

**THE ALCOHOL BEVERAGE BOARD  
THURSDAY, AUGUST 11, 2016 @ 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 11, 2016 at 1:00 P.M. in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Theodore Bellevoine, Chair  
Linda Palchinsky, Vice-Chair  
Betty Currie, Member  
Kevin Hall, Member  
Leonard Kohl, Member  
James Tanavage, Attorney  
Tamara Hildebrand, Board Administrator  
Suzan Whilden, Administrative Assistant  
Garland Thompson, Inspector  
Cpl. James Stone, Alcohol Enforcement Coordinator

Chairman Theodore Bellevoine called the meeting to order at 1:00 p.m. and introduced the Board to the audience. Member Currie moved to approve the minutes of July 14, 2016 and it was seconded by Vice-Chair Palchinsky . Motion carried.

**Old Business**

- Extensions of Conditional Approvals

**Pax River Ale House – Melissa Akaras & Jane Carroll** - Requesting extension of conditional approval.

A letter was submitted from Jane Carroll for Melissa Akaras to speak on her behalf. Melissa Akaras appeared before the Board and was sworn in. Ms. Akaras requested an extension to the conditional approval for more time to make changes to the interior of the building. The Board granted a 90 day conditional approval. Member Currie made the motion and was seconded by member Hall. Motion carried.

**Stardust Lounge- Philip Swales** - Requesting extension of conditional approval

Philip Swales appeared before the Board and was sworn in. Mr. Swales requested an additional extension to the conditional approval due to address unknown issues with the well and septic for the Health Department and get final approval from the Fire Marshal.

The Board granted a 90 day conditional approval. . Member Hall made the motion and was seconded by Vice-Chair Palchinsky. Motion carried.

### **Big Dogs Paradise- Brian Adkins-** Requesting extension of conditional approval

A letter was submitted from Brian Adkins for Denise Adkins to speak on his behalf. Denise Adkins appeared before the Board and was sworn in. Ms. Adkins requested an extension to the conditional approval to obtain an electrical permit for the walk-in box that was installed. The Board granted a 60 day conditional approval. Vice-Chair Palchinsky made the motion and was seconded by Member Currie. Motion carried.

### **New Business**

- Violations

### **Toots- Thomas Olsen**

1. Disturbance of the neighborhood (excessive noise emanating from the licensed premises) in violation of §5.04(h) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Thomas Olsen appeared before the Board and was sworn in. Mr. Olsen testified that the violation did not occur. Attorney James Tanavage called Cpl. James Stone to testify. Cpl. Stone testified to noise complaints made from the neighborhood on Joy Chapel Road from May to the end of June. Cpl. Stone stated he has been out to the neighborhood as well as Toots in response to calls. Noise levels have varied on different occasions depending on the spike levels of the music. Cpl. Stone stated that Mr. Olsen has always been cooperative with him and has purchased a decibel reader to attempt to stay in compliance. Ms. Cynthia Caldwell appeared before the Board and was sworn in. Ms. Caldwell stated that that the noise level was very loud at her home and disruptive to any outside or inside activities when outside bands are playing at Toots.

For the violation: Member Hall made a motion that the violation did occur and was seconded by Chairman Belleavoine. Vote was 4:1 Member Currie opposed. Motion carried.

For the penalty: Chairman Belleavoine made a motion that no outside music past 11pm on Fridays and Saturdays for 60 days. Member Hall seconded the motion. Motion was amended to add a fine of \$500.00, \$250.00 held in abeyance and to be paid in 10 days. Vote was 2:3 Chairman Belleavoine and Vice-Chair Palchinsky, approved; Member Currie, Member Hall and Member Kohl opposed. Motion failed. A new motion was made. Member Hall made a motion for no outside music past 12am on Fridays and Saturdays for 60 days, and a fine of \$500.00, \$250.00 held in abeyance. Fine to be paid in 10 days. Motion carried unanimous.

## Applications

- **Ridge Market-** Application of Hui Lin and Kin Chan to transfer Ridge Supermarket (Kam Foo, LLC) Class A-1 BWL license from Kin Chan and Tina Chan t/a Ridge Market (Point Lookout, Inc.) 13270 Point Lookout Road, Ridge, MD 20680

Hui Lin and Kin Chan appeared before the Board and were sworn in. Attorney Michael Davis came before the Board in representation of the licensees. The Board granted a 60 day conditional approval pending Alcohol Awareness training, Traders license, Health Department approval, Use and Occupancy, settlement and a signed lease. Member Kohl made the motion and was seconded by Vice-Chair Palchinsky. Motion carried.

- **Hacienda Los Guayabos –** Application of Maria Olga Ruiz to purchase a Class B (restaurant)BWL license and t/a Hacienda Los Guayabos (Hacienda Los Guayabos ,LLC), 19661 Three Notch Road, Lexington Park, MD 20653

Maria Ruiz appeared before the Board and was sworn in. Ms. Ruiz stated that she was purchasing the property but will still need to go to settlement. The Board granted a 90 day conditional approval pending the settlement, Traders license, Fire Marshal, Health Department and Use &Occupancy permits and completion of RAST. Member Currie made the motion and was seconded by member Hall. Motion carried.

- **Coffee Quarter-** Application of Corey T. Hunter to purchase a Class B (restaurant) BWL license and t/a Coffee Quarter (Coffee Quarter, LLC) 22576 MacArthur Blvd., Ste. 336, California, MD 20619

Corey Hunter and Sahil Malhotra appeared before the Board and were sworn in. Mr. Malhotra stated his plans for incorporating alcohol into his coffee business by offering beer, wine and liquor after 3 pm in his establishment. The Board granted a 60 day conditional approval pending RAST training, Traders license, Health Department approval and Use & Occupancy permit. Member Hall made the motion and was seconded by Vice-Chair Palchinsky. Motion carried.

## Officer/Member/Trade Name Changes

- **Olde Breton Inn (Bailey's Catering, Inc.)** . Removing Patricia Ann Bailey; adding Donna L. Mattingly

Vice-Chair Palchinsky made the motion and was seconded by Member Currie. Motion carried.

## **Other Business**

### **Board Administrator- Tammy Hildebrand**

**Legislation 2017-** Ms. Hildebrand requested from the Board whether they would be putting in any new legislation for 2017. Ms. Hildebrand did not feel anything new needed to be added at this time but wanted to make the Board aware that if they were to want to introduce anything new, this is the time to do so.

**Rules and Regulations- 2016-** Ms. Hildebrand presented to the Board the changes that she has made to the Rules & Regulations and requests a vote on these changes (Phase 1). Chairman Belleavoine made the motion and was seconded by Vice-Chair Palchinsky. Motion carried. Phase 2 will be done by Attorney Tanavage.

Ms. Hildebrand stated that The Rex has to change license status from a Class B (restaurant) license to a Class D (tavern) as their food ratio does not match the criteria to match that license. The licensee was told of this at renewal in April and has not put in the required paperwork to change this status. Ms. Hildebrand also stated there is another establishment that needs to change their license status and would like the Board's input to bringing them in on inquiry. Chairman Belleavoine stated it would be fine to bring them in on inquiry. Ms. Hildebrand confirmed the information about the trip to Montgomery County with the Board.

### **Alcohol Enforcement Coordinator – Cpl. James Stone**

Cpl. Stone stated he will be conducting a sobriety check point at the end of the month. Cpl. Stone has gotten the go ahead from his Commanding Officer to implement the SIPS (Sales to Intoxicated Persons Served) program. This is a National Liquor Law program by which undercover police officers go into establishments and observe patrons and servers of alcohol to whether there is over-service being done.

### **Board Inspector – Garland Thompson**

Inspector Thompson inspected 12 establishments, did 2 follow-ups and participated in the RAST training on July 26.

### **St. Mary's Licensed Beverage Association- Dave Dent**

Mr. Dent stated he had attended a Town Hall alcohol form held at the Lexington Park Library with Senator Steve Waugh as the speaker. Senator Waugh addressed retailers about past and present legislation. Mr. Dent also informed the Board that there is now a distillery in St. Mary's County. It is the Tobacco Barn Distillery and it is located in Hollywood. Mr. Dent announced that the next SMLBA meeting would be on Tuesday, September 13, at 1 pm located at the Moose Lodge.

**Community Alcohol Coalition – Lauren Abell**

Ms. Abell stated that the next CAC meeting would be on August 23 at 6 pm.

**Adjournment**

Motion for adjournment was made by Chairman Belleavoine and seconded by Vice-Chair Palchinsky. Meeting adjourned at 4:00 p.m.

Respectfully submitted,

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Suzan Whilden, Recording Secretary

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Theodore Belleavoine, Chair