

**March 6, 2024
9200 Basil Court
Largo, MD 20774
Virtual Hearing**

Present:

Oretha Bridgwaters-Simms, Chair
Armando Camacho, Vice Chair
Tammie Norman, Commissioner
Tammy Sparkman, Commissioner
Dennis Smith, Commissioner
Jason DeLoach, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Leonard Vauss, Deputy Chief Liquor Inspector
Christian Mendoza, Deputy Chief Liquor Inspector
Patricia Bell, Administrative Manager
Katrice James, Administrative Aide
Alecia Hughes, Assistant to the Director

Start Time: 7:02 p.m.

Commissioner Bridgwaters-Simms: At the Board of License Commissioners, we endeavor to be as efficient as possible in our virtual environment. Thank you for your patience. This is a public meeting subject to the Maryland Open Meetings Act so a truthful, transparent, open, and honest dialogue and record is required. As such, there are some formalities that will take place that may appear redundant but nonetheless are important and required to ensure compliance with the law.

Director Sheppard: During a typical hearing, there would be an exchange between the Board and the attorneys to exchange information as exhibits. Because this hearing is now virtual, we have implemented a 10-day rule to give those individuals here today, 10-days from today's date to add to the official record. I would ask that you email myself or the administrative staff of the BOLC. You may add information to the record long as it is information that has been discussed in this hearing.

REGULAR SESSION**March 6, 2024**

1. Ronald Freckleton, Owner, t/a **Junction Jamaican Restaurant**, 1527 University Blvd. Hyattsville, Maryland 20783, Class B, Beer and Wine, is summonsed to show cause for an alleged violation of an alleged violation of Section 6-311, Purchase Alcoholic Beverages from other than a Wholesaler, of the Annotated Code of Maryland, and R.R. No. 11 of the Rules and Regulations for Prince George's County. And R.R. NO. 11 - Purchases by an authorized retailer from an unauthorized source. To wit; on or about Monday, January 2, 2024, at approximately 6:10 p.m., Inspector Kinney of the Prince George's County Board of License Commissioners conducted an inspection at the licensed premises located at 1527 University Blvd., Hyattsville, MD. Inspector Kinney observed various bottles of liquor above 15.5% which is not authorized under this license. When Inspector Kinney inquired about the invoices, the manager admitted purchasing from a retailer. The licensee is subject to all potential penalties identified in the Alcoholic Beverage Article, Rule 26 of the Rules and Regulations for Prince George's County and any other provision(s) governing said license, which may include other violation(s) identified at the hearing.

Chief Clark states there were two violations, R.R. 11 and R.R. 6, the summons that was signed by Mr. Freckleton did not reflect both violations. He recommended postponing this case to the next available hearing to ensure Mr. Freckleton is properly served.

Commissioner Camacho makes motion to postpone the case to the next available hearing, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

2. Rhonda Hall, Managing Member, t/a Ladies 1st Cigars, 402 Coventry Way, Clinton, Maryland 20735, Class B, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of an alleged violation of RR #58 A(2) and A(5) There shall be employed a sufficient number of chefs and /or cooks to prepare food at all hours that the establishment is open. The licensee shall not deviate from the operating conditions allowed and defined by the Board concerning the operation of the restaurant. The operating conditions of the establishment include but are not limited to the hours of operation, type of menu, availability of food, and the number of tables and chairs provided for patrons. & RR #37(E) Change in Mode of Operation (Permitting smoking in the establishment) To wit: on Thursday, November 30, 2023, at approximately 10:00pm, Inspector Farmer-Johnson of the Board of License Commissioners entered the Ladies First Cigars, located 6402 Coventry Way, Clinton, MD. While inside she ordered food but was advised the chef left and that they had no food to offer. Also, Inspector Farmer-Johnson noticed patrons smoking cigars inside the establishment. This is a direct violation of RR# 58 A(2) and A(5). Also, a violation of RR #37 (E) Changing mode of Operation. The licensee is subject to all potential penalties identified in the Alcoholic Beverage Article, Rule 26 of the Rules and Regulations for Prince George's County and

any other provision(s) governing said license, which may include other violation(s) identified at the hearing. Continued from February 7, 2024, Regular Session Hearing. **Director Sheppard** requested that the Board continue this case for the next available hearing due to the inspector's unavailability to testify.

Commissioner Camacho makes motion to continue the case to the next available hearing date, seconded by **Commissioner Norman**.

After Board Vote, motion Carries.

3. Emily Bruno, Managing Member, Julie C. Verratti, Managing Member, Jeffrey Ramirez Managing Member, t/a Denizen Brewery Company, 4550 Van Buren Street Riverdale, Maryland 20737, Class B(DD), Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of an alleged violation of Section 6-311, Purchase Alcoholic Beverages from other than a Wholesaler, of the Annotated Code of Maryland, and R.R. No. 11 of the Rules and Regulations for Prince George's County. To wit; on Saturday, December 9, 2023, at approximately 8:48 pm Inspector Hamilton of the Prince George's County Board of License Commissioners conducted a Routine Inspection at Denizen Brewery Company, located at 4550 Van Buren St., Riverdale Park, MD. 20737. Inspector Hamilton noticed several cases of alcohol with no wholesale labels. At this point, Inspector Hamilton requested to see the store's alcoholic beverage invoices. Upon receipt of the invoices, it was confirmed that the invoices provided was addressed to Denizens Brewing Company, located at 1115 East-West Hwy, Silver Spring, Maryland 20910. The licensee has no previous violation in the past two years. The licensee is subject to all potential penalties identified in the Alcoholic Beverage Article, Rule 26 of the Rules and Regulations for Prince George's County and any other provision(s) governing said license, which may include other violation(s) identified at the hearing. Licensees do not have an attorney, acknowledge their right to an attorney and agree to move forward without an attorney.

Inspector Hamilton of the BOLC testified about the incident that occurred on December 9, 2023.

Ms. Verratti states that she had shown the same invoices to a couple of inspectors prior, as early as three days before the day of the violation and had never been told she was in violation. The same invoices have been shared with about thirty other inspectors who have done a routine inspection within our five years as licensees. We were not aware that we had to be purchasing from wholesalers within the county. Within three business days of the violation, we applied for a Bulk Transfer Permit with the state. The permit was granted and signed by December 21, 2023. We held a liquor license in Montgomery County for ten years and never had a violation. We've held a license with the Board for almost five years and never had a violation until now. I request the Board take into consideration that we repeatedly have shown these same invoices and never were told it was a violation.

Commissioner Camacho states alcoholic beverage laws in the state of Maryland are administered at the county level. Each county sets their own rules and regulations and follows those laws based on the state laws. Authorized wholesalers are different by counties. Prince George's County law does not recognize ADS as a legitimate wholesaler, the state provides a list of authorized wholesalers.

Ms. Veratti asked the Board if leniency can be shown based on the invoices that have been provided to Prince George's County inspectors on various occasions.

Commissioner Camacho states we gave you an offer and compromise.

Ms. Bruno states we should've been given a warning, gotten some sort of due process. We believed we were abiding by rules, and a violation was never previously found.

Commissioner Camacho makes motion to move to find the licensees in violation with the fine of \$1,500, seconded by **Commissioner Norman**.

Motion amended to allow fine to be made payable over three-monthly installments of \$500.

After Board vote, motion carries.

Ms. Verratti asked the Board if the inventory can be returned, since we received our Bulk Transfer Permit?

Chief Clark states it's confiscated evidence and can't be returned.

Ms. Bruno asked the Board if the fine value could be deducted due to the property that was taken? It feels unfair that we still must pay a fine when our items were confiscated, and we were told we were doing everything correct.

Chief Clark informs the licensee this action can't be taken.

Adjourned: 7:34 p.m.

Respectfully Submitted,

Ariana Posada-Mejia
Administrative Aide BOLC