

**THE ALCOHOL BEVERAGE BOARD
THURSDAY, JULY 12, 2012 @ 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 17, 2012 at 1:00 P. M. in the County Commissioners Conference Room, Chesapeake Building, Leonardtown, Maryland.

Moses Saldaña, Chairman
William R. Cullins III, Vice-Chairman
Aaron Mathis, Member (*ABSENT*)
Betty Currie, Member
Linda Palchinsky, Member
Joann Wood, Attorney
Tamara Hildebrand, Board Administrator
Chris Morley, Inspector (*ABSENT*)
DFC James Stone, Alcohol Enforcement Officer

Chairman Saldaña called the meeting to order. The Board was introduced to the audience. Member Currie moved to approve the minutes of June 14, 2012. It was seconded by Member Palchinsky. Motion carried.

New Business

• **Violations:**

Loveville Tavern – Christina Ward & Joseph Husick Jr.

- Having patrons on the premises in excess of the capacity established by the State Fire Marshal's Office in violation of §3.02 & 4.03 of the Rules & Regulations of the Alcohol Beverage Board of St. Mary's County.
- Consumption of alcoholic beverages outside the licensed premises (in the parking lot) in violation of the County Ordinance, §190-2 & in violation of §2.01(g), 2.13 & 5.04(k) of the Rules & Regulations of the Alcohol Beverage Board of St. Mary's County.
- Conduct contrary to the peace & safety of the community in violation of §10-401(a)(2) of Article 2B of the Annotated Code of Maryland & §5.01 of the Rules & Regulations of the Alcohol Beverage Board of St. Mary's County by way of disorderly crowd & physical altercation; licensee was unable to control the crowd in the premises & in the parking lot with the security/staff on site.

The license holders appeared before the Board, and stated that they feel the violations did not occur. DFC Stone and Cpl Moritz were sworn in to give their testimony. They were questioned by the Board Attorney, Joann Wood and then by the licensees as to the events of the night in question. The license holders then gave their testimony regarding that night.

For violation #1, Member Currie made the motion that based on the facts presented, the violation did in fact occur. Vice Chairman Cullins seconded and the motion carried.

For violation #2, Member Palchinsky made the motion that based on the facts presented, the violation did in fact occur. It was seconded by Member Currie. Motion carried.

For violation #3, Vice Chairman Cullins made the motion that based on the facts presented, the violation did in fact occur. It was seconded by Member Currie. Motion carried.

For the penalty phase, for the first violation, Member Currie made the motion to fine the license holders \$500. Member Palchinsky seconded. Chairman Saldaña and Vice Chairman Cullins voted nay as Member Currie and Member Palchinsky voted yay. Vice Chairman Cullins made a motion to fine the license holders \$250. Member Currie and Member Palchinsky voted nay to that motion. Member Currie made the motion to fine them \$400. Vice Chairman Cullins seconded and that motion carried. For the second violation, Vice Chairman Cullins made the motion to fine the license holders \$500. Member Currie seconded and the motion carried. For the third violation, Member Palchinsky made the motion to fine the license holders \$1000. Member Currie seconded and the motion carried with Chairman Saldaña voting nay.

- **Corkage Applications:**

- Lenny's – Daniel Rebarchick

- Mr. Rebarchick appeared before the Board requesting approval of his corkage application. Chairman Saldaña questioned the license holder extensively to make sure he understood what was expected of this new privilege. Mr. Rebarchick acknowledged that he understood that it was only for wine that was not already on his wine list. Vice Chairman Cullins made the motion to grant approval of the request. Member Currie seconded and the motion carried.

- DB McMillan's – Dana & Robyn Rebarchick

- Dana Rebarchick appeared before the Board requesting approval of her corkage application. She was also questioned to make sure she understood the rules of this new privilege. Member Currie made the motion to grant approval of the request. Member Palchinsky seconded and the motion carried.

- **Officer/Member/Trade Name changes:**

- Dennis Point Marina & Waterman's Creekside

- Deleting Jennifer Houck & Melissa Seigman & adding James Godey Jr.

- Vice Chairman Cullins made the motion to approve the changes and it was seconded by Member Currie. Motion carried.

Other Business:

- Board Administrator – Tammy Hildebrand

- Ms. Hildebrand stated that Mr. Morley turned in his resignation as he has found another job. Since the interviews were just conducted recently, the second choice of the Board is still interested in the position. Vice Chairman Cullins made the motion to approve the appointment of Garland Thompson as the new Inspector. It was seconded by Member Currie. Motion carried.

- Alcohol Enforcement Coordinator – DFC James Stone

- DFC Stone stated that there were 17 DUI's in June, 2 were for under 18 and 2 were for age 18-21. He also participated in the Community Alcohol Coalition on June 26 where they discussed underage drinking and false ID trends.

- Retail Beverage Association

David Dent appeared before the Board. He also attended the Community Alcohol Coalition and found it very informative. Jackie Shaw, one of the presenters will attend the next RBA meeting to help license holders check and reduce underage drinking.

Member Palchinsky made the motion to adjourn the meeting and it was seconded by Member Currie. Motion carried.

Respectfully submitted

Fran Hammett
Recording Secretary

Moses Saldaña
Chair