

**ALCOHOL BEVERAGE BOARD
THURSDAY, AUGUST 12, 2021 @ 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 12, 2021 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

Members present:

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

APPROVAL OF THE AGENDA

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

APPROVAL OF MEETING MINUTES

Member Watts moved to approve the minutes for the July 8, 2021 meeting. Motion was seconded by Member Kohl. Motion carried.

NEW BUSINESS

- **Violations**

A&B Liquors - Licensee: Lin Xu on behalf of Lang Xu 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.

Lin Xu appeared before the Board and was sworn in. A letter was presented to the Board giving Ms. Xu permission to speak on behalf of Lang Xu, the business owner, as he is currently out of the country. The Board asked Ms. Xu if the violation of serving an underage patron did occur. Ms. Xu stated that she had in fact served an underage patron. Ms. Xu explained to the Board that she had had the COVID 19 shot and was very ill with a fever the day of the violation. Attorney Beaver read into the record the facts of the Sheriff's report of the occurrences on May 29. Mrs. Hildebrand stated that the business had not had any violations in the last three (3) years. Member Watts made the motion for a fine of \$500.00; \$250.00 held in abeyance, pending no further violations in the next three (3) years; payment to be made within 10 days or the license will be suspended until the fine is paid. The motion was seconded by Member Hill. Motion carried.

A&B Liquors -Employee: Lin Xu is 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.

Ms. Xu remained sworn in for the second part of the violation. Ms. Xu was asked if she was guilty of serving an underage patron. Ms. Xu stated she was guilty of the violation. The first motion that was presented by Member Watts was for mandatory RAST training and was seconded by Member Kohl. After discussion by the Board, that motion was withdrawn. A second motion was made by Member Watts for a fine \$500.00; \$450.00 held in abeyance, pending no further violations in the next three (3) years; payment to be made within 10 days. The motion was seconded by Member Hill. Motion carried.

Race-N-In - Licensee: Robert Bradley Brizzi : 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.

Bradley Brizzi appeared before the Board and was sworn in. The Board asked Mr. Brizzi if the violation of serving an underage patron did occur. Mr. Brizzi answered that yes, his employee did in fact serve an underage patron. Mr. Brizzi stated he had closed his store to bring all his current employees to the hearing so they could have the experience of the process. Mr. Brizzi stated that he had fired the employee. Attorney Beaver read into the record the facts of the Sheriff's report of the occurrences on May 29. Mrs. Hildebrand stated that the business had not had any violations in the last three (3) years. Member Watts made the motion for a fine of \$500.00; \$400.00 held in abeyance, pending no further violations in the next three (3) years; payment to be made within 10 days or the license will be suspended until the fine was paid. The motion was seconded by Member Hill. Vote was 3 to 1; Chairman Willenborg against. Motion carried.

Race-N-In - Employee: McKinley Wesley Kriegh III: is 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.

McKinley Kriegh appeared before the Board and was sworn in. The Board asked Mr. Kriegh if the violation of serving an underage patron did occur. Mr. Kriegh stated that he had in fact served an underage patron. Member Watts made the motion for a fine of \$500.00; \$450.00 held in abeyance, pending no further violations in the next three (3) years; payment to be made within 10 days. The motion was seconded by Member Hill. Vote was 3 to 1; Chairman Willenborg against. Motion carried.

Early Bird - Licensee: Rajwinder Kaur: 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

Rajwinder Kaur appeared before the Board and was sworn in. The Board asked Mrs. Kaur if the violation of serving an underage patron did occur. Mrs. Kaur stated that yes, her employee did in fact serve an underage patron. Attorney Beaver read into the record the facts of the Sheriff's report of the occurrences on May 29. Ajit Singh was sworn in to testify for the business that he was mistaken that the CI was someone who frequents the establishment and who is 27 years old and that is why he did not ask for ID. Member Watts made the motion for a fine of \$500.00; \$250.00 held in abeyance, pending no further violations in the next three (3) years; payment to be made within 10 days or the license will be suspended until the fine is paid. The motion was seconded by Member Hill. Motion carried.

Early Bird - Employee: Ajit Singh : is 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.

Ajit Singh remained in front of the Board and remained sworn in. The Board asked Mr. Singh if the violation of serving an underage patron did occur. Mr. Singh stated that he had in fact served an underage patron. Member Watts made the motion for a fine of \$500.00; \$200.00 held in abeyance, pending no further violations in the next three (3) years; payment to be made within 10 days. The motion was seconded by Member Kohl. Motion carried.

- **Premise Changes**

Laschelle McKay appeared before the Board and was sworn in. Mrs. McKay explained to the Board the Downtown Strategic plan for Leonardtown. This plan includes additional parking, safe outdoor seating with barricades and strong support for businesses having outdoor seating.

The Rex – Joseph Kurley, Charles Breck and Daniel Norris - Requesting additional permanent outdoor seating, expanding into 5 parking spaces.

Joseph Kurley, Charles Breck and Daniel Norris appeared before the Board and were sworn in. Joseph Kurley explained to the Board his request to expand his premise to add 5 additional parking spaces to his outdoors seating. Member Watts made a motion to approve a 90-day conditional approval pending the Health Department and signage in the barriers. The motion was seconded by Member Kohl. Motion carried.

Antoinette's Garden – Jonathan Boss - Requesting permanent outdoor seating, on the sidewalk and 3 parking spaces.

Jonathan Boss appeared before the Board and was sworn in. Mr. Boss explained to the Board his request to have permanent outdoor seating that would include seating on the sidewalk and 3 parking spaces in front of his establishment. Member Watts questioned the drawing that he has, as it does not clearly show the area to be licensed. One drawing was submitted for all 3 establishments asking for different requests. Mr. Boss has no permanent outdoor seating, so his request is different then the rest of the other requests. Member Watts made a motion to approve a 90-day conditional approval pending a new drawing that includes 3 chairs in the front sidewalk of the establishment, tables in the 3 parking spaces in front of the establishment, signage in the barriers that states “No alcohol beyond this point” and amendments to the drawing for clarity of the requested extension of premise. The motion was seconded by Member Hill. Motion carried.

Sweetbay Restaurant and Bar – Peter Lupo, Susan Dyer and Charles Johnston - Requesting additional permanent outdoor seating, expanding into 2 parking spaces.

Peter Lupo and Susan Dyer appeared before the Board and were sworn in. A letter was presented to the Board allowing Mr. Lupo to speak on behalf of Mr. Johnston. Mr. Lupo explained that Sweetbay has verbal approval from the owner of Towne Dentist to have 2 tables in front of their office when the office is closed and is requesting outdoor seating to expand into 2 parking spaces in front of Towne Dentist. Member Watts made a motion to approve a 90-day conditional approval pending a new drawing that includes 2 tables in the front sidewalk of the Towne Dentist, tables in the 2 parking spaces in front of the Towne Dentist, signage in the barriers that states “No alcohol beyond this point” , a letter from the Towne Dentist giving permission for the use of the area in front of their office, and amendments to the drawing for clarity of the requested extension of premise. The motion was seconded by Member Hill. Motion carried.

Social Coffeehouse and Speakeasy – Sean Coogan Jr. - Requesting temporary additional outdoor seating through October 31, 2021, expanding into 2 parking spaces

Sean Coogan appeared before the Board and was sworn in. Mr. Coogan explained to the Board that the Town of Leonardtown will be making some final decisions that will be approved in October so he would like to extend his temporary outdoor seating of 2 parking spaces until October 31, 2021. Member Watts made the motion for the 60-day approval pending the Health Department for the temporary outdoor seating. Motion was seconded by Member Hill. Motion carried.

The Jamaican Grill – Yao Hevi - Requesting permanent outdoor seating on porch
WITHDRAWN

ABC Liquors and Lounge – Gary and Marie Rogow - Requesting permanent outdoor seating in grassy area in rear of building.

Gary and Matt Rogow appeared before the Board and were sworn in. A letter was presented to the Board allowing Mr. Matt Rogow and Mr. Gary Rogow to speak on behalf of Mrs. Marie Rogow. Matt Rogow presented the Board a detailed plan of the outdoor seating area. Member Watts made the motion for the 90-day approval pending LUGM, signage, fencing and updated proposed barriers for the permanent outdoor seating. Motion was seconded by Member Hill. Motion carried.

- **Officer/Member changes**

North End Gallery - Deleting Jeanne N. Hammett; adding Deborah Poulin

Member Watts made a motion to approve the officer change deleting Jeanne N. Hammett and adding Deborah Poulin. Motion was seconded by Member Kohl. Motion carried.

St. Mary's Gas Station - Deleting Kim P. Seow; adding Tzuen Seow and Xue Hua Lin

Member Watts made a motion to approve the officer change deleting Kim P. Seow and adding Tzuen Seow and Xue Hua Lin. Motion was seconded by Member Hill. Motion carried.

BOARD ADMINISTRATOR'S REPORT

- **Rules & Regulation changes**

HB 12/SB 205 Discussion on adoption

Member Hill made a motion to approve the Rules and Regulations change to add Section VIII 8.01. Motion was seconded by Member Watts. Motion carried.

Mrs. Hildebrand stated to the Board that she and Inspector Hall have discussed the need to start RAST training again, but it may have to be in virtual form given the change in County status due to COVID.

ALCOHOL ENFORCEMENT COORDINATOR REPORT

Sgt. Steve Myers reported for the month of July:

- 9 Alcohol/Tobacco Covert Checks - 0 Violations
- 14 DUI Arrests
- 2 Meetings

Sgt. Myers presented to the Board, a report at the request of Mrs. Hildebrand, any traffic accidents in the Town of Leonardtown during the pandemic. Sgt. Myers also explained a situation that had happened recently at the Last Drop Country Bar.

BOARD INSPECTOR REPORT- No report

ST MARY'S LICENSED BEVERAGE ASSOCIATION- No Report

COMMUNITY ALCOHOL COALITION- No report

BOARD MEMBERS TIME- No report

ADJOURNMENT

Member Hill made a motion to adjourn at 4:48 pm. Motion was seconded by Member Watts. Motion carried.

Respectfully submitted,

Suzan Dean, Recording Secretary

David Willenborg, Chairman