

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

MEETING MINUTES
August 26, 2020

This meeting was held at Water's Edge Event Center, 4687 Millennium Drive, Belcamp, MD 21017.

CALL MEETING TO ORDER

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

ACCOUNTS PAYABLE

Harford Bank	Withholding	2533.84
Comptroller of Maryland	Withholding	699.15
Payroll	Payroll	5979.28
It's PayDay	Accounting	71.40
State Retirement	Retirement	651.09
BGE	Utilities	186.56
Sprint	Telephone	210.03

All parties that would be testifying were sworn in.

PER DIEM BEER, WINE & LIQUOR LICENSE TO BE APPROVED BY THE BOARD

1) Committee to Elect Curtis Beulah – Fundraiser – 08/27/2020

Issued to Jean Beulah and Curtis Beulah in connection with a Per Diem Beer, Wine & Liquor License Application for a campaign fundraiser to be used on August 27, 2020, at La Banque de Fleuve at the Seaplane Base, 309 St. John Street, Havre de Grace. Motion was made and duly seconded to approve this application; the vote was unanimous.

PERSONS SCHEDULED TO APPEAR BEFORE THE BOARD

1) The Deck Seafood & Tiki Bar, L.L.C., T/A The Deck – Transfer Application

Johanna Chicas, Member, The Deck Seafood & Tiki Bar, L.L.C., T/A The Deck, 2207 Pulaski Highway, Edgewood, MD 21040, was present in connection with a Transfer Application for this B-BWL-On Sale Only License transferring from Brenda Galbraith. Mrs. Chicas holds 100% interest in the L.L.C. and will serve as the Responsible Operator. Mrs. Chicas admitted that the business had already transferred. Outstanding items include certain original application documents and the bulk transfer permit. Outside Service Area Application was also submitted. Motion was made and duly seconded to approve this application contingent on receipt of original application documents and bulk transfer permit; the vote was unanimous.

2) JBST Enterprises, Inc., T/A Cork Wine & Spirits – New License Tentative Approval (Protested)

Jennifer Linthicum, President, Tessa Hosutt, Secretary, Joseph Vales, Treasurer, JBST Enterprises, Inc. T/A Cork Wine & Spirits, appeared along with its attorney Joseph F. Snee, Jr., in connection with tentative approval for a Class A1 – BWL – Off Sale Only License to be located at 638 Marketplace Drive, Bel Air, MD 21014. Interest in the corporation is held as follows: Jennifer Linthicum 25%, Tessa Hosutt 25%, Joseph Vales 25%, other stockholders 25%. Ms. Hosutt will serve as the Resident Operator.

The hearing and the Board's decision are governed by MD Code Alcoholic Beverages §4-210 and Board Rule 2:15. The statute requires the Board to consider several factors including the public need and desire for the license, the number of existing licenses and the locations, the potential effect on existing licenses, the potential commonality or uniqueness of the services and products, and the impact on the health, safety, and welfare of the community, as well as any other factors the Board considers necessary. The Board Rule requires that before the Board issue a license it consider:

- (1) The moral character and financial responsibility of the applicant;
 - (2) The general fitness of the applicant to uphold the public trust; and
 - (3) The appropriateness of the location described in the application, taking into consideration the number of existing licenses and any objections from property owners living in the immediate neighborhood of the location described in the application.
- (a) Before deciding whether to approve or deny a license application, the Board shall consider the factors outlined in AB § 4-210.
 - (b) Licenses may be issued, transferred, upgraded, or renewed subject to any restrictions and/or conditions the Board feels is warranted in a situation.
 - (c) If the Board determines that an applicant has made a material false statement or acted fraudulently in connection with the application; or if the license is issued, the operation authorized by the license would unduly disturb the peace of the residents of the neighborhood of the location described in the application, the application will be denied.

AB 4-210 requires that the Board deny a license application if the local Board determines the granting of the license is not necessary to accommodate the public. There are other criteria set forth for automatic denials, but they are not relevant in this case.

Findings of Fact:

The Board considered the testimony and evidence from the applicant and its witnesses and testimony of those opposed to the license. The Board diligently went through the list of factors to be considered when deciding to approve a new license. As a result, the Board determined that there was a lack of public need and desire for the license and that the license was not necessary to accommodate the public. Motion was made and duly seconded to DENY the application; Commissioner Welch recused himself from the vote, and Commissioner Majewski dissented, and Chair Tilley, Vice Chair Davis Kohl, and Commissioner Merchant voted to DENY the application.

STAFF REPORT / PUBLIC COMMENT / BOARD COMMENT

There were no comments.

ADJOURNMENT

There being no further business, motion was made and duly seconded to adjourn the meeting.

Minutes from the Harford County Liquor Control Board Meeting on August 26, 2020, have been reviewed and approved by the following:

Walter A. Tilley III, Chair

James E. Welch, Commissioner

Sheryl Davis Kohl, Vice Chair

Frederic L. Merchant, Commissioner

Paul J. Majewski II, Commissioner