

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

On September 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, Deputy County Attorney Gail Kessler, Counsel to the Inspectors, Jo Vance, Administrative Hearings Coordinator, Charles Kaizer, Senior 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 5864**, violation – sale to a minor by a Class C – Beer, Wine and Liquor license issued to Leland Snyder, Glenn Hollman and Linda Hollman for the use of Oakmont Green, Inc., t/a Oakmont Green Golf Course, 2290 Golf View Lane, Hampstead, Maryland 21074. Charles Hollman, Esq., represented the establishment while Gail Kessler represented the liquor inspector, Keith Benfer. Ms. Kessler presented the prosecution’s case by taking testimony from the underage buyer and Inspector Benfer to the effect that the buyer had gone into the club, ordered a can of beer, been served the beer and paid for it. Mr. Hollman cross-examined them, and then made a motion that the Board dismiss the case because he alleged that the underage buyer never took possession of the beer and that a sale had not been made. The Board denied his motion. He then took testimony from Clay Craft, general manager for the golf course. He testified that it was not customary for people to come to the clubhouse to consume alcohol. He also testified that the club policy is to card anyone who looks under thirty years old. He testified that Mr. Hepler, the server on this occasion, had never been TAM certified in the thirteen years he has worked for the club. Only Mr. Craft and the bar manager were TAM certified. Mr. Hepler has since been TAM certified and the remainder of the staff will be TAM certified this winter. Mr. Hepler was then called to testify. He stated that the underage buyer appeared to be thirty to him because she resembled his thirty-year-old daughter. Mr. Snyder, one of the owners of the course, testified that it was common to have 300 people a day on their course and that the majority of them were over twenty-one years of age. The Board adjourned to seek the advice of counsel, and upon their return they found the Club culpable in selling to a minor and fined them \$300.00.

2. A hearing was held in the matter of **Case 5876**, violation – sale to a minor by a Class A – Beer, Wine and Liquor license issued to Roxanne Burrier for the use of Village Store, t/a The Village Store, 7566 Middleburg Road, Detour, Maryland 21757. Inspector Benfer testified that the clerk, Deborah Hembry, asked for ID but still sold the alcohol to the underage buyer. Ms. Burrier testified that it was the first Friday night that Ms. Hembry had worked there without Ms. Burrier being present and that it was a mistake because of lack of experience and they were very busy. 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 5874**, violation of Rule 24 - by a Class D – Beer and Wine license issued to Karen J. Knoch for the use of Linens and Lace Tea Room, t/a Linens and Lace Tearoom, 1222 N. Main Street, P.O. Box 684, Hampstead, Maryland 21074. Inspector Kaizer testified that he entered the establishment on July 10, 2015 at approximately 1:00 p.m. for a routine inspection and found Natalie Gordon to be the only person in the establishment. Upon questioning, she told the inspector that she was nineteen years of age and had been there by herself on July 8th and 9th, but that she had not served any alcohol since she had been left in charge. Ms. Knoch testified that she did not intentionally violate Rule 24, but thought that as long as Ms. Gordon didn't serve alcohol that it was fine for her to be in charge of the establishment. After testimony, the Board found Ms. Knoch culpable in the matter and fined her \$300.00 but suspended \$100.00 for a fine due of \$200.00.
4. A hearing was held in the matter of **Case 5878**, the application of Dolores Mae Erskine, Sevara Sinanian and Norik Sinanian for a new Class B – Beer and Wine Seven (7) Day Liquor license for the use of Sinan Group, L.L.C., t/a Nora's Kabob, 6300 Georgetown Blvd., Eldersburg, Maryland 21784. Martin Johnson testified on behalf the applicants, explaining that he has known everyone involved for many years, that he helped the Sinanian's find Ms. Erskine to be their Resident Agent, and that he had put together policies and procedures for the employees of the establishment. He testified that vertical licenses will not be accepted at all at the establishment. Ms. Erskine is a nurse at St. Joseph's Hospital and works only three nights a week. She stated that she will be checking in at the restaurant on a regular basis with and without Mr. Johnson. The Board questioned Mr. Sevara Sinanian's driving record, but he testified that he had gotten better about not speeding. He stated that he would be the main operator/manager of the establishment but that his wife and father will also be at the location from time to time. The restaurant opened on June 3, 2015 and has fourteen employees. Accommodation witnesses then testified as to the need for the alcohol license at this location, and then character witnesses testified as to the fit and proper character of the licensees. Upon a motion made by Mr. Tabler and seconded by Mr. Brauning, the Board voted unanimously to approve this license.

AT THIS TIME, THE BOARD ADJOURNED FOR A LUNCH BREAK

5. A hearing was held in the matter of **Case 5879**, 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 and Pasta, 21 Liberty Road, Sykesville, Maryland 21784. Testimony was given by Inspector Benfer that alcohol was sold to an underage volunteer by a bartender who did not ask for ID. The server stated that he thought the volunteer looked familiar. The bartender was suspended without pay for one week and will be taking a TAM class again, even though he was already TAM certified. After testimony, the Board voted unanimously to find the establishment culpable in the matter and fined them \$600.00 for the second offense.

6. A hearing was held in the matter of **Case 5881**, violation – sale to a minor by a Class B – Beer, Wine and Liquor license issued to Robert Garner, Richard Danker and Michele Knorr for the use of Glory Days Grill of Eldersburg, LLC, t/a Glory Days Grill, 1348 Liberty Road, Eldersburg, Maryland 21784. Testimony was given by Inspector Benfer that alcohol was sold to an underage volunteer by a bartender who did not ask for ID. The server stated that she thought the volunteer looked familiar. The bartender, Nicole Bruce, had been with them for nine years and is a valued employee. She was suspended for fifteen days without pay, and all employees went back through their training materials after the incident and all were TIPS trained again. Ms. Bruce will also be part of a training video about underage drinking and new signage has been posted in the establishment. After testimony, the Board voted unanimously to find the establishment culpable in the matter and fined them \$300.00 for the first offense.
7. A hearing was held in the matter of **Case 5882**, violation – sale to a minor by a Class A – Beer, Wine and Liquor license issued to Amit Patel for the use of Ashka, Inc., t/a Londontown Liquors, 1311 Londontown Blvd., #220-225, Eldersburg, Maryland 21784. Testimony was given by Inspector Benfer that alcohol was sold to an underage volunteer by a clerk who did not ask for ID. The clerk stated that he thought the volunteer looked over twenty-one. The clerk was not polite or cooperative during this incident. Mike Ritchey, Esq., for the establishment stated that Mr. Patel's policy is to have all employees TAM certified, and that all clerks who have failed an age compliance check have been terminated. Mr. Patel also has signage right by the registers. Mr. Patel or his wife are usually in the store, but each time an incident has occurred, they have not been there. After testimony, the Board voted unanimously to find the establishment culpable in the matter and fined them \$1,200.00 for the third offense.
8. A hearing was held in the matter of **Case 5883**, the application of Peter Truby to change the corporate name of the establishment from Salazon Chocolate, LLC to Market Tavern, LLC, t/a Market Tavern, 7556 Main Street, Sykesville, Maryland 21784 in Election District 5. Mr. Truby was unable to attend the hearing because of travel issues and Jennifer Truby, his wife, attended in his stead. Mrs. Truby testified that the Salazon Chocolate Company has become a larger and separate enterprise, so they are trying to separate the two companies by making the new entity, Market Tavern, LLC. After testimony and review of the file, the Board voted unanimously to approve the application.
9. Upon a motion by Mr. Tabler, and seconded by Mr. Brauning, the minutes of the August 12, 2015 meeting were approved upon a unanimous vote by the Board.
10. A letter and sketch from the Mt. Airy Inn requesting permission to hold an outdoor event on October 3, 2015. Inspector Kaizer informed the Board that he had reviewed the request, and that this is an annual event for this establishment and that he saw no

issues with the event. The Board voted unanimously to approve the request.

11. Mr. Brauning requested an update on the status of BJ's Liquors in Mt. Airy. Inspector Kaizer reported that Frank Illiano is helping Mr. Dougherty find a new retail space and that they have located a space but are trying to get in contact with the owners of that property.
12. A letter from Eric Cellitto of Main Street Liquors in Hampstead was sent to the Board regarding concerns about Class D licenses. Mr. Cellitto, Pete Samios and Darren Barnes were in attendance for the discussion of this matter. Mr. Cellitto is concerned that if thirty Class D licenses were granted by the Board that it would infringe upon the profits of Class A establishments. He was requesting that there be tighter restrictions on Class D licenses. The Board asked that these gentlemen present their suggestions to the Board in writing and they would be taken under advisement.

The meeting adjourned at 4:05 p.m.

Respectfully submitted by:

Jo Vance
Administrator Hearings Coordinator
Office of Administrative Hearings