

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

**On May 13, 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, Jo Vance, Administrative Hearings Coordinator, Charles Kaizer, Chief Liquor Inspector, Keith Benfer, Liquor Inspector, and Gail Kessler, Deputy County Attorney, Counsel to the Liquor Inspector.**

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

1. A hearing was held in the matter of Case **5839**, violation – sale to a minor by a Class B – Beer, Wine and Liquor license issued to Ivelin Kostadinov for the use of European Home Improvements, Inc., t/a Amante Pizza & Pasta, 21 Liberty Road, Sykesville, Maryland 21784. Testimony was given by Inspector Benfer that alcohol was sold to an underage volunteer by a server who did not ask for ID. The server stated at the time that he thought the volunteer was one of their regular customers. After testimony, the Board voted unanimously to find the establishment culpable in the matter and fined them \$300.00 for the first offense. After hearing the violation case the Board also spoke to Mr. Kostadinov about the eight DUI's reported in 2014 on people who stated they had been drinking at his establishment prior to their arrests. It was noted that only one DUI involving this establishment has been reported to date in 2015. The Board stressed to Mr. Kostadinov that he and his staff need to be very vigilant in not serving customers who are under the influence of alcohol.
2. A hearing was held in the matter of Case **5840**, violation – sale to a minor by a Class A – Beer, Wine and Liquor license issued to Ramandip Chahil for the use of MK Chahil, LLC, t/a Paddock Wine & Spirits, 7627 Woodbine Road, Woodbine, Maryland 21797. Testimony was given by Inspector Benfer that alcohol was sold to an underage volunteer by a server who did not ask for ID. The server stated at the time that he thought the volunteer was one of their regular customers. After testimony, the Board voted unanimously to find the establishment culpable in the matter and fined them \$300.00 for the first offense.
3. A hearing was held in the matter of Case **5820**, violation – sale to a minor by a Class BC - Beer, Wine and Liquor and Catering license issued to Richard C. Mollett and Dorothy T. Mollett for the use of Antrim 1844, Inc., t/a Antrim 1844, 30 Trevanion Road, Taneytown, Maryland 21787. Testimony was given by Inspector Benfer that alcohol was sold to an underage volunteer by a server who did not ask for ID. When questioned, the server did not really have an explanation as to why he did not ask for ID. Mr. Mollett testified that the person who sold the beer was not the regular bartender. After testimony, the Board voted unanimously to

find the establishment culpable in the matter and fined them \$300.00 for the first offense.

4. A hearing was held in the matter of Case **5842**, violation – operating on invalid license and false statement by a Class B – Beer, Wine and Liquor license issued to Bryan McCrory, Jeffrey Hoban, and Diana S. Stanley for the use of Brinker of Carroll County, Inc., t/a Chili’s Grill and Bar, 1312 Londontown Blvd., Eldersburg, MD 21784, in Election District 5. Gail Kessler presented the prosecution on behalf of the liquor inspector and presented evidence that Chili’s Grill and Bar was in violation of Rule 59, Rule 32 and Rule 13. Edward Gilliss represented Chili’s Grill and Bar. He testified that Chili’s was not aware that Diana Stanley had moved out of Carroll County until December 18, 2014. At that time Chili’s started the process to get a new Resident Licensee, however they did not inform the Liquor Board of this occurrence. Diana Stanley testified that she informed the previous attorney for Chili’s, Charles Brooks, in October of 2013 that she had moved out of Carroll County and needed to be removed from the license. Mr. Gilliss explained to the Board that between the documents needing to be sent to Ms. Stanley and to Texas for signatures and then a back injury and surgery of the attorney handling the application for the new licensee, that they were not able to turn in the application in a more timely fashion. After all testimony and closing statements were given, the Board adjourned to seek the advice of counsel. The Board found that Chili’s was culpable of violating rules 13, 32, and 59, and that they were to be fined \$1,000.00 for each violation for a total of \$3,000.00 in fines.
  
5. A hearing was held in the matter of Case **5850**, an application by Laura Brewer, E. Denise Moore and Bryan McCrory for a Class B – Beer, Wine & Liquor license for the use of Brinker of Carroll County, Inc., t/a Chili’s Grill and Bar, 1312 Londontown Blvd., Eldersburg, MD 21784, in Election District 5. Mr. Gilliss presented the case for adding Laura Brewer and Denise Moore to the license for Chili’s with Ms. Brewer being the Resident Licensee. After testimony was given and character witnesses were heard, the Board voted unanimously to approve the application contingent on Ms. Brewer meeting all the shift managers at Chili’s and making herself known to them as the Resident Licensee.

The Board then adjourned for a break at 1:40 p.m.

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

6. A hearing was held in the matter of Case **5851**, an application by Miia Ryan Illiano and Robert J. Barry, Jr. for the transfer of a Class B – Beer, Wine and Liquor license for the use of GT Mt. Airy, LLC, t/a The Green Turtle, 1604 Ridgeside Drive, Mt. Airy, MD 21771, in Election District 13. David Mister was there as counsel for Robert J. Barry, Jr. for Greene Turtle Franchise Company. There was a letter and legal package received by the Board that involved a lawsuit filed against Frank Illiano with a large judgment amount that was brought up at the hearing. Also, it was noted that the County Collections Office and the State Comptroller

both had holds on the license for non-payment of taxes. Mr. Illiano testified that the County taxes had been paid, and David Mister testified that the first proceeds of the settlement would be going toward paying the State taxes. There was some discussion about the judgment against Mr. Illiano and the holds on the license. David Mister insisted that the judgment was not against Mt. Airy Greene Turtle, LLC and therefore did not have any impact on the transaction before the Board. Mr. Barry testified that he's been involved since 2007 in franchise operations of Greene Turtle restaurants and that the Mt. Airy establishment will become a company store. After all testimony was given the Board voted unanimously to approve the transfer contingent on the State and County holds being lifted, and on Attorney Mister providing the Board with a copy of the appeal of the judgment by Mr. Illiano.

7. A hearing was held in the matter of Case No. **5844**, violation – sale to a minor of a Class BW- 7 Day, Beer and Wine license issued to Stacey Hurley for the use of Hurley Enterprises, LLC, t/a Cryin' Johnnie's, 235 S. Main Street, Mt. Airy, MD 21771. Inspector Benfer testified that an underage volunteer entered with the intent to purchase alcohol. The server who waited on the volunteer did not ask for ID and served him. The server was not TAM certified at the time, but has been since. She was also suspended for a time period. The Board found the establishment culpable in this matter and imposed a fine of \$300.00.
8. A hearing was held in the matter of Case No. **5845**, violation – sale to a minor of a Class B – Beer, Wine and Liquor license issued to David Scranton and Jay Laurienzo for the use of Laurienzo Restaurant Enterprise, Inc., t/a Laurienzo Brick Over Café, 114 S. Main Street, Mt. Airy, MD 21771. Inspector Benfer testified that an underage volunteer entered the establishment and ordered a beer. The server carded him but still served him the beverage. As Inspector Benfer was entering the establishment, the server had come back to recheck the ID and was trying to remove the beer because he belatedly realized the volunteer was a minor. The Board found the establishment culpable in this matter and imposed a fine of \$300.00 but suspended \$100.00 of that fine, leaving a fine of \$200.00.

Throughout the day, the Board made decisions on Business Meeting matters in between the hearings on specific cases. The decisions made on these matters are as follows:

9. On a motion made by Robert Tabler and seconded by Dave Brauning, the Board voted unanimously to approve the minutes of the April 8, 2015 meeting as presented.
10. There were some conflicts with future meeting dates so the Board approved unanimously to change the following meetings to the first Wednesday of the month in November, 2015, April 2016 and May 2016. The new meeting dates will be November 4, 2015, April 6, 2016 and May 4, 2016.
11. The Board received a letter from Benny Kirkner asking for clarification on wine

tasting procedures. The decision was to send the information on the email that Roland had sent out about this issue and to let them know that the Board's decision on Rule 56 will stand until the law is changed. It was suggested that the letter also recommend that the retailers contact the Legislature about changing the law.

12. The Board approved a letter from Cryin' Johnnie's informing them of the extension of their hours of operation.
13. The Board approved a letter from the Sykesville American Legion post informing them of the extension of their operating hours.
14. The Board approved the list of outdoor events that was received from the Taneytown VFW to be held in their pavilion.
15. The Board approved the list of outdoor events that was received from the Hampstead American Legion to be held in their pavilion.
16. The Board approved the list of outdoor events that was received from the Westminster VFW Post 467 to be held in their pavilion.
17. The Board accepted a letter from The Whiskey Basket informing them that they would be closed for medical reasons from 5/5/15 through 5/18/15. The Board recommended that the liquor inspectors try to work with this establishment, but that eventually some action may need to be taken regarding their not being open the required number of hours.
18. The Board approved a request from Rafael's to hold a charitable event on their deck on 9/13/15 to benefit the March of Dimes. The stipulation was that a letter be sent to the Westminster City Police Department notifying them of this event.
19. The Board approved a request from Conah's Bar and Grille to hold a charitable event on their back parking lot to benefit Relay for Life on June 27, 2015. The stipulation was that a letter be sent to the Westminster City Police Department notifying them of this event.
20. The owner and licensee of the Winfield Inn appeared before the Board to discuss the three reports of DUI's of people who reported drinking at their establishment before being stopped. Peggy Olson testified that one of the individual's arrested was not coming from her establishment but was coming from Woodbine Inn, so there were actually only two valid reports on her establishment.
21. The Board met with members of the United Coon Hunters Association who were requesting that their members be allowed to bring alcohol to the club on the days that they were not open to sell alcohol. After discussion, the Board allowed that they could have BYOB events at the Club on Sundays since their liquor license was only a six-day license. The Board recommended that they try this for a time and

then if they want they can come before the Board again to review their request.

The meeting adjourned at 4:20 p.m.

Respectfully submitted by:

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Jo Vance  
Administrator Hearings Coordinator  
Office of Administrative Hearings