

**ALCOHOL BEVERAGE BOARD
THURSDAY, JULY 14, 2022 @ 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, July 14, 2022, at 1:00 PM in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Chairman David Willenborg called the meeting to order at 1:00 pm.

ROLL CALL

Present:

Chairman David Willenborg
Vice-Chair Richard Watts- Absent
Member Leonard Kohl
Member Richard Shin
Member Barbara Hill
Tamara Hildebrand, Administrator
Chris Beaver, Attorney
Suzan Dean, Recording Secretary
Kevin Hall, Inspector
Steve Myers, Alcohol Enforcement Coordinator

APPROVAL OF THE AGENDA

Member Kohl moved to amend the agenda for July 14, 2022 for withdrawal of Opie & KD's Dockside Grill request for premise change. Motion was seconded by Member Shin. Motion carried.

APPROVAL OF MEETING MINUTES – June 9, 2022

Member Hill moved to approve the minutes for the June 9, 2022 meeting. Motion was seconded by Member Shin. Motion carried.

NEW BUSINESS

- **Applications**

Morris Point Restaurant - Application of Amanda Earley and Megan Bell to transfer Morris Point Restaurant (Morris Point Enterprises, Inc.) Class B (Restaurant) BWL on sale only license from Christopher Soussanin and Debra A. Soussanin and t/a Morris Point Restaurant (Morris Point Enterprises, Inc.), 38869 Morris Point Rd., Abell, MD 20606. And permission for extension of premise for deck, pier and tented area, and outdoor storage unit.

Amanda Earley and Megan Bell appeared before the Board and were sworn in. Member Kohl made a motion for a 90-day conditional approval pending the Trader's license, Use and Occupancy and closing of sale of the business. The motion was seconded by Member Shin. Motion carried.

Above Par Golf & Entertainment - Application for Ryan Goldsborough to purchase a Class D-BWL license and t/a Above Par Golf & Entertainment (Above Par Golf, LLC), 26288 Point Lookout Rd., Leonardtown, MD 20650.

Ryan Goldsborough appeared before the Board and was sworn in. Mr. Goldsborough assured the Board that alcohol was incidental to the golfing experience at Above Par. Only canned mixed drinks, beer and small servings of wine will be served. Member Kohl made the motion for the approval of the application. The motion was seconded by Member Hill. Motion carried.

Sunset Cove II - Application for Patrick Shawn Craig to purchase a Class B (Restaurant) BWL license and t/a Sunset Cove II (Sunset Cove II, LLC), 16244 Millers Wharf Rd., Ridge, MD 20680. And permission for extension of premises for deck, grassy area to water and extra serving counter for tiki bar.

Patrick Craig appeared before the Board and was sworn in. Attorney Phil Dorsey was present to represent Mr. Craig. Mr. Dorsey presented a map of the property that was slightly different than what was originally submitted but was told that they would have to request the changes at another time, as they could not change the submitted application at this time. Member Kohl made a motion for a 90-day conditional approval pending the Trader's license, Use and Occupancy, Health Department, Fire Marshal and fencing of the entire extension of premise of extra service area. The motion was seconded by Member Shin. Motion carried.

- **Premise changes:**

Breton Bay Golf & Country Club – Kevin McCleaf, William Phillips, and Richard Pace - Requesting extension of premises to include pool and tennis court areas.

William Phillips, Richard Pace and JoAnn Wood appeared before the Board and were sworn. JoAnn Wood was there to represent Breton Bay Golf and Country Club as well as Mr. McCleaf who was out-of-town. Member Kohl made the motion for the approval of the premise change. The motion was seconded by Member Hill. Motion carried.

- **Violations**

DJ's One Stop Shop - Employee: Steven Roger Murphy

The above individual, Steven Roger Murphy, was an employee of a license holder and sold or provided alcoholic beverages to an individual under the age of twenty-one years in violation of §6-304 of the Alcoholic Beverages Article of the Annotated Code of Maryland and §5.04(j) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Steven Murphy appeared before the Board and was sworn in. Mr. Murphy stated the violation did occur. Member Shin made a motion for a \$250.00 fine. Motion was seconded by Member Kohl. Motion carried.

DJ's One Stop Shop Licensee(s): Manmohan S. Malhi and Amar S. Malhi
Sale of alcoholic beverages to a person under the age of twenty-one (21) in violation of §6-304 of the Alcoholic Beverages Article of the Annotated Code of Maryland and §5.04(j) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Manmohan Malhi and Amar Malhi appeared before the Board and were sworn in. Mr. Manmohan Malhi stated that the violation did occur. Member Shin made a motion for a \$1000.00 fine, \$250.00 held in abeyance for 3 years and RAST training. Motion was seconded by Member Kohl. Motion carried.

International Beverages, Deli and Cadillac Jacks - Employee: Jeffrey R. Baumbach
The above individual, Jeffrey R. Baumbach, was an employee of a license holder and sold or provided alcoholic beverages to an individual under the age of twenty-one years in violation of §6-304 of the Alcoholic Beverages Article of the Annotated Code of Maryland and §5.04(j) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Jeffrey Baumbach appeared before the Board and was sworn in. Mr. Baumbach stated the violation did occur. Member Shin made a motion for a \$25.00 fine. Motion was seconded by Member Kohl. Vote was split Members Shin and Kohl for; Chairman Willenborg and Member Hill against. Motion failed. Member Hill made a motion for a \$100.00 fine. Motion was seconded by Member Kohl. Vote was 3:1 Member Shin against. Motion carried.

International Beverages, Deli and Cadillac Jacks - Licensee: Paul Choporis
Sale of alcoholic beverages to a person under the age of twenty-one (21) in violation of §6-304 of the Alcoholic Beverages Article of the Annotated Code of Maryland and §5.04(j) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Paul Choporis appeared before the Board and was sworn in. Mr. Choporis stated the violation did occur. Member Kohl recused himself due to his relationship with Mr. Choporis. Member Shin made a motion for a \$1000.00 fine, \$500.00 held in abeyance for 3 years. Motion was seconded by Member Hill. Motion carried.

County Liquors – Dung Duc Nguyen and Phuongnam Thi Nguyen
Sale of alcoholic beverages to a person under the age of twenty-one (21) in violation of §6-304 of the Alcoholic Beverages Article of the Annotated Code of Maryland and §5.04(j) of the Rules and Regulations of the Alcohol Beverage Board of St. Mary's County.

Dung Duc Nguyen, licensee, and Phuongnam Thi Nguyen appeared before the Board and were sworn in. Mr. Nguyen stated the violation did occur. Mrs. Nguyen made the sale of the violation. Member Shin made a motion for a \$1000.00 fine, \$500.00 held in abeyance for 3 years. Motion was seconded by Member Hill. Motion carried.

- **Officer / Member Change**

Antoinette's Garden: Removing Johnathan Alan Boss; adding Joan Belinda Padgett

Member Kohl made the motion for the approval of the officer change. The motion was seconded by Member Hill. Motion carried.

BOARD ADMINISTRATOR'S REPORT

Mrs. Hildebrand stated that all the back log of RAST participants due to COVID are now caught up. The training tables came in and Dep. Myers and Inspector Hall have put them together to have a functioning training room now. Mrs. Hildebrand had spoken with Procurement on the status of ordering the Inspector vehicle and was told that due to supply shortages, no orders could be put in. She was told to check back in the fall to see if see if that status had changed.

ALCOHOL ENFORCEMENT COORDINATOR REPORT

For the month of June, Deputy Myers reported:

- 18 Compliance checks / NO Violations
- 6 DUI's
- 9 MSP DUI'S
- stationary surveillance- no violations
- State Park surveillance- no violations

Next Compliance checks will be looking mainly at restaurants.

BOARD INSPECTOR REPORT

For the Month of June Kevin Hall reported:

- 16 inspections
- RAST training

COMMUNITY ALCOHOL COALITION

Chris Shea stated that the CAC had been out to visit the Northern area of the County retailers. (2) Sub-Committees have been created to help retailers:

- College
- Retailers

Joe Kurley of the Rex is the new President of the St. Mary's County Licensed Beverage Association.

BOARD MEMBERS TIME

Mrs. Hildebrand asked Chairman Willenborg whether he wanted to form a committee to discuss the penalty matrix. The Chairman was interested in forming a sub-committee with two (2) members from the Board, someone from the SMCLBA and someone from the CAC.

ADJOURNMENT

Member Hill made a motion to adjourn at 2:45 pm. Motion was seconded by Member Shin. Motion carried

Respectfully submitted,

Suzan Dean, Recording Secretary

David Willenborg, Chair