

**MINUTES OF THE BOARD OF LICENSE COMMISSIONERS
OF CECIL COUNTY**

The Board of License Commissioners of Cecil County met in a regular session at the County Administrative Building, Conference Room, 200 Chesapeake Boulevard, Elk Room, Elkton, MD on **Wednesday, March 29, 2017** at 9:15 A.M.

PRESENT: Herrel "Cuz" Curry, Commissioner

H. Norman Wilson, Jr., Esquire
Earl R. Bradford, Chief Alcohol Beverage Inspector
Robin S. Trader, Administrative Assistant

Chairman Snelling was excused; Mr. Wilson introduced new Commissioner, W. Edwin Cole, Jr. Mr. Wilson also stated that because of Chairman Snelling's absence, if anyone would like to have a full Board, they would need to reschedule, however with two members present this meets the requirement for a quorum. Mr. Wilson continued that by unanimous vote, Mr. Curry will be Acting Chairman.

9:15 AM

NEW LICENSE - continued

Application received from Gail Ann Missmer, Cecil County Resident; Dharmesh Kantibhai Patel; Jai Maharaj, Inc., T/A **Eagles Nest**, 2525 Augustine Herman Highway, Suite C, Chesapeake City, Maryland 21915 for issuance of a new Class "A" Beer, Wine and Liquor Alcoholic Beverage License

Mr. Wilson called Jai Maharaj, Inc. to continue that hearing; he stated Commissioner Cole has listened to the tape from last meeting. Commissioner Cole stated he needed to inform everyone that he is, by marriage, the uncle of the opposing attorney, Gary Brown and will recuse himself if needed. Mr. Wilson stated the Election Board has now purged their records, as they do after a Presidential election and there is presently no licenses available in this district, so the Board will continue this hearing because the application was received when there was a license available. He asked Mr. Jones with all of the above information if his client wished to continue; Mr. Jones spoke with his client and it was decided they would continue.

Mr. Wilson asked Commissioner Cole if he was ready to vote, he asked to go into Executive Session to ask some legal questions. Commissioner Cole made a motion to go into Executive Session; Commissioner Curry seconded that motion; when the Board returned Commissioner Cole made a motion to return from Executive Session; Commissioner Curry seconded that motion. Mr. Wilson asked if Commissioner Cole was ready to vote; Commissioner Cole stated, "I am." For the record, Mr. Wilson reiterated the motion made by Commissioner Curry was to

approve the license and Chairman Snelling voted to deny the license. Commissioner Cole stated that “after much consideration, listening to the tapes and driving down there, my vote is in opposition of the license.” Mr. Wilson asked what grounds for (that decision)? Commissioner Cole stated “#1 the distance, it’s less than two miles from existing licenses, the area does not warrant another license.” Mr. Wilson asked “do you think it’s needed for the accommodation of the public?” Commissioner Cole. “I do not” “Do you think it will unduly disturb the public” Commissioner Cole, “very possibly.” Mr. Wilson stated, this Board has held in numerous decisions the number of licenses within two miles; Commissioner Cole, Yes, there are numerous other licenses within two miles and I do not think that with the population or the geographics and the two miles that another license for a package store is warranted in that area. Mr. Wilson that’s a two to one decision.

LEASE MANAGEMENT AGREEMENT

Joseph Gary Brown, President; Shirley A. Brown, Vice President/Secretary/Treasurer; Fletchwood Inn, Inc., T/A Fletchwood Inn, 208 Fletchwood Road, Elkton, MD 21921 (No Sunday Sales)

Gary Brown and Anthony Hindright, appeared before the Board; Mr. Hindright introduced himself and submitted a copy of the Lease Management. He stated he would like to make some changes aesthetically to the building, clean it up, add some picnic tables outside and change the name to Catfish Inn. He stated he would like to have a food truck in the parking lot to service the customers as well as the area; no alcohol will be sold from the food truck, nor would the sales be considered for Sunday Sales; he is not interested at this time in Sunday Sales. Commissioner Cole made a motion to approve the lease management agreement; Commissioner Curry seconded that motion and the Board unanimously voted to approve the Lease Management agreement, Commissioner Cole then made a motion to approve the name change, Commissioner Curry seconded that motion and the Board unanimously approved the name change. Commissioner Cole then made a motion to approve the addition of picnic tables outside; Commissioner Curry seconded that motion and the Board unanimously approved the addition of picnic tables.

TRANSFER OF LOCATION

Application received from Maeve Orna Hession, Cecil County Resident; Erika Fernanda Medina, Manager; Quiroz, LLC, T/A **Rivera Maya**, 100 Ryan Drive, Rising Sun, MD 21911 for transfer of location for Class “B” Beer, Wine & Liquor Alcoholic Beverage License No. B-54 from Maeve Orna Hession, Member; Erika Medina, Managing Member; Quiroz, LLC, T/A Rivera Maya, 223 East Main Street, Rising Sun, MD 21911

Erika Medina and Maeve Hession appeared before the Board with attorney, Robert V. Jones; the licensees were duly sworn by the Clerk. Mr. Wilson read the legal notice which appeared

on the dates of March 15 and 22, 2017. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 4; a signed zoning certificate signed by Calvin Bonenberger Jr., Town Administrator for the Town of Rising Sun; the certification form stated, "100 Ryan Drive, Rising Sun, MD 21911; Seating for approximately 60, small bar seating 6; serving Mexican food for lunch and dinner, 7 days per week." Mr. Jones stated currently his client is in a shopping center; the business has grown and they have moved to a bigger, free standing building. He asked Mrs. Medina how long she thinks it will be until they open; she stated one to one and half months; they need to finish the improvements to the building, finish the deck and kitchen. Commissioner Curry asked if they planned to have outdoor music or bands; Mrs. Medina stated no, just some outdoor music for the little seating area on the deck. With no further questions, Commissioner Cole made a motion to approve the transfer of location; Commissioner Curry seconded that motion and the Board unanimously approved the transfer of location.

LICENSE UPGRADE

Application received from Raymond L. Sami; Gregory S. McMahan; Eileen Goetz; Port Vape & Brew LLC, T/A **Port Vape & Brew**, 8 S. Main Street, Port Deposit, MD 21904 for upgrade of Class "D" Beer & Light Wine Alcoholic Beverage license No. D-106 to a Class "D" Beer, Wine & Liquor Alcoholic Beverage license.

Gregory McMahan and Eileen Goetz appeared before the Board; the licensees were duly sworn by the Clerk. Mr. Wilson read the legal notice which appeared on the dates of March 15 and 22, 2017. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 7. Mr. Wilson asked if the questions they answered were the same as when they submitted the application; the applicants stated yes. Mr. McMahan stated they are regularly asked for mixed drinks and lose customer as they go up the street for a few hours and drink at other establishments; they are losing revenue. Commissioner Curry asked if they were making any other changes; Mr. McMahan stated no. With no further questions; Commissioner Cole made a motion to approve the upgrade to beer, wine and liquor; Commissioner Curry seconded that motion and the Board unanimously voted to approve the upgrade.

NEW LICENSE - Postponed

Application received Lynn Bollinger, Snatchers Creekside Bar & Grill, LLC; T/A **Snatchers Creekside Bar & Grill**, 510 S. Main Street, North East, MD 21901 for a new Class "B" Beer, Wine & Liquor Alcoholic Beverage License.

General Business

- **Approve Minutes**

Chief Bradford contacted Chairman Snelling by phone – Commissioner Curry made a motion to approve the minutes from the February 22, 2017 meeting; Chairman Snelling seconded that motion and the Board unanimously approved the minutes.

- **Specials**

Old Business

New Business

With no further business to conduct, Commissioner Cole made a motion to adjourn the meeting; Commissioner Curry seconded that motion. The meeting was adjourned at 10:01 AM.

BY:

Herrel Curry, Acting Chairman

ATTEST:

Robin S. Trader, Administrative Assistant