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, December 18, 2024, at 9:15 A.M.

PRESENT: Stephen Miller, Chairman
Kristen Ortt, Commissioner
Russ Johnson, Commissioner
Keith Baynes, County Attorney
Kevin Jensen, Assistant County Attorney
Earl Bradford, Chief Alcoholic Beverage Inspector
Sandra Cumm, Administrative Assistant
Kayla Maldeis, Paralegal
Rita Buckland, Paralegal

Chairman Miller: called the Cecil County Board of License Commissioners meeting at order. He asked everyone to rise and say the Pledge of Allegiance to the Flag.

Chairman Miller: asked for everyone that was to testify at today's hearing to stand and be sworn in.

Administrative Assistant: Sworn in Earl Bradford and audience members who were going to testify at this time.

Chairman Miller: Next, I would like to welcome his Honor, Keith Baynes, the new County Attorney for Cecil County.

Assistant County Attorney Jensen: I am sorry, Mr. Chairman, before we continue, we need to approve the agenda first.

Chairman Miller: okay, if everybody would look over the agenda. I will entertain a motion.

Commissioner Johnson: I move that we approve the agenda for the Cecil County Board of License Commissioners meeting Wednesday, December 18, 2024.

Chairman Miller: Having a motion, do I hear a second?

Commissioner Ortt: Second

Chairman Miller: All in favor?

Board: Aye

Chairman Miller: I would also like to note that we have a quorum today. Full Board is present.

Chairman Miller: The first order of business is Application received from, Tosha Shailesh Patel, North Bay Liquors LLC, T/A **North Bay Liquors**, 480 N. Mauldin Avenue, North East, MD 21901 for transfer of Class "A-59" Beer, Wine & Liquor Alcoholic Beverages License, from, Pravinaben Chandrakant Patel, Tosha Shailesh Patel, North Bay Liquors LLC, T/A **North Bay Liquors**, 480 N. Mauldin Avenue, North East, MD 21901. Could you please come forward.

Attorney Riddle: My name is William Riddle, and I represent the applicant in this matter. What occurred is the real estate as well as the business. At 480 North Malden Avenue went through a sale. My client, Nancy Singh, was the main purchaser of that property, both real estate as well as the business. So, we're asking for a transfer of the liquor license. As you're aware. It was a long time getting there, but we had a liquor license there. Pravinaben Chandrakant Patel opened up a liquor store and there has now has been a transfer and a sale. I believe I provided those documents regarding that transfer to the Liquor board, and we provided a new application. Now, what I would note is Tasha Patel. She remains on the liquor license just as she was before in the same capacity. I didn't think I would need her here. Nothing's changed in her regards, but I want to make sure

that Ms. Singh was here for you to ask any questions I can ask her, but she'll certify that all the contents of her application remain true and correct. Nothing has changed since the time of application. Through today. I think I provided a management agreement. They have been operating the store awaiting this hearing, and they want to finalize the transfer to her leaving Tasha Patel on the liquor license, and then just continue to operate as they have been. I have her here to answer any questions, go through the application. I know sometimes Council likes to go through the entire application like we can do whatever you'd like. I can go through it. Your counsel can. Whatever you prefer.

Chairman Miller: Is Tasha the previous liquor license holder?

Attorney Riddle: Yes, Tasha was on the previous liquor license. Remember, she was the 1%. She was the resident agent. She was the local So she's staying on in that same exact capacity, 1% owner, the resident of Cecil County, and that's exactly what her position is in that. That's why I didn't think I needed her here. But I can do whatever the commission. Okay.

Chairman Miller: This entirely takes it out of the people from Houston, Texas.

Attorney Riddle: Right.

Chairman Miller: Mr. Jensen, do you have any questions?

Assistant County Attorney Jensen: No questions. I typically ask if anything has changed on the application since the time it was submitted, but I believe you have already addressed that.

Attorney Riddle: Has anything changed from when you and I sat down and completed the application?

Mansi Gandhi Singh: No

Chairman Miller: Mr. Johnson, do you have any questions?

Commissioner Johnson: I have no questions.

Chairman Miller: Ms. Ortt?

Commissioner Ortt: No questions.

Chairman Miller: Mr. Bradford?

Chief Inspector Bradford: No questions.

Chairman Miller: Is there anyone here in the audience here to speak for or against this proposal?

Chairman Miller: Seeing none, I will entertain a motion.

Commissioner Ortt: I more to approve the application received from, Tosha Shailesh Patel, North Bay Liquors LLC, T/A **North Bay Liquors**, 480 N. Mauldin Avenue, North East, MD 21901 for transfer of Class "A-59" Beer, Wine & Liquor Alcoholic Beverages License, from, Pravinaben Chandrakant Patel, Tosha Shailesh Patel, North Bay Liquors LLC, T/A **North Bay Liquors**, 480 N. Mauldin Avenue, North East, MD 21901.

Chairman Miller: Having a motion, do I hear a second?

Commissioner Johnson: Second

Chairman Miller: Having a motion and a second, all in favor?

Board: Aye

Chairman Miller: Good luck to you.

Chairman Miller: Next on the agenda, Application received from Jose G. Martinez, Teresa Castro, Christine M Malice, Casa Mezcal, LLC, T/A **Casa Mezcal**, 1005 A Elk Mills Road, Elkton, MD 21921 for transfer of Class "B-138" Beer, Wine & Liquor Alcoholic Beverages License, from, Benjamin App Leroy, BAL Management Company, LLC, Jose G Martinez, Diego Coronel, Casa Mezcal, LLC, T/A **Casa Mezcal**, 1005 A Elk Mills Road, Elkton, MD 21921.

Attorney Faulkner: Good morning. I am here on behalf of the applicants Casa Mezcal, LLC, represented by Mr. Jose Martinez and Ms. Malice and Ms. Teresa Castro. Casa Mezcal has been in business since 2022. They are currently operating under a management agreement, and the license is help by BAL Management Company, LLC Mr. Ben Leroy. Mr. Leroy has been the owner of the property, has recently sold the property to Mr. Parks, who's also present here today. And now we, of course, want to transfer the license, which has kind of always been the plan for Casa Mezcal to have the license transferred into their names, and so forth. So, we're asking the Board to effectuate that transfer, transferring it to Casa Mezcal, LLC. And to Mr. Martinez Castro, and Ms. Malice. Accordingly. If I might. Mr. Martinez, Ms. Castro, Ms. Malice. Each of you have executed the application and reviewed the application which has been submitted to the Board. Is that correct,

Jose Martinez: Correct

Attorney Faulkner: And since the data which you executed that particular document and application, are there any change, any changes occurred? Or is all that information currently accurate, currently accurate,

Jose Martinez: No changes,

Attorney Faulkner: Very good. And is it your intent to continue to operate the business again as it has been operating since the since you originally received or been operating under the current management agreement. So, I'm not sure what other information the Board might like. But again, this is something that's kind of been a long time in coming, and they're excited about again continuing the operation of the business in accords, and I will say that they operate under a lease with BAL, and all the leases pursuant to the sale have been transferred to Mr. Mubarak. It's the same lease which I believe you all have a copy of the lease agreement. Thank you.

Chairman Miller: Mr. Jensen.

Assistant County Attorney Jensen: No questions, Mr. Chair.

Chairman Miller: Mr. Johnson.

Commissioner Johnson: No questions,

Chairman Miller: Miss Ortt?

Commissioner Ortt: I have no questions, but really enjoy your restaurant.

Chairman Miller: Is there anyone in the audience that would like to speak at this point in time? Seeing none I'll entertain a motion.

Commissioner Johnson: I move that we approve the application transfer received from Jose Martinez, Teresa, Castro, Christine Malice. Casa Mezcal, LLC. Trading as Casca Mezcal, 1005 A Elk Mills. Road, Elkton, Maryland, 21921 for transfer of Class B-138, beer, wine and liquor, alcoholic beverage, license from Benjamin App Leroy BAL Management, Company, LLC. Jose G. Martinez, Diego Coronel, Casa Mezcal, LLC. Trading as Casa Mezcal, 1005, A Elk Mills Road, Elkton, Maryland, 21921

Chairman Miller: Having a motion on the table. Do I hear a second

Commissioner Ortt: Second

Chairman Miller: I know. I can only say that every day that I come into my office I hear about your restaurant from my staff. And if I didn't back this, I think they'd quit me, so I have a motion, and a second all in favor. Say, aye,

Board: Aye,

Chairman Miller: opposed? Hearing no opposition. Motion carries good luck, continued success.

Attorney Faulkner: Thank you very much.

Chairman Miller: Next on the agenda is a change of officer application received from Bradford Lee Carrillo, Jr. Jessica Rianne

Carrillo, Elk River, Brewing Company, LLC. Trading as Elk River Brewing Company, at 112 East Main Street, Elkton, Maryland, 21921 to be changed to Bradford Lee Carillo, Jr. Elk River Brewing Company, LLC. Trading as Elk River Brewing Company, 112 East Main Street, Elkton, Maryland, 21921.Come forward, please identify yourselves. Good morning. Tell us what is going on.

Brad Carillo: So, we're here to take Jessica off our current liquor license for Elk River Brewing in order to be able next month to come in front of you. We will have an application for another liquor license for our location in North East. Our intention is to open a second location, and we needed to remove her off of the current license to add her to the next license. And that's really why we're here today. So next month you'll hear us, probably with an application hopefully for the second liquor license.

Assistant County Attorney Jensen: Any changes to your application from the time you submitted it until the present.

Brad Carillo: No.

Assistant County Attorney Jensen: Thank you.

Chairman Miller: Ms. Ortt.

Commissioner Ortt: Oh, whereabouts in North East is it going be at?

Brad Carillo: 18 South Main Street. It's our building. We own the building now. It's where Aspen Property Management is. There's a duplex **next door. It's going to be that building.**

Commissioner Ortt: Very good.

Chairman Miller: Oh, yeah, lots of parking out back.

Brad Carillo: It's the biggest parking lot in North East

Commissioner Johnson: So is the New LLC. For Elk River Brewery. Is that now just a 1 person, LLC. Or are you still on, as you will still be the owner?

Brad Carillo: Yeah, it's 2 person. It's an LLC. With 50 50 partnerships.

Commissioner Johnson: Okay, on that on Elk River Brewing Company, LLC. Right? There will be.

Brad Carillo: We are also 50 50 partners on the entity that will be North East, which will be ERBC. LLC.

Commissioner Johnson: Okay? And the requirement is not that everyone on the LLC. Has to be on the license. Is that correct?

Chief Inspector Bradford: Correct.

Commissioner Johnson: I have no further questions.

Chairman Miller: Mr. Bradford, any questions?

Chief Inspector Bradford: No questions.

Chairman Miller: Nobody in the room to ask questions. So, at this point I'll entertain a motion.

Commissioner Ortt: I move to approve the application received from Bradford, Lee, Carrillo, Jr. Jessica Rianne, Carrillo, Elk River Brewing Company, LLC. Trading as Elk River Brewing Company at 112 East Main Street, Elkton, Maryland, 21921 to be changed to Bradford, Lee, Carrillo, Jr. Elk River Brewing Company, LLC. Trading as Elk River Brewing Company, 112 East Main Street, Elkton, Maryland, 21921.

Chairman Miller: Hearing a motion, do I hear a second?

Commissioner Johnson: Second

Chairman Miller: Having a motion, and a second all in favor. Say, aye,

Board: Aye,

Chairman Miller: Opposed? Hearing no opposition. Good luck with everything, thank you. See you next month. Moving on to questions and public comments. Forget that now general business. You've been provided with the minutes from the last meeting that we had. There's any additions or corrections, if not, can I have a motion?

Commissioner Johnson: I move we approve the minutes from the Wednesday, October 30, 2024, meeting.

Chairman Miller: Having a motion on the table. Do I hear a second?

Commissioner Ortt: Second

Chairman Miller: All in favor, say, aye.

Board: Aye.

Chairman Miller: Motion passes. Specials, Mr. Bradford.

Chief Inspector Bradford: If I can just kind of add real quick before I mention the specials. If you recall last month, we had a transfer there from Spork, located in Elkton. From gentleman, I think it was Jason. I can't recall his last name, but we talked about possibly changing the trade name or and he had a few ideas. And he did, in fact, send us an email requesting that we change the trade name from Spork to Legends on Main, and if we could have a motion to approve that?

Chairman Miller: I'll entertain emotion.

Commissioner Ortt: I move to approve the name. Change from Spork Cafe to Legends on Main.

Chairman Miller: Having a motion. Do I hear a second?

Commissioner Johnson: Second

Chairman Miller: Having a motion, and a second all in favor, say, aye,

Board: Aye.

Chairman Miller: Motion carries.

Chief Inspector Bradford: Yeah. We had one special Fairhill Nature Center for a wine and beef fundraiser that was actually held on 11/2/24.

Chairman Miller: Old business.

Chairman Miller: New business? Mr. Bradford.

Chief Inspector Bradford: So new business. So, this has been a hot topic for years and that's being on more than one license in Cecil County or in the State of Maryland. If you recall back in 2018, we did vote to change that where you would be allowed to be on more than one license in the in the county we actually issued several Prime Waterfront, Prime 225 are owned by the same people. Bog Turtle, and Hatchers on Main, are owned by the same people. And for small amount of time. We had Captain Lee's and Lee's Landing were owned by the same people. That license expired, they did reapply, and instead of him applying for both licenses, his ex-wife applied, and was granted a license that license has expired. We have a number of people right now who have an existing license, who are interested in an additional license. 3 or 4 people actually, the couple who were just in were one of those people who wanted more than one license, and they have chosen to go the route of her coming off the license in Elkton, and going on a license in North East, which we have numerous license issued to husbands and wives in the county. So if you saw the packet that I presented to you. The law actually says, issuance of a multiple class, A, C, D. License throughout the State, except as otherwise provided. In this division. 2 of this article, title 3 or title 4. An individual may not be issued in the state, more than one class, A, C or D license. They didn't put Class B in there. So, there's always been the interpretation is, did they mean to leave Class B out, or do they leave Class B out so that you could be on more than one license. So that's something

I think the Board needs to speak of and decide how they want to continue in the future.

Chairman Miller: Mr. Bradford, what's your recommendation?

Chief Inspector Bradford: I feel the they're getting around it to the point where they can be on 2. Oh, I have no problem with them, being on more than one class B, or actually even the wording is that they can't be on more than one class, A, C or D, that would mean they could be on more than one class b, 1 BLX, and then possibly even a golf club license. It's not like the old days where we had no license available in the district. There's probably 75 or 80 license available in Cecil County. Our growth has been very stagnant over the last 4 or 5 years. We've been at 141 licenses for that amount of time, and we'd like to stimulate that. I think we would.

Chairman Miller: Yes, my question if a license holder has more than one license, and we have a violation at one location does that any way influence the other locations?

Chief Inspector Bradford: I would say no, but I think that would be a legal question.

Assistant Attorney Jensen: I can look into that and get back to you. Mr. Chairman, appreciate it.

Chairman Miller: That would be my only question.

Commissioner Johnson: No, I think that it shouldn't be an issue for someone to hold more than one license. That's the way business is done, you know, nowadays there are quite a few operations that are multiple people are involved in it, or they own multiple businesses. And I see no reason where that would violate anything we're trying to accomplish. So I would be in favor of that.

Chief Inspector Bradford: Back in 2018, when we did change to the fact that it could be on more than one license, I did a little research in Charles County. You could be up to 6, including B. And BLX,

Hartford County up to 9. You could be on more than one Baltimore County up to 13 Baltimore City up to 5 St. Mary's was reserved to St. Mary's County, Montgomery, Montgomery County, up to 10, Howard County, up to 2. So that's the research that I conducted back in 2018.

Commissioner Johnson: I mean, I if I could add one other point just like with the Carrillos that were just here. You know we want to try to make it easy to do business here in the county and easy for the licensees to do business, and because of this they had to go through that extra hoop, and, you know, remove her from it, and I don't think that's necessary. I don't think it gives us an edge to be able to have to do that.

Judge Baynes: I would just add that I record what Bradford says with regard to judicial interpretation of legislation and laws, and so that it's presumed that the legislature intended what they passed, what they wrote, and it's not a mistake or error that the fact that they omitted Class B. For whatever reason they felt it was appropriate to not include that in the provision that limited or prohibited more than one Class, A, C or D. License. So I think your interpretation is the fact that you know you can license be licensed save everybody.

Chairman Miller: Ms. Ortt?

Commissioner Ortt: Do you recall? If there was an incident, why, we changed it?

Chairman Miller: The administration was against it

Chairman Miller: Okay, can we? Do a motion now and proceed.

Assistant County Attorney Jensen: Let's talk about what needs to be in the motion.

Chief Inspector Bradford: Probably could just add exactly what's in the law following what the existing law is right?

Commissioner Johnson: So we would just be changing from what the current is, and we could actually change it back to what we had, what it was when we were allowing it.

Assistant County Attorney Jensen: Does the State law correspond directly with what we have currently in our, because I see there's a state wall cited next to it.

Chief Inspector Bradford: Yes, what we what we did in January 2018, was more or less copied the State law and put that into our local rules and regulations.

Chairman Miller: Do you have that copy?

Assistant County Attorney Jensen: I have the copy provided? Yes, but I can look up the State law if that's if the board desires.

Chairman Miller: Mr. Jensen, would you read the highlighted section? Yes, for us, and then we can make a motion to approve that.

Assistant County Attorney Jensen: Okay, so the highlighted section, let's see, be section 11, subsection, a person franchisor, franchisee, chain store operation, partnership firm or corporation holding a class B or BLX, restaurant, alcoholic beverage license may have interest in more than one license, whether held or controlled by direct or indirect ownership by a franchise operation, by a chain store operation, interlocking directors or interlocking stock ownership, or in any other manner, directly or indirectly, and subsection B the board may not issue a class A, B or D license to a holder of a chain store, supermarket or a discount house.

Chief Inspector Bradford: And that all may change, too.

Chairman Miller: Okay, I would entertain a motion on that.

Commissioner Johnson: I move that we change 11interest in more than one license section A and B, which Mr. Jensen just read to us.

Chairman Miller: Okay, having a motion, do I hear? A second

Commissioner Ortt: Second

Chairman Miller: Having a motion, and a second all in favor, say, aye,

Board: Aye,

Chairman Miller: Motion carries. Earl, have you been asked to draft any kind of letter to the Governor's office on this grocery store Liquor sales?

Chief Inspector Bradford: Not yet, anyway.

Chairman Miller: Mr. Jensen or, Mr. Baynes, have you been approached about county executive? Would we be overstepping our bounds as the Liquor Board to write a letter in opposition.

Judge Baynes: Guys got for it.

Chairman Miller: I would love to. I would. I think I know the Governor's pushing it, and he wants a copy on his desk before the end of legislation, but I think it would kill the local liquor people. But from what Earl and I talked about before. What they were looking at was every major grocery chain for every store would pay a $100,000, and it would go to the state, not the county. Which is why they want to do it.

Commissioner Johnson: Yeah, right? Which takes everything away from us and puts our businesses out. The other at least. Now, portion of that would be that where normally we would think that competition will drive Price down and the public will benefit from that. This isn't going to drive the price down. You're not going to see the grocery store selling it for less than what you would pay in one of our licensee's stores. So, I just don't see the economic advantage for us.

Chairman Miller: I don't either. So, if you would, sir, have a conversation with Mr. Straight about okay, we're to the motion to adjourn.

Commissioner Ortt: I move to adjourn the meeting.

Commissioner Johnson: Second

Chairman Miller: I have a motion and a second to adjourn. All in favor

Board: The Board unanimously votes to adjourn.

Meeting is Adjourned.

BY:

Stephen Miller, Chairman

ATTEST:
Sandra L. Cumm, Administrative Assistant