

LIQUOR CONTROL BOARD FOR HARFORD COUNTY, MARYLAND
16 North Main Street, Bel Air, MD 21014

BOARD MEETING MINUTES
October 09, 2019

CALL MEETING TO ORDER

Meeting was called to order by Chair Davis Kohl. Vice Chair Tilley and Commissioners Welch, Merchant, and Majewski were in attendance along with Board Counsel Amy K. Finneran and General Manager Scott Baker.

ACCOUNTS PAYABLE

Harford Bank	Withholding	2559.74
Comptroller of Maryland	Withholding	808.97
Payroll Account	Payroll	8150.89
It's PayDay, LLC	Accounting	71.60
State Retirement & Pension System	Retirement	719.64
Malissa Roche	Maintenance	60.00
Kopin LLC	Rent	2539.00
Amy Finneran	Legal	1942.50
Scott Baker	Reimbursement travel	101.50
Crystal Springs	Supplies	23.54
Kelly & Associates	Insurance	2623.22
Metro Data	Maintenance	664.00
The Aegis	Prof. books	36.00
Viabit LLC	Maintenance	180.00

AUDIT PRESENTATION

Karen Dojan and Greg Scherer of accounting firm Weyrich Cronin & Sorra presented the annual financial audit for fiscal year ending 04/30/2019, and expressed an unmodified opinion on the financial statements. Ms. Dojan indicated that this is typically known as a clean audit opinion, and it's the highest level of assurance that an accounting firm can provide.

PERSONS SCHEDULED TO APPEAR BEFORE THE BOARD

1) First-Time Applicants – Aberdeen Chamber of Commerce

Vickie Horne and Sandy Osborn appeared as first-time applicants on behalf of Aberdeen Chamber of Commerce in connection with the Application for a Beer & Wine License to be used on 11/19/2019 at Beards Hill Liquors. Motion was made by Commissioner Welch and seconded by Commissioner Majewski to approve the license; the vote was unanimous, with Chair Davis Kohl recusing herself.

2) First-Time Applicant – The John Carroll School

Edward Maynard appeared as a first-time applicant on behalf of The John Carroll School in connection with the Application for a Beer & Wine License to be used on 10/19/2019 at the school for a bull roast. Motion was made by Commissioner Majewski and seconded by Commissioner Welch to approve the license; the vote was unanimous.

3) First-Time Applicant – St. Ignatius Holy Name Society

Timothy Lang appeared as a first-time applicant on behalf of St. Ignatius Holy Name Society in connection with the Application for a Beer & Wine License to be used on 11/02/2019 in the parish hall for a night of music and magic. Motion was made by Commissioner Merchant and seconded by Vice Chair Tilley to approve the license; the vote was unanimous.

4) First-Time Applicants – Project Patriot Corporation

Donna Cangelosi and Vincent Dattoli appeared as first-time applicants on behalf of Project Patriot Corporation in connection with the Application for a Beer & Wine License to be used on 10/12/2019 at the Jarrettsville Volunteer Fire Co. for a sportsman bingo. Proper and complete documentation of the non-profit organization has not been submitted as required. Motion was made by Commissioner Majewski and seconded by Commissioner Welch to approve the license if proper non-profit status documentation is submitted before close of business 10/11/2019; the vote was unanimous.

SHOW CAUSE HEARINGS

1) P.J.C., Inc., T/A Ice House Liquors

Due to a miscommunication with licensee's counsel, this hearing has been rescheduled to 11/06/2019.

2) Chile Enterprises, Inc. T/A La Tolteca (Aberdeen)

David Carrillo, President, Chile Enterprises, Inc. T/A La Tolteca, 984 Hospitality Way, Aberdeen, MD 21001 appeared in proper person in connection with a show cause hearing indicating violation of:

- A) Failure to have a supervisor certified by a state-approved alcohol awareness program on the licensed premises during the hours in which alcoholic beverages may be sold, in violation of AB § 22-1903 and Board Rule 3:14. It was alleged this violation occurred on May 31, 2019.

Martin Carrillo, Secretary/Treasurer, failed to appear as required by Board Rule 2:32.

Subsequent to the Hearing, the Board considered all the Evidence presented. Based upon the statement of facts (i.e. the written report of Board Inspector William Knoerlein), as well as applicable License Holder testimony, and with further consideration to License Holders' relevant past record (if any), the Board determined the following:

- A) Motion was made by Commissioner Welch and seconded by Commissioner Majewski to find License Holder **in violation** of AB § 22-1903 and Board Rule 3:14 (failure to have a supervisor certified by a state-approved alcohol awareness program on the licensed premises during the hours in which alcoholic beverages may be sold) for the violation on 05/31/2019; the vote was unanimous. Motion was made by Vice Chair Tilley and seconded by Commissioner Welch to impose a **fine of \$500.00** for the above violation; the vote was unanimous.
- B) Motion was made by Commissioner Welch and seconded by Vice Chair Tilley to find License Holder **in violation** of Board Rule 2:32 (All named license holders must appear at the time of the hearing for any violation or discussion as directed by the

Board, unless previously excused), having occurred on 10/09/2019. Motion was made by Commissioner Merchant and seconded by Vice Chair Tilley to impose a fine of \$250.00; the vote was unanimous.

3) Mexican Food II, Inc. T/A La Tolteca (Joppa)

David Carrillo, President, Mexican Food II, Inc. T/A La Tolteca, 1411 South Mountain Road, Joppa, MD 21085 appeared in proper person in connection with a show cause hearing indicating violation of:

- A) Failure to have a supervisor certified by a state-approved alcohol awareness program on the licensed premises during the hours in which alcoholic beverages may be sold, in violation of AB § 22-1903 and Board Rule 3:14. It was alleged this violation occurred on 09/05/2019.

Dayana Ortiz Viernes, Secretary/Treasurer, failed to appear as required by Board Rule 2:32.

Subsequent to the Hearing, the Board considered all the Evidence presented. Based upon the statement of facts (*i.e.* the written report of Board Inspector William Colburn), as well as applicable License Holder testimony, and with further consideration to License Holders' relevant past record (if any), the Board determined the following:

- A) Motion was made by Commissioner Majewski and seconded by Commissioner Welch to find License Holder **in violation** of AB § 22-1903 and Board Rule 3:14 (failure to have a supervisor certified by a state-approved alcohol awareness program on the licensed premises during the hours in which alcoholic beverages may be sold) for the violation on 09/05/2019; the vote was unanimous. Motion was made by Commissioner Welch and seconded by Commissioner Merchant to impose a **fine of \$500.00** for the above violation; the vote was unanimous.
- B) Motion was made by Commissioner Merchant and seconded by Commissioner Welch to find License Holder **in violation** of Board Rule 2:32 (All named license holders must appear at the time of the hearing for any violation or discussion as directed by the Board, unless previously excused), having occurred on 10/09/2019. Motion was made by Commissioner Welch and seconded by Commissioner Welch to impose a fine of \$250.00; the vote was unanimous.

ADMINISTRATIVE BUSINESS

1) Freebooting Friar, Inc. T/A Vagabond Sandwich Company - Outside Event Application
Vagabond Sandwich Company has submitted an Outside Event Application to be used on 10/12/2019 for "Sandwich Stock" to be used on the Bond St./Thomas St. parking lot. Motion was made by Commissioner Majewski to approve the application and was seconded by Commissioner Welch; the vote was unanimous.

2) Fines paid

American Legion 128, Inc. T/A Bernard L. Tobin Post 128 paid a \$100.00 fine for an alcohol awareness violation. Mad Forest, L.L.C. T/A Black Forest Taphouse paid a \$500.00 fine that was imposed during a show cause hearing.

PER DIEM BEER & WINE LICENSES TO BE APPROVED BY THE BOARD**1) The John Carroll High School – Alumni Homecoming Tailgate – 10/11/2019**

Issued to	Kimberly Zarzycki and Susan Roarty
On Behalf of	The John Carroll High School
Type of Event	Alumni homecoming tailgate
Date(s) of Event	10/11/2019
Location Description & Address	Miller Way adjacent to football field 703 E. Churchville Road, Bel Air
Outside Event?	Yes
Rain Date	N/A

2) Councilman Chad Shrodes – Annual Fall BBQ – 10/19/2019

Issued to	Mearl Howell and Barbara Lynne Howell
On Behalf of	Councilman Chad Shrodes
Type of Event	Annual fall bbq
Date(s) of Event	10/19/2019
Location Description & Address	Pond View Farm 2601 Jolly Acres Road, White Hall
Outside Event?	No
Rain Date	N/A

3) Prince of Peace Church – Spaghetti Dinner – 10/13/2019

Issued to	Theresa Stoll and Deanna Hoppe
On Behalf of	Prince of Peace Church
Type of Event	Spaghetti dinner
Date(s) of Event	10/13/2019
Location Description & Address	Prince of Peace Church Church hall, 2600 Willoughby Beach Road, Edgewood
Outside Event?	No
Rain Date	N/A

Motion was made by Commissioner Merchant and seconded by Vice Chair Tilley to approve the above three Per Diem Beer & Wine Licenses; the vote was unanimous.

STAFF REPORT / PUBLIC COMMENT / BOARD COMMENT

There were no comments.

EXECUTIVE SESSION

Motion was made by Vice Chair Tilley and seconded by Commissioner Welch to convene to executive session to meet with counsel; the vote was unanimous.

Status of bond forfeiture was discussed; legal counsel will proceed with filings for the remaining two bonds.

Proposed legislation will be presented at the delegation meeting on October 16, 2019, at 11 a.m. at the Bel Air Town Hall, 39 S. Hickory Avenue, Bel Air.

RETURN TO PUBLIC SESSION

Motion was made by Vice Chair Tilley and seconded by Commissioner Merchant to return to public session; the vote was unanimous.

Motion was made by Vice Chair Tilley and seconded by Commissioner to deny the request for tentative approval hearing submitted by JBST Enterprises, Inc. T/A Cork Wine & Spirits based on the fact that there remains an outstanding variance zoning question.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned.

Minutes from the Harford County (MD) Liquor Control Board Meeting held on October 9, 2019, have been reviewed and approved by the following:

Sheryl Davis Kohl, Chair

Frederic L. Merchant, Commissioner

Walter A. Tilley III, Vice Chair

James E. Welch, Commissioner

Paul J. Majewski II, Commissioner