

**BOARD OF LICENSE COMMISSIONERS
CARROLL COUNTY, MARYLAND
MINUTES**

On December 17, 2014, the Board of License Commissioners met in Room 003/004 of the Carroll County Office Building, 225 North Center Street, Westminster, Maryland 21157. Board members Roland Meerdtter, Chairman, Robert Tabler, and David Brauning were present as well as Assistant County Attorney Timothy Dixon, Counsel to the Board, Jo Vance, Administrative Hearings Coordinator, Charles Kaizer, Chief Liquor Inspector, and Keith Benfer, Liquor Inspector.

10:00 a.m., the Board addressed the following official business:

1. A hearing was held in the matter of Case 5785, the violation hearing of Joseph Beck for a Class BC – Beer, Wine and Liquor license for the use of E.W. Beck’s, Inc., t/a E. W. Beck’s Pub, 7563 Main Street Sykesville, MD 21784, in Election District 14. Julia Lubhurt, Jim Zumbrun and Joseph Beck appeared on behalf of the establishment. Ms. Lubhurt explained that the establishment was very busy and in her haste, she neglected to card the underage drinkers. Mr. Beck testified that he is in the process of getting all of his staff TAM certified and that his wife is trying to become a TAM trainer. The Board determined that the establishment was culpable in the matter and fined them \$500.00
2. A hearing was held in the matter of Case 5786, the violation hearing of Melvin Higgs and Bryan Higgs, for a Class A – Beer and Wine License for the use of Half Pint, Inc., t/a Winfield Liquors, 1707 West Liberty Road, Westminster, MD 21157, in Election District 9. Melvin Higgs, Bryan Higgs and a clerk, Kimberly Watkins all appeared on behalf of the establishment. Mr. Higgs’ testified that Ms. Watkins was one of their best clerks and that she is very firm in not serving underage or impaired customers. Ms. Watkins testified that as soon as she made the sale she realized that she should have carded the underage customer, but was not feeling well that day and didn’t do it. Mr. Kaizer testified that in the last 14 compliance checks at this establishment, that 7 were failures. The Board found the establishment culpable in the matter and they imposed a fine of \$1,700.00.
3. A hearing was held in the matter of Case 5788, the violation hearing of Suresh Chokshi and Kaushik Talati, for a Class A – Beer, Wine and Liquor license for the use of Manchester Group, Inc., t/a Number One North, 3201 North Main Street, Manchester, MD 21102, in Election District 6. Suresh Chokshi and Kaushik Talati appeared on behalf of the establishment and Mr. Brooks Leahy appeared as counsel for the licensees. Mr. Kaushik testified that the clerk did not ask the underage buyer for ID and realized later that he should have. This same clerk has passed age compliance checks in the past. Mr. Brooks asked the Board to consider that the establishment had passed 3 out of 4 age compliance checks in recent months. The Board found the establishment culpable in this matter and they imposed a fine of \$500.00.
4. A hearing was held in the matter of Case 5789, the violation hearing of Wan Huan Huang Flynn for a Class B – Beer, Wine and Liquor license for the use of China Manor, Inc., t/a China Manor, 2315 Hanover Pike, Hampstead, MD 21074, in Election District 8. Guang Li

and Wan Huan Huang Flynn appeared on behalf of the establishment. Mr. Li testified that the server who had given the underage volunteer an alcoholic beverage had been terminated from the restaurant. The Board voted unanimously to find the establishment culpable in this matter and they imposed a fine of \$300.00.

5. The Board at this time before the next case, decided to go over the Business Meeting agenda items. Upon a motion by Mr. Tabler and seconded by Mr. Brauning, the Board voted unanimously to accept the minutes as presented for the November 12, 2014 meeting.
6. A letter from Greenmount Group t/a The Liquor Shoppe regarding expansion of the store and a change in floor plan was presented to the Board. After discussion and input by Mr. Kaizer and upon a motion by Mr. Tabler and seconded by Mr. Brauning, the Board voted unanimously to approve the expansion plans with the stipulation the Mr. Kaizer continue to monitor the store.
7. A letter from Texas Roadhouse with drawings of a change in their bar area and an explanation of the changes was presented to the Board. Upon a motion by Mr. Tabler and seconded by Mr. Brauning, the Board voted unanimously to accept and approve the changes as presented.
8. A hearing was held in the matter of Case 5790, the violation hearing of Alissa Illiano, for a Class B – Beer, Wine and Liquor License for the use of Illiano’s J & P Hampstead, Inc., t/a Illiano’s J & P – Hampstead, 903 S. Main Street, Hampstead, MD 21074, in Election District 8. Alissa Illiano, Augusto Illiano and Sonja Talbott appeared on behalf of the establishment. Ms. Talbott testified that she carded both underage volunteers and did not serve the one, but misread the birthdate on the other and served him by thinking he had turned 21. Mr. Illiano testified that he works very hard to make sure his employees do not serve underage drinkers and that his establishment is much more focused on selling food than alcohol. The Board voted unanimously to find the establishment culpable in this matter and they imposed a fine of \$300.00.
9. A hearing was held in the matter of Case 5791, the violation hearing of Eric Cellitto, for a Class A – Beer, Wine and Liquor license for the use of ECDC, Inc., t/a Main Street Liquors, 907 S. Main Street, Suite B, Hampstead, MD 21074, in Election District 8. Mr. Cellitto and Benjamin Long appeared on behalf of the establishment. Mr. Cellitto testified that he was both angry and embarrassed that this had happened in his store. He stated that the average age of his employees was probably 45 because he wanted older and more responsible clerks and he does not want underage citizens to feel comfortable in his establishment. This was the first time since he got his license that there had been a violation. Mr. Long had failed to card the underage volunteer and knew he should have. The Board voted to unanimously to find the establishment culpable in this matter and they imposed a fine of \$300.00.
10. A hearing was held in the matter of Case 5792, the violation hearing of Donna J. McGuire for a Class A – Beer, Wine and Liquor license for the use of Alikat, LLC, t/a J & G Liquors, 2025 Suffolk Road, Finksburg, MD 21048, in Election District 4. Brian McGuire and Donna McGuire appeared on behalf of the establishment. Mr. McGuire testified that the clerk did not read the ID correctly, but that his employees have passed other age compliance checks. The Board voted to unanimously to find the establishment culpable in this matter and they imposed

a fine of \$300.00.

11. A hearing was held in the matter of Case 5797, the application hearing for Jennifer Klevins for a Class B – Beer, Wine and Liquor license for the use of Conah’s Bar and Grille, Inc., t/a Conah’s Bar and Grille, 84 East Main Street, Westminster, MD 21157, in Election District 7. W. Bradley Bauhof, who is selling Sideways Café to Ms. Klevins for the purpose of her opening Conah’s Bar and Grille, appeared to help with the process of testifying before the Board on this matter. Ms. Klevins testified that she would be at the establishment all day, every day, and she and her husband, who would be helping, were both TAM certified. She also testified that the bar manager she has hired is TAM certified. Ms. Klevins also testified that the establishment will be open Tuesday through Sunday from 11:00 a.m. to midnight. The seating for patrons is fifty one. The current landlord has agreed to let Ms. Klevins use the remaining term of Mr. Bauhof’s lease. The Board asked questions regarding the fact that several agencies have not yet given their written approval for this establishment. The Board voted to unanimously to approve the application with the stipulations that all the required permits and approvals are received prior to the issuance of the license.
12. The Board opened discussion for comments regarding the proposed changes to the Rules and Regulations for Carroll County. After discussion, all the proposed changes were accepted with the exception of Rule 56, regarding consumption of alcohol while working. Mr. Dixon was tasked with investigating the law in this matter, and the attendees also would check with their associations and lobbyist about this proposed change and discussion would continue at the next meeting. Mr. Tabler also requested that the use of the word “will” in the rules and regulations be replaced with the word “shall”. Upon agreement by all present, the meeting was adjourned at 4:00 p.m.

Respectfully submitted by:

Jo Vance
Administrator Hearings Coordinator
Office of Administrative Hearings