

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

On February 11, 2015, 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 Meerdter, Chairman, Robert Tabler, and David Brauning were present as well as Assistant County Attorney Timothy Dixon, Counsel to the Board, Leslie Connolly sitting in for 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 **5803**, violation – sale to a minor, of Ranjit Chakkal for a Class A – Beer, Wine and Liquor license for the use of New Windsor Liquor and Deli, LLC, t/a New Windsor Liquor & Deli, 409 High Street, New Windsor, Maryland. Mr. Chakkal appeared, represented by his attorney Michael Ritchey on behalf of establishment. Mr. Chakkal testified that the liquor store is for sale and that he wants to retire due to various medical issues. The Board determined that the establishment was culpable in the matter and fined him \$900.00.
2. A hearing was held in the matter of Case **5804**, Application of Scott Ross to be the Resident Licensee on a Class BR – Beer, Wine and Liquor License, for the use of MGH group, LLC, t/a Oscar's Alehouse, 1438 Liberty Road, Eldersburg, Maryland in Election District 5. It was determined that the license is a BC license, not a BR license and the license would have to be changed. Greg Boyland testified that they would be substituting Scott Ross for Kristie Malloy. Jeffrey Slight and Denise Khouri were present on behalf of Mr. Ross. A motion was made and seconded and the Board voted unanimously to approve Mr. Ross to be the Resident Licensee.

At 11:08, this time the Board moved to the Business meeting portion of the day. Upon a motion by Mr. Tabler, seconded by Mr. Brauning, the Board voted unanimously to approve the minutes from the January 7, 2015 meeting.

Multiple outside permission requests from the United Coon Hunters Association were discussed. On a motion by Mr. Tabler and seconded by Mr. Brauning, the Board voted unanimously to approve the requests of the United Coon Hunters Association.

A letter from Integrate with request for permission for name change on existing liquor license for Fairhaven was reviewed. This request was approved by the Board.

A request from Rafael's dated February 6, 2015 requesting Board approval to extend their liquor license to their neighbor's parking lot at 30 West Main Street on May 9, 2015. After a lengthy discussion, the Board voted to allow an exception, but not extend the license to 30 West Main Street, Westminster. Mr. Brauning made a

motion to accept with the condition that Westminster City Police Department would be notified in advance and Mr. Tabler seconded with reservations. The Board voted unanimously to approve the request.

A letter from Edward Gilliss of Royston, Mueller, McLean & Reid, LLP with the request for Alexander Obriecht be excused from the upcoming March 11, 2015 Violation hearing. Mr. Brauning moved to excuse Mr. Obriecht from the hearing and Mr. Tabler seconded. The Board voted unanimously to approve the request.

A thank you card from Carol and Don Hammen and Ethel Valianti on behalf of their loved one, Romeo Valiant was reviewed and discussed.

A letter from the American Legion regarding dates for 2015 outdoor fund raisers was discussed. Chuck Kaizer stated that this was a normal request that came from the American Legion every year. Mr. Brauning moved to approve the request of the American Legion, Mr. Tabler seconded the motion and the Board voted unanimously to approve the request.

A letter from The Greene Turtle in Mt. Airy with attached floor plans was reviewed by the Board. The Greene Turtle would like to add a stairwell from the first floor to the basement. Mr. Brauning made a motion to accept the request and Mr. Tabler seconded. The Board voted unanimously to approve the request.

A discussion was held regarding Carol Mullen of the Carroll County Health Department request to pay for space in the Carroll County Times regarding upcoming alcohol violation hearings. A brief discussion was held and it was decided that the Health Department could publish the results of the hearings but not the upcoming violation hearings. Mr. Brauning made a motion to approve Ms. Mullen's request as amended to allow only the publishing of the results of hearings; Mr. Tabler seconded the motion and the Board voted unanimously to approve the request of Ms. Mullen.

A fax from Piper's Wine & Spirit Barn with attached bulletin from the Harford County Liquor Control Board was reviewed by the board. No action was taken.

At 11:35, the business portion of the hearing was suspended in order to hear case number **5805**.

3. A hearing was held in the matter of Case **5805**, violation – sale to a minor of Amit Patel, for a Class A – Beer, Wine and Liquor License for the use of Ashka, Inc. t/a Londontown Liquors, 1311 Londontown Boulevard, #220-225, Eldersburg, Maryland. Amit Patel appeared on behalf of the establishment. The server, Brianna Selleck did not appear. Mr. Patel stated that the policy is for the employee incurring the violation to pay the fine. Ms. Selleck has been a no-call/no-show since the date of the violation. The Board found the establishment culpable in this matter and they imposed a fine of \$1,000.00 with a warning that any future violations will result in a suspension of the license for a period of time.

4. A hearing was held in the matter of Case **5806**, violation – sale to a minor of Anthony Trombetta and Carol Ann Trombetta for a class B – Beer, Wine and Liquor License for the use of Harvest Inn, t/a Harvest Inn, 2007 Liberty Road, Sykesville, Maryland. Mr. Anthony Trombetta and Ms. Nancy Allen appeared on behalf of the establishment. The server, Ms. Allen stated that she had no reason why she went ahead and served the alcohol. She is not TAM certified. Mr. Trombetta stated that he was TAM certified. The Board suggested to Mr. Trombetta to TAM certify all his employees. The Board found the establishment culpable in this matter and imposed a fine of \$300.00, payable within 30 days.

5. A hearing was held in the matter of Case **5807**, violation – sale to a minor of Brett Koopman and Rosa Mikyung Park, for the use of B.H. Park, Inc., t/a Country Liquors, 531 Jermor Lane, Westminster, Maryland. Rosa MK Park, Joyce Garber appeared on behalf of the establishment with their counsel, Charles O. Fisher, Jr. The clerk, Ms. Garber asked for ID and a vertical license was produced. She stated that the license is vertical when it should be horizontal but we'll let it slide this one time. Ms. Garber has worked for the establishment for 30 years and has never had a violation. She is not TAM certified at this time. The Board found the establishment culpable in this matter and imposed a fine of \$300.00, payable within 30 days.

The Board then adjourned for lunch at 12:50 pm.

2:00 pm, the Board addressed the following official business:

6. Case No. **5808**, Application of Edward Gilliss to be added as a Licensee on a Class B – Beer, Wine and Liquor License, for the use of Ruby Tuesday, Inc., t/a Ruby Tuesday, 210 Malcolm Drive, Westminster, Maryland in Election District 7. Mr. Bob Baldini and Mr. Alex Obrecht appeared on behalf of Mr. Gilliss. The Board noted that Ruby Tuesday has an alcohol violation hearing scheduled for March 11, 2015. The Board voted unanimously to approve the change of Licensee.

At this time, the Board resumed the business portion of the hearing.

The issue of the letter from Integrate with request for permission for a name change on existing liquor license for Fairhaven. A motion was made to approve the change; it was seconded and the Board voted unanimously to approve the name change.

At this time, the Board went in to Executive Session for further discussion.

7. Case No. **5809**, Application of Gary Leister to be Resident Licensee for a Class A –

Beer, Wine and Liquor License for the use of Read's Inc., t/a Rite Aid Liquors, #7 Westminster Shopping Center, Westminster, Maryland in Election District 7. The current resident licensee moved out of the state of Maryland and is no longer qualified to serve as the resident agent. Gary Leister lives in Carroll County and is the store manager at Rite Aid in Finksburg. He has worked for Rite Aid since the 1980's. The Board was satisfied that he had an ownership interest in the company. He will not be working at the Westminster store but will be in the store to check on things. Sandy Boehm and Erin Leonard were in attendance on behalf of Mr. Leister and both testified as to the good character and the fact that Mr. Leister was a fit and proper person to be a Resident Licensee. The Board unanimously approved the application as presented.

8. Case No. **5811**, Application of Jignashaben S. Choksi to be Resident Licensee for a Class A – Beer, Wine and Liquor License for the use of Greenmount Group, Inc., t/a The Liquor Shoppe, 2775 Hanover Pike, Hampstead, Maryland in Election District 8. Ms. Choksi was present with her attorney, J. Brooks Leahy, Esq. Ruth Brinkman and Niraj Shah also appeared on behalf of Ms. Choksi. The current owner of the license, Mr. Desai is asking to be removed from the license. If the Board approves her application she would be buying his stock and would take over his ten percent share of the business. Ruth Brinkman and Niraj Shah testified for the applicant as to her good character and being a fit and proper person. The Board approved the application as presented.

A lengthy discussion following regarding Rule 56's suggested change regarding consumption of alcohol while working on a licensed premises. After input from the Carroll County Liquor Inspectors and the Howard County Liquor Inspector, the Board voted a motion by Mr. Brauning to accept the changes as presented. The motion was seconded by Mr. Tabler and the Board voted unanimously to accept the change as written.

The meeting adjourned at 4:30 p.m.

Respectfully submitted by:

Leslie Connolly for Jo Vance
Administrator Hearings Coordinator
Office of Administrative Hearings