

Meeting Minutes
Board of License Commissioners
Caroline County, Maryland

DATE: Wednesday, July 25, 2018

PLACE: Health & Public Services Building
403 S. 7th Street, 1st Floor, Room 110
Denton, Maryland 21629

BOARD MEMBERS: Greg Eigenbrode, Chairman
Nick Loukides, Vice-Chairman
Glen Plutschak, Member
Michael Mann, Alternate

OTHERS PRESENT: Crystal Dadds, Assistant Director of Codes
Phillip Moore, Alcoholic Beverage Inspector
Heather Price, County Attorney

Chairman Eigenbrode called the meeting of the Caroline County Board of License Commissioners to order at 9:31 a.m.

SHOW/CAUSE AND INQUIRY HEARINGS

404 TAPHOUSE, CONTINUED – 42 Denton Plaza, Denton, MD

Ms. Dadds read the exhibits into the record:

- Exhibit 1: April 14, 2018 Taphouse Incident Report (5 pages)
- Exhibit 2: Summons for Michelle Jackson, John Sr. and Deborah Mullins (9 pages)
- Exhibit 3: Application for Maryland individual storage unit permit
- Exhibit 4: Proposed site plan for expanded premise area
- Exhibit 5: Email from Town of Denton approving cooler as part of the premise

Ms. Dadds stated that the Board ordered a continuation hearing for today to allow the licensees time to obtain a permit for the outdoor cooler on the condition that the cooler always remained locked. Ms. Price stated that the license holders are still under oath as this is a continuation from the previous meeting.

Ms. Dadds stated that David Gelinski, Inspector for the Maryland Comptroller's Office, inspected the Taphouse Grill on July 20, 2018 as part of the application process to approve an outdoor storage unit permit. Mr. Gelinski called Ms. Dadds from the establishment to ask her a few questions. He told her that a permit was not required for the unit. He was confused when she explained that the Comptroller's Office violated a previous owner for not having a permit for the same cooler. Mr. Gelinski told her that the Comptroller's Office does not issue violations. He

added that he called his boss, Lou Berman, for confirmation and Mr. Berman did not know what Ms. Dadds was talking about.

Shortly after that, Mr. Berman called Ms. Dadds to clear up the confusion. When she explained the circumstances, he agreed that a permit is required and assured her his Office does issue violations. He explained that he would speak to Mr. Gelinski when he returned and that if the cooler is in the same place and nothing else has changed, he should be able to issue the permit no sooner than the following Friday.

John Mullins, Jr. stated the whole experience has been a quagmire but that it appears that it should be issued this Friday.

Motion: Mr. Loukides made a motion to find Taphouse in violation of Rule and Regulation No. 2.50 for failure of a licensee to obtain an individual storage unit permit from the Comptroller's Office to store alcoholic beverages.

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Loukides made a motion to take no action for the violation at this time pending the approval and receipt of the required permit.

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

The Board agreed that because nothing had changed from the last time such a permit was issued and the Comptroller's Office expected it to be approved, no further discussion was necessary.

Motion: Mr. Plutschak made a motion to approve the site plan pending the approval and receipt of the required permit is presented to staff no later than August 17, 2018.

Second: Mr. Loukides seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Ms. Dadds informed the Board that Mr. Mullins will be before them next month to request a premise expansion to include the front sidewalk. Mr. Mullins asked, because of his discussion with the Town of Denton, whether a fence will be required to enclose the sidewalk area for an expansion.

Ms. Price explained that while the property is within the jurisdiction of the Town of Denton; his license to sell alcohol is enforced by the License Board. She suggested that he first approach the Town to ensure his proposal complies with their regulations. Then he should include a written approval from the Town of Denton as part of his application to expand his premise area.

There is no requirement in the liquor laws to require the area be fenced in although if the Board felt it was needed it could be made a condition of their approval. The Board advised him that it would be more difficult to police an unfenced area and that he should have someone stationed outside when there are patrons with drinks when outside the building. Mr. Mullins, Jr. assured them that he intended to.

Ms. Dadds suggested he check with the Fire Marshall and the Town for their clearance before coming to the Board for theirs. She reminded him again that the area will have to be accurately measured out and reflected on his site plan. She told him to include the length and width of the area, where the tables and chairs will be placed and signage on the site plan. She suggested he check with the Health Department as well.

Inspector Moore, Ms. Price and the Board took note that the site plan appeared to include the area around the walk-in cooler. They want it made clear that the premise is for the cooler alone. Ms. Dadds stated that was the purpose of her explaining to Mr. Mullins that measurements and placements of tables and chairs needed to be included on the site plan.

OTHER BUSINESS

MATRIX PROJECT ASSIGNMENT

The Board continued discussions regarding a violation penalty matrix. They will begin considering some standard language to include in their questioning for next month.

CONSENT ITEMS

The following items were approved by unanimous consent:

- Dave's Place Written Opinion and Decision
- June 27, 2018 minutes

Motion: Mr. Plutschak made a motion to approve the consent items.

Second: Mr. Mann seconded the motion.

In Favor: The motion was unanimously approved (3-0).

INSPECTOR'S REPORT

Inspector Moore went over his inspections for the month.

PUBLIC COMMENT

There being nothing further to discuss Chairman Eigenbrode adjourned the meeting at 10:26 p.m.

BOARD OF LICENSE COMMISSIONERS

Greg Eigenbrode, Chairman


Minutes prepared by: Melanie Smith