

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, July 25, 2018** at 9:15 A.M.

**PRESENT:** Tim Snelling, Chairman  
Steven A. Miller, Commissioner  
H. Norman Wilson, Jr., Esquire  
Earl R. Bradford, Chief Alcohol Beverage Inspector  
Robin S. Trader, Administrative Assistant

Chairman Snelling announced that if anyone wish to have a full Board, they may do so at a later date when his replacement is made; they do have a quorum.

### **MEET THE BOARD - TRANSFER**

Richard Kelso, President; Kimberley Guerrieri, Vice President; Rick's Beer, Wine & Spirits, 1205 Jacob Tome Memorial Highway, Port Deposit, Maryland 21904

Kimberley Guerrieri appeared before the Board; she stated over the past few years, Rick has had health issues and she has stepped in to run the business. They have transferred the business from a sole proprietor to his LLC and have added her to the LLC and license. With no further questions, the Board wished them well.

### **REQUEST FOR OUTDOOR USE**

Jeffrey S. Kennard, Director; Charles S. Cameron, Sr., Director; Stephen Ewing, Sr., Director; The Community Fire Co. of Rising Sun, Inc., T/A Rising Sun Banquet Hall, 300 Biggs Highway, Rising Sun, MD 21911

Jeffrey Kennard, Bar Manager and Bill Eyler, President appeared before the Board. Mr. Eyler stated they have a food truck that sets up in their parking lot, the fire company would like to sell beer and wine in the parking lot to accompany the food truck. Chief Bradford asked if they will have tables and chairs set up? Mr. Eyler stated yes. Chief Bradford then asked if they will have a confined area; Mr. Eyler stated they will not have the area roped off; they will have coolers filled with beer and wine. Commissioner Miller asked if they are asking permission for sales from both parking lots; Mr. Eyler stated yes. Chief Bradford asked if they would have outdoor music; Mr. Eyler stated, the Board is discussing that, they would like have bluegrass in the pavilion. Mr. Eyler stated all of their bartenders are all TIPS trained. Mrs. Trader stated the Board also needs to approve their change of officers with the death of Mr. Funk. Commissioner Miller made a motion to approve the change of officers as submitted; Chairman Snelling seconded that motion and the Board unanimously approved the change of officers. Commissioner Miller made a second motion to allow outdoor use of their license; Chairman Snelling seconded that motion and the Board unanimously approved outdoor use of their license.

## NEW LICENSE

Application received from Wayne V. Phan, Member; Thuy S. Huynh, Member; J&J Pho, LLC, T/A J&J Pho, 216 W. Pulaski Highway, Elkton, MD 21921 for a new Class "B" Beer, Wine & Liquor Alcoholic Beverage License.

Wayne V. Phan appeared before the Board with attorney, Gary Brown; he was duly sworn by the Clerk. Mr. Wilson read the legal notice that was published on July 13 and 18, 2018. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 3. Mr. Wilson asked if the questions that were answered and submitted were the same as when they were submitted; the applicants stated yes. Mr. Brown stated Mr. Phan is opening a Vietnamese restaurant, he continued there are no other Vietnamese restaurants in the county, the closest is in Newark, DE.

Surrendra Patel stated he is the owner of Elk Landing Liquors right next door to the business. He would like to ensure that Mr. Phan has no plans to have a liquor store; Mr. Phan stated he has no plans for this. Mr. Brown stated he believes the restaurant has a qualified uniqueness as the only Vietnamese restaurant in the county; the alcohol sales will enhance the business and he believes the more restaurants, the better. Mr. Phan said he hopes to open in September. With no further questions, Commissioner Miller made a motion to approve the issuance of the license conditioned upon submitting a copy of the occupancy permit; Chairman Snelling seconded that motion and the Board unanimously approved the license.

## RECLASSIFICATION

Application received from Benjamin App LeRoy, Member; BAL Management Company, LLC, Licensee; Robert Greenawalt, Thomas C. Arnao, Jr., Stuffer's LLC, Lease Managers, 1005 Elk Mills Road, Elkton, MD 21921 for reclassification of Class "B" Beer & Light Wine Alcoholic Beverage License No. B-138 to Class "B" Beer, Wine & Liquor Alcoholic Beverage License.

Robert Greenawalt and Thomas Arnao appeared before the Board; Mr. Wilson read the legal notice that was published on July 13 and 18, 2018. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 4. Mr. Wilson asked if the questions that were answered and submitted were the same as when they were submitted; the applicants stated yes. Mrs. Trader stated the license is issued to Benjamin LeRoy, who is out of town; the office issues the license with the lease holders named on the license since they are the ones purchasing the alcohol and paying taxes and it's easier for everyone that way. Mr. Greenawalt stated they have many guests requesting additional drinks, as some people don't drink beer and wine; he stated they do not want to turn into a bar, they are a restaurant first and foremost. He continued they currently sell 95% food and 5% alcohol, their promotions push food. Chief Bradford stated they are going before the Board of Appeals in August and the approval would need to be conditioned upon receiving a copy of the Board of Appeals decision. With no further questions, Commissioner Miller made a motion to approve the reclassification conditioned upon the approval from the Board of Appeals; Chairman

Snelling seconded that motion and the Board unanimously approved the reclassification conditioned upon the approval from the Board of Appeals.

#### **QUESTIONS REGARDING NEW LICENSE**

Holly Rollins appeared before the Board. She stated she and her husband own the Mitchell House, where her husband's law office is housed. The first floor of this building was vacant and with the closing of the Little Wedding Chapel, she has set up that area for weddings, events, etc. and is interesting in obtaining an alcoholic beverage license, but after discussions with Chief Bradford, there is no license that suits her needs. Mrs. Rollins also stated her daughter has Sweet Spice Shop in North East and she will be catering the food and she has discussed with her that she apply for a license and utilize the catered event license, as she will be catering the food for the venue. The Board discussed this with her and asked if there was a kitchen or room for a kitchen; she stated there is a kitchen. The Board suggested she contact the Cecil County Health Department to find out what requirements they have and proceed from there.

#### **General Business**

- **Approve Minutes**
- **Specials**

#### **Old Business**

#### **New Business**

With no further business to discuss, the meeting was adjourned 10:00 AM.

BY:

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Tim Snelling, Chairman

ATTEST:

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Robin S. Trader, Administrative Assistant