Chair Watts made a motion for a \$50.00 fine to be paid within 10 business days. The motion was seconded by Member Kohl. Motion carried.

Cooks Liquors & Groceries - Licensees: Diane Cook, Taylor Cook and Mason Cook
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.

Diane Cook and Taylor Cook appeared before the Board and were sworn in. There was a letter presented to the Board allowing Mrs. Cook to speak on behalf of Mason Cook. Attorney Beaver read the facts into the record. Vice-Chair Watts made a motion for a fine of \$1000.00, \$ 500.00 held in abeyance, \$500.00 to be paid within 10 business days and attend RAST class. Mason Cook is to attend RAST training within 90 days of his return from his ship duty. The motion was seconded by Member Hill. Motion carried.

Cooks Liquors & Groceries- Employee: Rebecca Ann Quade
The above individual, Rebecca Ann Quade 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 §28-2802(b) of the Alcoholic Beverages Article of the Annotated Code of Maryland.

Rebecca Ann Quade appeared before the Board and was sworn in. Ms. Quade explained that she was guilty of the violation. Attorney Beaver read the facts into the record Vice-Chair Watts made a motion for a \$50.00 fine to be paid within 10 business days. The motion was seconded by Member Hill. Motion carried.

- Officer/Member changes:

Anchorage 93: removing Daniel Vollmer; adding Kelly Courtney

Member Kohl made a motion to approve the officer change. The motion was seconded by Member Hill. Motion carried.

Moose Lodge 495: removing James E. Suite; adding Albert L. Downs

Member Kohl made a motion to approve the officer change. The motion was seconded by Member Hill. Motion carried.

Fiesta Café: removing Guillermo Lara Soto: adding Cynthia Ann Sirk

Member Kohl made a motion to approve the officer change. The motion was seconded by Member Hill. Motion carried.

- 2022 Renewals for Approval

As stated in Section 2.11(g)(2) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County, no hearing shall be required for a renewal unless the Board Administrator has reason to believe that discretionary action by the Board is necessary:

Patuxent Fine Wine & Spirits – Per Section 4-205 of the Maryland Alcoholic Beverages Article of the Annotated Code of Maryland, a local licensing board may not issue a Class A, Class B, or Class D beer license, beer and wine license or beer, wine, and liquor license for use in conjunction with or on the premises of: (1) a chain store; (2) a supermarket; or (3) a discount house.

Mrs. Hildebrand stated that the inquiry of Patuxent Fine Wine and Spirits previously and the testimony of Mr. William Price has made the renewal of the license questionable. The ownership of the business has not been made clear to the Board and no evidence that was requested, has been provided. Chairman Willenborg stated that testimony from the clerk who testified earlier in the meeting, said that she had been hired to work in the grocery store not the liquor store. Member Hill made a motion to table the decision to approve the renewal. The motion was seconded by Vice-Chair Watts. Motion carried.

- 2022 Renewals for Approval

Member Shin made the motion to approve the 165 renewed licenses. The motion was seconded by Member Hill. Motion carried.

BOARD ADMINISTRATOR'S REPORT

Mrs. Hildebrand explained that RAST training has been scheduled every two weeks and is going well. Mrs. Hildebrand stated that during the executive board meeting for MALA, there was discussion about local liquor bills being pulled back and some being dropped; like the chain store bills.

ALCOHOL ENFORCEMENT COORDINATOR REPORT

Deputy Steve Myers reports:

- 22 DUI's
- 21 Compliance checks
- 4 violations

BOARD INSPECTOR REPORT

Kevin Hall reports:

- 18 inspections
- 5 follow-ups

- 2 RAST trainings
- 2 Mala conference calls

ST MARY'S LICENSED BEVERAGE ASSOCIATION

David Dent explained that HB 506 was withdrawn, and HB 858 was unfavorable 19:1 with no Senate support. Mr. Dent stated he wanted to thank the CAC for the RED card/GREEN card program, the Sheriff's department, and the ABB for all the support.

COMMUNITY ALCOHOL COALITION

Chris Shea stated that the CAC has given out over 100 RED card/GREEN cards. Mr. Shea explained that the CAC has applied for a grant from DOT for the Drunk Driver Simulator for FY23 to use in high schools as they have in the past.

ADJOURNMENT

Member Hill made a motion to adjourn at 3:52 pm. Motion was seconded by Vice-Chair Watts Member Hill. Motion carried

Respectfully submitted,

Suzan Dean, Recording Secretary

David Willenborg, Chairman