

**ALCOHOL BEVERAGE BOARD
THURSDAY, JUNE 13, 2024 @ 1:00 PM
COUNTY COMMISSIONERS CONFERENCE ROOM
CHESAPEAKE BUILDING
41770 BALDRIDGE STREET
LEONARDTOWN, MD 20650**

MINUTES

The meeting of the Alcohol Beverage Board of St. Mary's County was held on Thursday, June 13, 2024, 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.

Present:

Chairman David Willenborg
Member George Anas
Member Richard Shin
Member Barbara Hill
Tamara Hildebrand, Administrator
Chris Beaver, Attorney
Suzan Dean, Recording Secretary
Kevin Hall, Inspector

Not Present:

Vice-Chair Richard Watts
Dep. Steve Myers, Alcohol Enforcement Coordinator

APPROVAL OF THE AGENDA

Member Hill moved to approve the agenda. Chairman Willenborg explained that the request for The Rex had been withdraw. Member Shin seconded the motion. Motion carried.

APPROVAL OF MEETING MINUTES

Member Anas moved to approve the minutes for May 9, 2024, and was seconded by Member Hill. Motion carried.

OLD BUSINESS

- **Extension of Conditional Approvals**

The Slice House- Maegyne Held - Requesting 60-day extension of conditional approval for interior expansion

Maegyne Held appeared before the Board and was sworn in. Member Hill moved to approve the 60-day extension and was seconded by Member Anas. Motion carried.

NEW BUSINESS

- **VIOLATIONS**

Antoinette's Garden – Employee - Kaela Ann Dothard 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 §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.

Kaela Dothard appeared before the Board and was sworn in. Ms. Dothard admitted that the violation did occur. Member Anas made a motion for a \$150.00 fine and was seconded by Member Shin. Motion carried.

Antoinette's Garden – Licensee - Joan B. Padgett - 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.

Joan Padgett and Rochelle Jackson appeared before the Board and were sworn in. Ms. Padgett admitted that the violation did occur. Member Shin recused himself from testimony. Chairman Willenborg explained to Ms. Padgett and Mrs. Jackson that there is a \$250.00 fine from a previous offense that was held in abeyance that will need to be paid. Member Anas made a motion for a \$1000.00 fine, a 3-day suspension and RAST and was seconded by Chairman Willenborg. Motion failed. Member Anas made a motion for a \$1000.00 fine, a 1-day suspension to be served on June 17, 2024, and RAST and was seconded by Member Hill. Motion carried.

The Front Porch - Licensee(s) - Jordan N. Walker and Jeffrey P. Lewis - 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.

Jordan Walker and Jeffrey Lewis appeared before the Board and were sworn in. Ms. Walker and Mr. Lewis admitted that the violation did occur. Chairman Willenborg explained to Ms. Walker and Mr. Lewis that there is a \$500.00 fine from a previous offense that was held in abeyance that will need to be paid. Member Shin made a motion for a \$1000.00 fine, a 1-day suspension to be served on June 17, 2024, and RAST and was seconded by Member Anas. Motion carried.

The Olive Garden Italian Restaurant #1797 – Employee - Qwanisha Octavia Butler 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 §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.

Qwanisha Butler appeared before the Board and was sworn in. Ms. Butler admitted that the violation did occur. Member Shin made a motion for a \$150.00 fine and was seconded by Member Anas. The vote was 3:1 Chairman Willenborg opposed. Motion carried.

The Olive Garden Italian Restaurant #1797 - Licensee(s) - Lindsay Koren, Veronica L. Miles, and Colleen M. Lyons - 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.

Lindsay Koren, Veronica Miles, Colleen Lyons, Karen Lopez and Joseph Raini appeared before the Board and were sworn in. They were represented by their attorney Leanne Schrecengost. Ms. Schrecengost admitted that the violation did occur. Ms. Schrecengost requested that the licensees not have to be required to take RAST as they are out of state residents. Member Shin made a motion for a \$1000.00 fine, \$500.00 held in abeyance and no RAST and was seconded by Chairman Willenborg. Motion failed. Chairman Willenborg made a motion for a \$1000.00 fine and only Ms. Miles (the local licensee) to take RAST. Member Anas seconded the motion, and the vote was 3:1 with Member Shin opposed. Motion carried.

Cracker Barrel Old Country Store – Employee - Kennedi Skye Kiraly 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 §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.

Kennedi Kiraly appeared before the Board and was sworn in. Ms. Kiraly admitted that the violation did occur. Member Shin made a motion for a \$100.00 fine and was seconded by Member Anas. The vote was 3:1 Chairman Willenborg opposed. Motion carried.

Cracker Barrel Old Country Store - Licensee(s) - John Mathis Raley, Joshua Shane Mayo and Jean Holcomb Shuttleworth - 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.

John Raley and Joshua Mayo appeared before the Board and were sworn in. Linda Carter, Carter Law, was there to represent Cracker Barrel and also speak on behalf of Jean Shuttleworth was also sworn in. Mr. Raley, Mr. Mayo and Ms. Carter admitted the violation did occur. Member Hill made a motion for a \$1000.00 fine, \$500.00 held in abeyance and RAST and was seconded by Member Shin. Motion carried.

- **APPLICATIONS**

Bradfords Neighborhood Market - Application of Malav R. Patel and Christopher S. Bell to transfer Bradfords Neighborhood Market, LLC Class B (restaurant) BWL license from Christopher S. Bell and continue to t/a Bradfords Neighborhood Market, LLC, 23860 Hollywood Rd., Hollywood, MD 20636.

Christopher Bell and Malav Patel appeared before the Board and were sworn in. They were represented by their attorney John Quinn. Member Shin made a motion for a 90-day conditional approval pending Comptroller of Maryland release, Fire Marshal, amended lease and amended operating agreement and was seconded by Member Anas. Motion carried.

BOARD ADMINISTRATOR'S REPORT

- **Rules and Regs changes** – approving language for the new Class NPT (Nonprofit Performing Arts Theater) license and the BWLT (Beer, Wine, & Liquor Tasting) permit.

Mrs. Hildebrand explained that the Board would need to vote on the language for the new Rules and Regs that will be going into effect on July 1, 2024

- BWLT (Beer, Wine, & Liquor Tasting) permit.

BWLT permit may be issued to a holder of a Class A-1 BWL license, after filing application with the Alcohol Beverage Board Office and obtaining Board approval. It authorizes the licensee to hold tastings on premises during the licensing period for no more than the number of days permitted, and only on dates filed with the Alcohol Beverage Board at least seven (7) days in advance. Licensees must follow the provisions under The Alcoholic Beverages Article §28-1308. A BWLT Permit shall require the license holder to dispose of any beer, wine or liquor from any container which has been opened for the purpose of the tasting which has not been consumed as part of the tasting. For the purposes of the BWLT Permit only, the disposal of any unconsumed beer, wine or liquor may include the removal of the unconsumed beer, wine, or liquor from the licensed premises by the license holder and may not be resold or served.

Member Hill made a motion to approve the BWLT (Beer, Wine, & Liquor Tasting) permit and was seconded by Member Shin. Motion carried.

- Nonprofit Performing Arts Theater (Class NPT) License

This is a license issued to Nonprofit Performing Arts Theater. The holder of the license may sell or serve beer and wine at retail for on-premises consumption from one (1) hour before to one (1) hour after a regular performance or a fundraiser performance that benefits the Nonprofit Performing Arts Theater. The license holder shall purchase beer and wine from a licensed wholesaler.

Member Anas made a motion to approve the Nonprofit Performing Arts Theater (Class NPT) License and was seconded by Member Hill. Motion carried.

Add on BWLT (only for Class A-1 or A-2 licenses)

BWLT 26 day	\$ 200.00
BWLT 52 day	\$ 250.00
BWLT 365 day	\$ 300.00

Member Shin made a motion to approve the 7.02 fees for BWLT (Beer, Wine, & Liquor Tasting) permit and was seconded by Member Anas. Motion carried

Class NPT – Nonprofit Performing Arts Theater... (On-sale only) Consumption of beer and wine only on the licensed premises

Member Shin made a motion to approve the 7.02 license fee for the Nonprofit Performing Arts Theater (Class NPT) License and was seconded by Member Hill. Motion carried.

BOARD INSPECTOR REPORT

For the month of May, Inspector Hall reported:

- 17 inspections
- Sent letter to all establishments about trade name being on front of building
- Taught RAST
- MALA Conference call

CANNABIS AND ALCOHOL COALITION

Hannah Bolden from the Health Department representing the CAC explained the events from Project Graduation. The CAC was able to provide a drunk driver simulator as part of the event. Ms. Bolden explained that they did a pre-crash survey and then the post-crash results.

- 97% felt that alcohol impairment can lead to fatal crashes
- 96% felt that the simulator was a good example of the influence of drunken driving
- 98% felt that the simulator gave a positive learning experience to DUI education
- 94% felt after being in the simulator it was unlikely they would drive drunk

ADJOURNMENT

Member Anas made a motion to adjourn at 3:30 pm and was seconded by Member Shin. Motion carried

Respectfully submitted,

Suzan Dean, Recording Secretary

David Willenborg, Chair