

**December 7, 2022
9200 Basil Court
Largo, MD 20774
Virtual Hearing**

Present:

Daphne Turpin-Forbes, Board Chair
Armando Camacho, Vice Chairman
Tammy Sparkman, Commissioner
Jason DeLoach, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Johnny Toles, Deputy Chief Liquor Inspector
Christian Mendoza, Deputy Chief Liquor Inspector
Leonard Vauss, Administrative Assistant
Patricia Bell, Administrative Manager
Keyanna Little, Administrative Aide
Katrice James, Administrative Aide
Alecia Hughes, Administrative Aide

Start Time: 7:00 p.m.

Commissioner Forbes: This is an open meeting for the Prince George's County Board of License Commissioners. Welcome to our House. To ensure compliance with the law (Maryland Open Meetings Act) and our goal of transparency, to please identify yourself when speaking and speak audibly. As a professional courtesy, when not speaking, please mute your device. If someone from the public that is not providing testimony as a witness today, I will recognize you in the hearing and give you an opportunity for your voice to be heard. Everyone's voice matters at the BOLC. We understand that some of you may be passionate about what you have to say and that passion, in this regard, is permissible. What is not permissible is if truth, facts, and respect are not grounded in your voice. Thank you in advance for being truthful, respectful, and honest during the entire proceeding.

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.

PRELIMINARY MATTERS:

1. Request from Benjamin R. Carter for the Board to grant a continuance in connection with licensee's alleged violation of MD. CODE ANN., ALC. BEV. §2-315 of the proceeding against t/a LAX Wine & Spirits until after COMAR 03.02.05.11 is interpreted. The alleged violation arises from an incident alleged to have occurred on December 20, 2021, also involving Republic National Distributing Company ("RNDC"), a licensed Maryland wholesaler, and Kyle Francis Murray ("Mr. Murray"), a licensed solicitor and employee of RNDC.

Represented by **Linda Carter, Esquire.**

Ms. Carter requested this case be continued for thirty to forty days. She and her clients attended a hearing at the Maryland Alcohol Tobacco Commission, they'll render a decision within thirty days.

Commissioner Forbes makes a motion to grant a continuance to February 15, 2023, if the issue has not been resolved the Board will move forward with and deal with the consequences, seconded by **Commissioner Sparkman.**

After Board vote, the motion carries.

REGULAR SESSION:

1. **t/a Charlie's Restaurant & Liquor**, Class B+, Beer, Wine and Liquor, Charlie's One, LLC, 5711 Silver Hill Road, District Heights, 20747 – Request for a Special Sunday Sales Permit.

Represented by **Robert Kim, Esquire.**

The licensee agrees to spend the \$50,000 capital investment within one year of today's date. The upgrades include but are not limited to inside floor tiling, ceiling, and shelves.

Commissioner Camacho makes a motion to approve the Special Sunday Sales Permit for t/a Charlie's Restaurant and Liquor, seconded by **Commissioner Sparkman.**

After Board vote, the motion carries.

2. Jose Lazo, President, **t/a Eastern Beer, Wine & Azteca Restaurant**, 15101 Baltimore Avenue, Laurel, Maryland 20707 Class D(R), Beer and Wine, is summonsed to show cause for an alleged violation of 26-1903 a licensed holder may not provide entertainment unless authorized to do so, of the Maryland Annotated Code 26-1903 and R.R. No. 37 (E) Change in mode of operation (Having entertainment without a permit), of the Rules and Regulations for Prince George's County. To wit: that on Saturday, September 10, 2022, at approximately 10:29PM, Inspectors North, Bowden and Hamilton entered Eastern Beer, Wine & Azteca Restaurant located at 15101 Baltimore Avenue, Laurel MD 20707, and observed music being played by a disc jockey. At that time, the establishment did not possess an entertainment permit.

Licensee does not have an attorney, acknowledge his right to an attorney, and agree to move forward without representation.

Inspectors Hamilton and North of the BOLC testified about the incident that occurred on September 10, 2022.

Mr. Lazo apologizes to the Board and states moving forward he'll obtain the proper permits. **Commissioner Camacho** makes a motion to fine the licensee for t/a Eastern Beer, Wine & Azteca Restaurant in violation as charged with a fine of \$1,500, seconded by **Commissioner Forbes**.

After Board vote, the motion carries.

3. Sil Mudsi, Member-Manager, **t/a Balkonie**, 6323 Greenbelt Road, Berwyn Heights, Maryland 20740 Class B(BLX), Beer, Wine, and Liquor, is summonsed to show cause for an alleged violation of 26-1903 a licensed holder may not provide entertainment unless authorized to do so, of the Alcoholic Beverage Article of the Annotated Code of Maryland and R.R. No 37 (E) Change in mode of operation (Having entertainment without a permit), of the Rules and Regulations for Prince George's County. To wit; that on Saturday, March 4, 2022, at approximately 10:00 p.m. Inspector's North and Caraway entered, Balkonie Restaurant located at 6323 Greenbelt Road Berwyn Heights, Maryland 20740, in an undercover capacity and noticed a live band playing music and singing. At that time, the establishment did not possess an entertainment permit. As of October 26, 2022, the licensee has not paid the 3rd and 4th installments of the assessed fine, due on September 14, 2022, and October 14, 2022, totaling \$7,000 (\$6,000 plus \$1,000 late fee).

No one present on the hearing to represent the establishment Balkonie.

On November 5, 2022, Balkonie was summonsed, and a manager of the establishment signed.

Our agency attorney advised the Board that they can move forward since the person who signed the summons is a longtime employee and there's a history of the individual signing for inspections.

Commissioner Camacho makes a motion to allow thirty days to pay outstanding money of \$7,000 which includes the penalty, if they don't pay within thirty days we will showcause the establishment and possibly suspend liquor license until fine is paid in full, seconded by **Commissioner Sparkman**.

After Board vote, the motion carries.

4. German Escobar, President, Secretary, Treasurer, **t/a Chi'Bal Tequila Bar & Mexican Kitchen**, 14933 Baltimore Avenue, Laurel, Maryland 20707 Class B(BLX), Beer, Wine, and Liquor, is summonsed to show cause for 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; that on Tuesday, October 11, 2022, at approximately 8:50 p.m., Inspector's Clinkscale and Tredway entered the Chi'Bal Tequila Bar & Mexican Kitchen, located at 14933 Baltimore Avenue, Laurel, MD 20707 to conduct an inspection. While checking the inventory, 2 cases of 750ml Stella Rosa Pink Moscato were found addressed to Laurel Wine and Spirits, inspectors requested invoices to compare against alcoholic beverages located in the establishment. Alcohol that could support the violation was confiscated as evidence.

Licensee does not have an attorney, acknowledge his right to an attorney, and agree to move forward without representation.

Inspector Treadway of the BOLC testified about the incident that occurred on October 11, 2022.

Mr. Escobar doesn't dispute the charges and the bottles of Alcohol that were found on the premises were never used.

Commissioner Forbes makes a motion to fine the licensee for t/a Chi'Bal Tequila Bar & Mexican Kitchen in violation as charged with a fine of \$1,500, seconded by **Commissioner Sparkman**.

After Board vote, the motion carries.

5. Tajadeen Adubakar, Owner, **t/a Tempoo Restaurant**, 9424 Annapolis Road, Lanham, Maryland 20706 Class B, Beer, Wine, and Liquor, is summonsed to show cause for 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; that on Tuesday, October 11, 2022, at approximately 7:30 p.m., Inspector's Bagby, Johnson and Price entered the Tempoo Restaurant & Lounge, located at 9424 Annapolis Road, Suite B Lanham, MD 20706 to conduct an inspection. While checking the inventory, inspectors requested invoices to compare against alcoholic beverages located in the establishment. Licensee Tajudeen Abubakar provided one invoice, but it did not have any alcoholic beverages on it. Alcohol that could support the violation was confiscated as evidence. Some invoices were provided later that included some of the alcohol.

Represented by **Linda Carter, Esquire**.

Inspector Bagby of the BOLC testified about the incident that occurred on October 11, 2022.

Ms. Carter states her client does not dispute the charges; fourteen bottles were returned because he was able to provide invoices for those items. Mr. Adubakar changed his policy, only he and his wife deal with the alcohol.

Commissioner Camacho makes a motion to fine the licensee for t/a Tempoo Restaurant in violation as charged with a fine of \$1,500, seconded by **Commissioner Forbes**.

After Board vote, the motion carries.

Adjourned: 8:19 p.m.

Respectfully Submitted,

Alecia L. Hughes
Administrative Aide BOLC