

**THE ALCOHOL BEVERAGE BOARD
THURSDAY, NOVEMBER 10, 2011 @ 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, November 10 2011 at 1:00 P. M. in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Moses Saldaña, Chairman **ABSENT**

William R. Cullins III, Vice-Chairman

Betty Currie, Member

Linda Palchinsky, Member

Joann Wood, Attorney

Tamara Hildebrand, Board Administrator

Tommy Thompson, Inspector

DFC James Stone, Alcohol Enforcement Officer **ABSENT**

Vice Chairman Cullins called the meeting to order. Member Palchinsky moved to approve the minutes of October 13 and it was seconded by Member Currie. Motion carried.

Violations:

- Heavy Hitters Bar & Grill

Glenn E. Buckler, Sr. & Daniel Guenther appeared before the Board. Ms. Wood read into the record the facts of the case from the report from the Comptroller's Office. Mr. Buckler agreed that the facts read were accurate but he denies the violations for which he was before the board. The facts, as read, became the basis of the board's decisions.

Member Currie made the motion that Mr. Buckler was in violation of the commission of the acts on licensed premises contrary to State law in violation of Section 12-113 of Article 2B of the Annotated Code of Maryland and Section 5.04(f) of the Rules & Regulations of the Alcohol Beverage Board of St. Mary's County for reusing or refilling a bottle or container of alcoholic beverages and/or for diluting or fortifying the contents of such bottle or containers. Member Palchinsky seconded the motion. Motion carried.

Member Currie made the motion that Mr. Buckler was in violation of the commission of acts on licensed premises contrary to State law in violation of Section 2-101(f) of Article 2B of the Annotated Code of Maryland for the possession and transfer of alcohol without a bulk transfer permit. Member Palchinsky seconded the motion. Motion carried.

Member Currie made the motion that Mr. Buckler was in violation of the commission of acts on licensed premises contrary to Section 5.04(n) of the Rules & Regulations of the Alcohol Beverage Board of St. Mary's County for storing alcoholic beverages not covered by the license issued by this board. Member Palchinsky seconded the motion. Motion carried.

For the penalty phase, on the first violation Member Currie moved for a penalty of a \$500 fine payable within 10 days. The motion was seconded by Member Palchinsky. The motion carried.

On the second violation, Member Currie moved for a penalty of a \$500 fine payable within 10 days and forfeiture of the alcohol seized, said alcohol to be forfeited to the Comptroller's Office. The motion was seconded by Member Palchinsky. The motion carried.

On the third violation, Member Currie moved for a penalty of a \$500 fine payable within 10 days. The motion was seconded by Member Palchinsky. The motion carried.

Applications:

- St. Inigoes General Store
 - Conditional application of Nora A. Wichrowski to purchase a Class A-1, Beer, Wine & Liquor License & t/a St. Inigoes General Store (The Flying Loon Restaurant, LLC), 15094 Point Lookout Rd., St. Inigoes, MD 20684
- After discussion, Member Currie made the motion to grant 90 day conditional approval, pending receipt of all the permits. Member Palchinsky seconded and motion carried.

- Laurel Grove Station
 - Application of Donald E. Smolinski, Mary R. Smolinski & Thomas W. Lambert Jr. to purchase a Class B (Restaurant) Beer & Wine License & t/a Laurel Grove Station (235 Properties, LLC), 26945 Three Notch Rd., Mechanicsville, MD 20659.
After discussion, Member Curried made the motion to grant Class B License to the applicants. Member Palchinsky seconded the motion and motion carried.
- Lynn's Café
 - Application of Dennis P. Brady, Sr. & Cecelia L. Brady to purchase a Class B (Restaurant) Beer, Wine & Liquor License & t/a Lynn's Café (Jett B's, LLC), 26005 Point Lookout Rd., Leonardtown, MD 20650.
After discussion, Member Currie made the motion to approve the purchase of a Class B License. Member Palchinsky seconded and the motion carried.

Other Business:

- Board Administrator – Tammy Hildebrand
The FY 2013 Budget proceedings have begun. Tammy will keep the Board informed of changes. Several inquiries have been made regarding signage for the Early Bird. They were taken down due to Zoning regulations, not the Alcohol License Board. The SHA has also implemented signage regulations in the County. Aaron Mathis will be the new Board Member replacing Mr. Sacks and he will be starting next month.
- Board Inspector – Tommy Thompson
Mr. Thompson has done 232 inspections so far this year, 20 since the last meeting.
- Retail Beverage Association
Mr. Dent mentioned that the Topsy Taxi Grant has been approved and Tammy said that she has printed the cards and a flyer.
Member Palchinsky moved to adjourn the meeting, seconded by Member Currie and motion carried.

Respectfully submitted

Fran Hammett
Recording Secretary

William R. Cullins III
Vice Chairman