

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

MEETING MINUTES
February 12, 2020

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

APPROVAL OF MINUTES

Minutes for the meetings held on January 15th and 22nd were presented. Motion was made by Commissioner Merchant and seconded by Commissioner Majewski to approve the Minutes; the vote was unanimous.

ACCOUNTS PAYABLE

Motion was made by Commissioner Welch and seconded by Commissioner Majewski to pay the following bills; the vote was unanimous.

It's PayDay	Accounting (1/29/2020)	96.40
State Retirement	Retirement (1/29/2020)	651.09
Harford Bank	Withholding (1/29/2020)	2428.83
Comptroller	Withholding (1/29/2020)	703.12
Payroll	Payroll (1/29/2020)	6872.14
It's PayDay	Accounting	78.40
State Retirement	Retirement	691.92
Harford Bank	Withholding	2769.24
Comptroller	Withholding	848.51
Payroll	Payroll	8254.51
Malissa Roche	Maintenance	60.00
Kopin LLC	Rent	2539.00
Scott Baker	Expense report	292.55
Amy Finneran	Legal	1500.00
American Pizza Kitchen	License refund	750.00
BGE	Utilities	284.70
Comcast	Telephone	315.44
Kelly & Assoc.	Insurance	2251.76
Metro Data	Maintenance	664.00
Proshred	Maintenance	50.00
Sprint	Telephone	278.29
The Aegis	Prof. books	36.00
Baltimore Sun	Advertising	559.47
Driver's License Guides	Prof. books	766.10
Staples Credit	Supplies	47.97

PERSONS SCHEDULED TO APPEAR BEFORE THE BOARD

1) First-time Applicant – Havre de Grace Knights of Columbus

Donald Kern and John Marley appeared as first-time applicants on behalf of Havre de Grace Knights of Columbus Council 2002 in connection with a Per Diem Beer & Wine License to be used at St. Joan of Arc Church Hall, 222 S. Law St., Aberdeen, on February 22 (rain date March 7) for a fundraising dinner. Motion was made by Commissioner Majewski and seconded by Commissioner Merchant to approve the license; the vote was unanimous.

2) First-time Applicant – Harford Technical High School Athletic Booster Club

Elizabeth D'Angelo and Wendy Roberts appeared as first-time applicants on behalf of Harford Technical High School Athletic Booster Club in connection with a Per Diem Beer, Wine & Liquor License to be used on February 22nd (rain date March 7th) for their bull roast being held at Towson University Northeastern Campus. Motion was made by Commissioner Merchant and seconded by Commissioner Welch to approve the license; the vote was unanimous.

3) NP & EP, Inc., T/A 7-11 Convenience Store – Transfer

Asha N. Patel, President/Secretary/Treasurer, NP & EP, Inc. T/A 7-11 Convenience Store, 602 S. Philadelphia Blvd., Aberdeen, appeared before the Board along with their attorney Albert J.A. Young, in connection with a Transfer Application for an existing Class A-BW-Off Sale Only License. Ms. Patel holds 100% interest in the corporation. She will serve as the Responsible Operator and has passed the licensee test. Settlement is scheduled for March 11th. Inspector Colburn will set up a meeting with applicant to educate her on what to expect during an inspection. Motion was made by Commissioner Welch and seconded by Commissioner Majewski to approve this application contingent on receipt of proof of settlement; the vote was unanimous.

4) New DNT, Inc., T/A TB3 Bar & Grill – Majority Stock Transfer

This license activity has been postponed and will be rescheduled.

5) Whiteford's Beer, Wine & Spirits, L.L.C. T/A Whiteford's Beer, Wine & Spirits – Change of Officers Transfer Application

Elizabeth (Nikki) Graham, Member, Whiteford's Beer, Wine & Spirits, L.L.C, T/A Whiteford's Beer, Wine & Spirits, 1605 Dooley Road, Whiteford, MD 21160, appeared before the Board along with their attorney Gregory A. Szoka in connection with a Change of Officers Transfer Application for an existing Class A1-BWL-Only License. The purpose of the license is to remove Christine Whiteford who left the corporation in October 2019 and her 10% interest has been repurchased. Farrell Whiteford has transferred his 51% interest to Ms. Graham, and Mr. Whiteford will be removed from the license. Ms. Whiteford will be the sole license holder and will serve as the Responsible Operator; she has passed the licensee test. Outstanding items include Fire Marshal approval and the promissory note for the financial investment. Motion was made by Commissioner Merchant and seconded by Commissioner Welch to approve this application contingent upon receipt of the two outstanding items; the vote was unanimous.

6) 5:31, Inc., T/A Laurrapin's River City Public House – New License

Bruce W. Clark, President/Vice President/Treasurer, 5:31, Inc. T/A Laurrapin's River City Public House, 209 N. Washington Street, Havre de Grace, appeared before the Board in connection with an Application for a new Class B1-BW Only License. Mr. Clarke holds 100% interest in the corporation. He will serve as the Responsible Operator and has passed the licensee test. Request for permission to use & store spirits for cooking has also been submitted. Motion was made by Commissioner Welch and seconded by Commissioner Majewski to approve the request for cooking spirits and to approve this application; the vote was unanimous.

7) B K Capital, L.L.C., T/A Tutto Fresco – Transfer (POSTPONED)

This license activity has been postponed and has been rescheduled for February 26th. A Request for Permission to Use & Store Spirits for Cooking has been submitted. Motion was made by Commissioner Merchant and seconded by Commissioner Welch to approve the use of cooking spirits; the vote was unanimous.

8) EBAN, L.L.C., T/A Mucho Gusto – New License (POSTPONED)

This license activity has been postponed and has been rescheduled for February 26th.

9) Hospitality Steak House, L.L.C., T/A Texas Roadhouse – Change of Officers Transfer (POSTPONED)

This license activity has been postponed and has been rescheduled for February 26th.

10) Aberdeen Movies, Inc., T/A Horizon Cinemas Aberdeen – New License (POSTPONED)

This license activity has been postponed and has been rescheduled for February 26th.

ADMINISTRATIVE BUSINESS1) Harford Community College – Supplemental Application

Harford Community College, 401 Thomas Run Road, Bel Air, MD 21015 has submitted a Supplemental Application to remove Brenda Morrison from the license as she is no longer with the organization. Remaining on the license will be Tammy Dowell and Stacy Rutherford; Ms. Dowell will be the Responsible Operator. Motion was made by Commissioner Majewski and seconded by Commissioner Welch to approve the application; the vote was unanimous.

2) Elks Lodge 2354, Inc. T/A Abingdon Lodge 2354 – Supplemental Application

Elks Lodge, 2354, Inc. T/A Abingdon Lodge 2354, 600 Harford Boat Club Road, Abingdon, has submitted a Supplemental Application as a result of club elections. The purpose of the application is to remove Douglas Kadolph and replace him with Joseph Gagliardi, Jr., Loyal Knight. Remaining on the license will be Stephen J.

Rose, Treasurer, and Richard Eckert, Trustee. Motion was made by Commissioner Merchant and seconded by Commissioner Welch to approve the application; the vote was unanimous.

3) Backfin Blues Group, Inc. T/A Backfin Blues Creole de Graw – Schedule Changes

Backfin Blues Group, Inc., has submitted two schedule changes. The restaurant is not open on Mondays and Tuesdays, however, there is a private wine dinner scheduled for Tuesday, February 18th, and public dinner service for the Mardi Gras parade on Tuesday, February 25th.

4) AleCraft Brewing Company, L.L.C. T/A AleCraft Brewery – Change in Operational Hours

AleCraft Brewing Company, L.L.C., has submitted notice that beginning Monday, February 17th, they will be open on Mondays from 4 p.m. to 10 p.m.

5) Bayou, Inc. T/A Bayou Restaurant – Outside Event Applications

Bayou, Inc., has submitted two Outside Event Applications to be used on March 6th for the R. Madison Mitchell Endowment Dinner and on April 20th for the Ducks Unlimited bull & oyster roast. Motion was made by Commissioner Welch and seconded by Commissioner Merchant to approve the application; the vote was unanimous.

6) Giovanni's, Inc. T/A Giovanni's, Inc. – Escrow Request

Giovanni's, Inc., has requested that their license be held in escrow by the Board as the property has been sold and the restaurant is closed. The license holders will determine whether to renew the license. Motion was made by Commissioner Majewski and seconded by Commissioner Merchant to approve the application; the vote was unanimous.

PER DIEM LICENSES TO BE APPROVED BY THE BOARD

1) St. Ignatius Church – Bingo – 03/07/2020 BW&L

Issued to	Concetta York and Virginia Barger
On Behalf of	St. Ignatius Church
Type of Event	Bingo
Date(s) of Event	03/07/2020
Location Description & Address	Church Hall, 533 E. Jarrettsville Road Forest Hill
Outside Event?	No
Rain Date	03/14/2020

2) Ancient Order of Hibernians, St. Kevin Div. 1 – St. Patrick's Day Celebration – 03/07/2020 BW&L

Issued to	James Cosgrove and Deanna Hoppe
On Behalf of	Ancient Order of Hibernians St. Kevin Division 1
Type of Event	St. Patrick's Day Celebration
Date(s) of Event	03/07/2020
Location Description & Address	Prince of Peace Church Hall 2600 Willoughby Beach Road, Edgewood
Outside Event?	No
Rain Date	03/14/2020

Motion was made by Commissioner Merchant and seconded by Commissioner Welch to approve both Beer, Wine & Liquor applications; the vote was unanimous.

STAFF REPORT / PUBLIC COMMENT / BOARD COMMENT

Discussion was held concerning the timing and cost of this year's audit; pricing will be obtained from Weyrich Cronin and Sorra who completed last year's audit. The audit will be conducted in June.

Hearing dates for Cork Wine & Spirits were discussed. Mrs. Powell will confirm March 18th at 9 a.m. or March 19 at 1 p.m. with Mr. Snee's office.

Mr. Baker continues to meet with the Harford County delegation in Annapolis. A summary was presented and is attached. The delegates have suggested that once this session ends, a meeting should be scheduled to discuss license fees.

ADJOURNMENT

There being no further business, motion was made by Commissioner Majewski and seconded by Commissioner Welch to adjourn the meeting; the vote was unanimous.

Minutes from the Harford County Liquor Control Board Meeting held on February 12, 2020, have been reviewed and approved by the following:

Sheryl Davis Kohl, Chair

Frederic L. Merchant, Commissioner

James E. Welch, Commissioner

Paul J. Majewski II, Commissioner

LEGISLATION SUMMARY 2020

LR0990 – CLASS B CAFE BWL – REDUCES THE PERCENTAGE OF FOOD SALES FROM 50% TO 35%. HELPS ABERDEEN LANES BC OF THE LOW VOLUME AND COST OF FOOD. **Created a Bowling Alley license.**

LR0992 – CLASS DLR LICENSE – THIS IS SIMILAR TO A DBR LICENSE AND ALLOWS CLASS 1 DISTILLERS TO SERVE MIXED DRINKS IN A ROOM SIMILAR TO THAT OF A TAP ROOM IN A BREWERY. MUST SELL AT LEAST SNACKS AND MUST COMPLY WITH ALCOHOL AWARENESS. **Moving forward.**

LR0994 – PERFORMING ARTS LICENSE – FOR A NONPROFIT ORGANIZATION THAT CAN SELL BEFORE, DURING AND AFTER A SHOW. DESIGNED FOR HAVRE DE GRACE OPERA HOUSE. ALLOWS THEM TO APPLY FOR ONE LICENSE INSTEAD OF REPEATEDLY APPLYING FOR PER DIEMS. SNACKS AND ALCOHOL AWARENESS. **Not moving forward.**

LR0997 – (LICENSE FOR INDIVIDUAL) LICENSE HOLDER REQUIREMENTS – REMOVES THE RESIDENCY REQUIREMENT AND REPLACES IT LANGUAGE THAT MAKES THE INDIVIDUAL SERVE AS A SUPERVISOR/MANAGER AND BE PHYSICALLY PRESENT ON THE PREMISES FOR A SUBSTANTIAL AMOUNT OF TIME. THESE REQUIREMENTS ARE THE SAME AS A RESIDENT LICENSEE WITHOUT HAVING TO BE A RESIDENT.

LR0999 – (Transfers) – Operator License Holder – CHANGES RESIDENT APPLICANT TO LICENSE HOLDER WHO IS AN OPERATOR. WOULD LIKE TO KEEP THE LANGUAGE AS OPERATOR WHO IS DEFINED AS RESPONSIBLE FOR DAY TO DAY OPERATIONS OF THE LAND IS PHYSICALLY PRESENT ON THE PREMISES FOR A SUBSTANTIAL AMOUNT OF TIME (LANGUAGE IN LR1186). OPERATOR HAS TO HAVE 10% INTEREST IN LICENSE THIS IS CONFLICT WITH LR1186.

LR1000 – CLASS B3 LICENSE – ALLOWS A BNR WHO CANNOT MEET 51% FOOD SALES TO CHANGE TO A B3. THE PURPOSE BEHIND THE 250K INTIAL INVESTMENT FOR A BNR IS THAT THEY WOULD INVEST IN A KITHCHEN AND SELL MORE FOOD THAN ALCOHOL. A B3 REQUIRES 25% FOOD SALES. FAIRNESS FOR THE HIGHER RATE BECAUSE OF THE REDUCED FOOD SALES. **Asked to withdraw it's a board responsibility to set percentages.**

LR1001- WAIVER FROM PLACE OF WORSHIP – CITY OF ABEERDEEN SEEKING HELP WITH REVITALIZATION EFFORTS. WOULD LIKE ADJUSTMENTS TO THIS BILL. IT WAS SUBMITTED IN 2 DIFFERENT FORMS. WANT TO INCLUDED BREWERIES AND DISTILLARIES AS AN AUTOMATIC EXCEPTION TO THE DISTANCE REQUIRMENT OF 300 FT. ALL OTHERS WOULD HAVE TO GO THROUGH A PROCESS SIMILAR TO THAT OF SCHOOLS. **Delegates tabled but Senators put forward bill with brewery and distillery exceptions and school procedure for other licenses.**

LR1003 – RECORD KEEPING AND ENFORCEMENT – PERMITS TEMPORARY STORAGE OF RECORDS OFF PREMISES WITH BOARD APPROVAL, ALLOWS ELECTRONIC RECORDS AND PROVIDES ALTERNITVES TO REVOCATION OF THE LICENSE AS THE PENALTY FOR FAILURE TO COMPLY WITH THE RULE. **Delegates approved bill that allowed storage anywhere in Harford County and 5-day notice.**

LR1103 – HOTEL LOBBY LICENSE – ALLOWS HOTEL WITHOUT RESTAURANT TO SELL BWL WITH SIZE LIIMITATIONS FOR ON PREMISE CONUMPTION. PROHIBITS SALE THROUGH VENDING MACHINES AND MINI BARS IN ROOMS. SUBJECT TO AA TRAINING AND RECORD KEEPING. **Moving forward.**

LR1104 - ALCOHOL AWARENESS – ALL EMPLOYEES INVOLVED IN THE SALE OF ALCOHOL MUST BE TRAINED. ALLOWS FOR EXTENSION TO BE IN COMPLIANCE. **Withdrawn**

LR1105 – BARBERSHOP/BEAUTY SALON – ALLOWS FOR A LICENSE TO PROVIDE FOR FREE ALCOHOL (LIMITED TO 2 DRINKS) TO A CUSTOMER GETTING SERVICE AS OUTLINED IN THE BUSINESS

OCCUPATIONS AND PROFESSIONAL ARTICLE AS IT RELATES TO BARBAR SHOPS AND BEAUTY SALONS (ESTHNETICIAN, NAILS, AND HAIR). RECORD KEEPING AND AA TRAINING. **Withdrawn**

LR1106 – GOLF COURSE RESTAURANT – THE CURRENT GOLF COURSE LICENSE IS FOR SERVICE OF ALCOHOL IN BUILDINGS AND THE LAND WHICH IS USED FOR GOLFING PURPOSES ONLY. THIS LICENSE BRINGS INTO COMPLAINEE GOLF COURSES THAT HAVE GONE OUTSIDE OF THE RULE AND HAVE MEETINGS, SHOWERS, RECEPTIONS ETC. MEANING THE BUILDINGS AND LAND ARE NOT BEING USED FOR GOLF PURPOSES ONLY. **Moving forward**

LR1186 (APPLICATION ON BEHALF OF CORPORATION AND LLC) LICENSE HOLDER REQUIREMENTS – DEFINES OPERATOR INSTEAD OF RESIDENT AGENT. DOES NOT REQUIRE OPERATOR TO HAVE AN INTEREST IN THE BUSINESS WHICH IS CONFLICT WITH LR0999.

LR1187 – CLASS MT MOVIE THEATER – AMENDING TO ALLOW A LICENSEE TO HAVE UP TO 5 LICENSES. **Moving forward.**

LR1188 -ARTS AND ENTERTAINMENT LICENSE – PERMITS LICENSEE MAY SELL BWL FOR ON PREMISE. LICENSEE MUST BE INVOLVED IN THE DISPLAY, SALE, INSTUCTION, DEMONSTRATION OF ART OR ENTERTAINMENT THAT INCLUDES INSTRUCTION, DEMONSTRATION AND PARTICIPATION BY CUSTOMERS. (CANDLES, PAINT NIGHT, AXE THROWING ETC). MAY HAVE UP TO 5 LICENSES. CAN BUY FROM RETAILER AND MUST HAVE AA TRAINING. **Withdrawn.**

LR1189 – ASSISTED LIVING PROGRAM LICENSE – FOR PROFIT ASSISTED LIVING ORGANIZATION. PERMITS A MANAGER TO HOLD THE LICENSE WITHOUT ANY INTEREST DUE TO THE CONVOLUTED OWNERSHIP OF THE BUSINESS AND MANAGEMENT AGREEMENTS. SIMILAR TO CONTINUING CARE LICENSE FOR THE MOST PART BUT DO NOT MEET THE GENERAL REQUIREMENTS OF A CCF. **Moving forward.**

LR1420 – CLASS 3 LICENSE – CHANGES THE MEMBERSHIP REQUIREMENTS FOR A SOCIAL ORGANIZATION FROM BEING AN ACTIVE/RETIRED POLICEMEN TO A FIRST RESPONDER. **Moving forward.**