

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, August 25, 2021 at 9:15 A.M.

PRESENT: Stephen Miller, Chairman
Kristen Ortt, Commissioner
Lawrence Scott, Board Attorney
Earl Bradford, Chief Alcoholic Beverage Inspector
Robin S. Trader, Administrative Assistant

Commissioner Bernard Chiominto was excused.

Chairman Miller called the meeting to order. He announced Commissioner Chiominto is not present and if anyone present would like to be heard before the three-member Board they may request to postpone until the three Board members are present. Attorneys William Riddle and John Downes stated their clients would like to be heard today.

9:15 AM

APPLICATIONS

LEASE MANAGEMENT AGREEMENT

Howard Ronald Dubree, Sr., Full Moon Saloon, LC, Owner/Licensee; T/A Full Moon Saloon, 565 Cecilton Warwick Road, Warwick, MD 21912 -

DID NOT APPEAR

Commissioner Ortt stated "I move to postpone the lease management agreement Howard Ronald Dubree, Sr., Full Moon Saloon, LC, Owner/Licensee; T/A Full Moon Saloon, 565 Cecilton Warwick Road, Warwick, MD 21912; Chairman Miller seconded that motion and the Board voted unanimously to postpone the lease management agreement until next month.

TRANSFER OF LICENSE

Application received from Adam Kelso, Old South Smokehouse, LLC, T/A **Old South Smokehouse**, 1195 Jacob Tome Highway, Port Deposit, MD 21904 for transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverage License No. B-121 from James William Kuhn; Elizabeth Rose Kuhn; Bainbridge Grill, Inc., Licensees; Adam Kelso, Old South Smokehouse, LLC; Lease Manager, T/A

Old South Smokehouse, 1195 Tome Highway, Port Deposit, Maryland
21904

Adam Kelso appeared before the Board with attorney, William Riddle; the applicant was duly sworn by the Clerk. Mr. Lawrence read the legal notice stating it was advertised on the dates of August 11 and August 18, 2021. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 6. Mr. Lawrence asked if the information in the application as submitted had changed since submitting; the applicants stated no. Chairman Miller stated the food is wonderful. Mr. Riddle stated the Old Smokehouse was located three doors down with limited parking; Prost German Restaurant moved to Harford County which allowed Mr. Kelso to pursue the location. Mr. Kelso's father purchased the property and Mr. Kelso leases the property from his father. Mr. Riddle continued same restaurant, more employees, more parking, same menu, same drink selection, new location. Mr. Scott asked Mr. Kelso about the license at the previous location; Mr. Kelso stated he may have someone to lease that property; Mr. Scott had Chief Inspector Bradford remind Mr. Kelso that the business needs to be open 30 continuous days in a 12-month period to keep the license active; Mr. Kelso stated that won't be an issue. Chairman Miller asked if anyone was present for or against this transfer, there was no one. Chairman Miller asked if there were any questions, there were none. Commissioner Ort stated, "I move to approve the transfer of license to Adam Kelso, Old South Smokehouse, LLC, T/A Old South Smokehouse, 1195 Jacob Tome Highway, Port Deposit, MD 21904 for transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverage License No. B-121 from James William Kuhn; Elizabeth Rose Kuhn; Bainbridge Grill, Inc., Licensees; Adam Kelso, Old South Smokehouse, LLC; Lease Manager, T/A Old South Smokehouse, 1195 Tome Highway, Port Deposit, Maryland 21904; Chairman Miller seconded that motion and the Board unanimously approved the transfer of the license to Adam Kelso, Old South Smokehouse, LLC, T/A Old South Smokehouse, 1195 Jacob Tome Highway, Port Deposit, MD 21904 for transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverage License No. B-121 from James William Kuhn; Elizabeth Rose Kuhn; Bainbridge Grill, Inc., Licensees; Adam Kelso, Old South Smokehouse, LLC; Lease Manager, T/A Old South Smokehouse, 1195 Tome Highway, Port Deposit, Maryland 21904.

VIOLATION:

Class “B” BWL No. B-Eriksson Hill, Hill Culinary Consulting, LLC T/A Hill Culinary, 1 Commercial Plaza, Elkton, MD 21921

Eriksson Hill appeared before the Board with attorney, John Downes. Chief Bradford read his report into the record. He also read Local Rules & Regulation #13 – Alteration or Change to Mode of Operation. Chief Bradford stated there were two events, one at Chesapeake Overlook and the other at Chateau Bu-De, where alcohol was sold; he stated he can’t be sure who provided the alcohol; Mr. Hill interjected and said it was not him; Chief Bradford continued, but we do not have a special for either event or a catered events form, so someone was in violation at those events. Chief Bradford presented a photo showing alcohol on the table, a price menu, and Hill Culinary cards in the middle. Mr. Downes stated the context was not being disputed, the Facebook post was a business man’s spin on an unsuccessful business. Mr. Downes explained that Mr. Hill is having trouble getting employees who want to work, running the restaurant, as well as the catering business. Mr. Hill stated of the events he caters he probably uses his license at 1% of those events; Mr. Hill stated he was in no way trying to deceive the Board or do anything illegal, it was such an oversight, and it wasn’t until he received the letter that he realized he hadn’t advised the Board that this was happening. Mr. Hill continued that ideally, he would like until January or February, hoping the employment issue is better and he can take the time to reorganize his business plan. This led to a discussion as to why he needed a license. Chairman Miller stated there is not a license just for catering; to be able to cater events you must hold a regular liquor license. Chairman Miller called for a motion; Commissioner Ortt made a motion to grant three months to Mr. Hill to reorganize his business plan and regarding the violation, recommends a \$250 fine; Chairman Miller seconded that motion and the Board unanimously approved to grant three months to Mr. Hill to reorganize his business plan and \$250 fine.

UPDATE/REQUEST FOR EXTENSION

Class “B” BWL No. B-179 - David A. Carey, Member; Charles Harry Craven, Jr., Member; 31 River LLC, T/A **Tiki Lee’s**, 31 River Road, Perryville, MD 21903 – **DID NOT APPEAR**

Class “B” BWL No. B-180 - Mattias Schmid, Member; Harry P. Phillips, Managing Member; William R. Phillips, Managing Member; 5th Company Brewing LLC, T/A **5th Company Brewing**, 362 Front Street, Perryville, MD 21903

Brandon and William Phillips appeared before the Board; Brandon Phillips stated they are moving along quite fast at this point and hope to open by the end of October. Chairman Miller asked if a 90-day extension would be good for them; William (Bill) Phillips stated that with supply chain issues, getting materials on time is ridiculous, that just in case they have issues, he doesn’t want to be close; Chief Bradford interjected and asked if January 1st would give them enough time; both gentlemen stated they hope that is good. Commissioner Ortt stated, “I move to provide an extension through January 1, 2022 to Mattias Schmid, Member; Harry P. Phillips, Managing Member; William R. Phillips, Managing Member; 5th Company Brewing LLC, T/A **5th Company Brewing**, 362 Front Street, Perryville, MD 21903”; Chairman Miller seconded that motion and the Board unanimously approved the extension through January 1, 2022 to Mattias Schmid, Member; Harry P. Phillips, Managing Member; William R. Phillips, Managing Member; 5th Company Brewing LLC, T/A **5th Company Brewing**, 362 Front Street, Perryville, MD 21903

QUESTIONS REGARDING NEW LICENSE

Laura Woods – **DID NOT APPEAR**

Questions/Public Comment General Business

- **Approve Minutes**
The minutes from the June and July meeting were discussed – Commissioner Ortt was physically present both meetings and the minutes indicated she appeared virtually; Commissioner Chiominto appeared virtually in July – with these changes, Commissioner Ortt made a motion to approve the minutes for June and July; Chairman Miller seconded that motion, and the Board unanimously approved the minutes for June and July with the changes indicated. **CHANGES WERE MADE**
- **Specials**

Old Business

- Chief Bradford reminded everyone to review the Rules & Regulations
- Renewal – Renewal for 2020 and 2021 ended Tuesday, August 17 - Social Merchant and Los Parientes did not renew
- Cigarettes – need to meet with CCSO and SAO

New Business

- Chief Bradford stated he attended his first MACO meeting in Ocean City
- The Cecil Whig has a Cecil's Best contest each year and the Cecil County Liquor Board has been nominated for best customer service
- Phone call from Cracker Barrel on Route 279 regarding a license

At 10:06 AM - Commissioner Ortt made a motion to adjourn the meeting; Chairman Miller seconded that motion and the Board unanimously approved to adjourn the meeting.

BY:

Stephen Miller, Chairman

ATTEST:
Robin S. Trader, Administrative Assistant