

AGENDA FOR HEARING ON NOVEMBER 10, 2009

6:30 PM
COUNTY COUNCIL CHAMBERS
44 CALVERT STREET
ANNAPOLIS, MARYLAND

SUMMONED TO APPEAR

- | | |
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| 1. 5 TH AVENUE LIQUORS
k/a 5 th Avenue Liquors, Inc.
Mildred E. Willis, President
Frederick Roger Fontz, Jr.
Det. B. McGrath, #1477
Det. Pleasant, #1547 | 1) Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 4, Section 4.01 (a) "Minors"; RE: Anne Arundel County Police Report #2009-723658 by Det. McGrath, #1477 and Det. Pleasant, #1547 dated June 19, 2009. |
| Class A (BWL) & Sunday license
NOT RESTRICTED
508 S. Crain Highway
Glen Burnie, MD 21061 | 2) Violation of Article 2B of the Annotated Code, Section 12-108 (a) "Sales to minors and intoxicated persons prohibited"; RE: Anne Arundel County Police Report #2009-723658 by Det. McGrath, #1477 and Det. Pleasant, #1547 dated June 19, 2009. |

At the November 10, 2009 hearing, before the Board of License Commissioners ("Board") appeared the Licensee, Mildred E. Willis, President of 5th Avenue Liquors, Inc., trading as 5th Avenue Liquors, 508 S. Crain Highway, Glen Burnie, Maryland ("Premises"). The following 2 Counts were as follows:

Count 1: Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 4, Section 4.01 (a) "Minors"; RE: Anne Arundel County Police Report #2009-723658 by Det. McGrath, #1477 and Det. Pleasant, #1547 dated June 19, 2009.

Count 2: Violation of Article 2B of the Annotated Code of Maryland, Section 12-108 (a) "Sales to minors and intoxicated persons prohibited"; RE: Anne Arundel County Police Report #2009-723658 by Det. McGrath, #1477 and Det. Pleasant, #1547 dated June 19, 2009.

In light of admission and testimony presented, the Board makes the following findings.

1. The Board finds the Licensee guilty of Count 1, and Count 2. As to Count 1 the Board imposes a fine of one thousand dollars (\$1,000.00).
2. In addition the Board imposes hearing costs of four hundred dollars (\$400.00). The total amount assessed totals to be one thousand dollars (\$1,400.00). This amount must be paid to the Board, 94 Franklin Street, Annapolis, Maryland not later than Friday, November 20, 2009.

2. FRANK'S DEN, INC.
F. Gregory Phillips, President
Regina M. Phillips, Secretary/Treasurer
Eddrick M. DeLoach
Jeremy J. Skanes
James Bishop
Abdulrahman M. Natafqi
Det. Valentin, #1648
Det. Mountcastle, #1155
Det. Collier, #1632
Det. Guy, #1515

**Class D (BWL) Dancing & Sunday license
NOT RESTRICTED
1814 Crain Highway
Glen Burnie, MD 21061**

- 1) Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 3, Section 3.01 (c) "Ownership and Operation"; RE: Letter from Edward I. Aronson, Deputy Administrator dated July 13, 2009 and Anne Arundel County Police Report #2009-724236 by Det. Valentin, #1648 and Det. Guy, #1515 dated June 23, 2009.
- 2) Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 3, Section 3.02 (a) & (b) "Cooperation"; RE: Letter from Edward I. Aronson, Deputy Administrator dated July 13, 2009 and Anne Arundel County Police Report #2009-724236 by Det. Valentin, #1648 and Det. Guy, #1515 dated June 23, 2009.
- 3) Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 3, Section 3.11 (b) "Sales and Consumption Adjacent to Premises"; RE: Anne Arundel County Police Report #2009-723691 by Det. Mountcastle, #1155 and Det. Collier, #1632 dated June 20, 2009.
- 4) Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 3, Section 3.11 (b) "Sales and Consumption Adjacent to Premises"; RE: Anne Arundel County Police Report #2009-723699 by Det. Valentin, #1648 and Det. Mountcastle, #1155 dated June 20, 2009.
- 5) Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 4, Section 4.08 "Illegal Possession"; RE: Anne Arundel County Police Report #2009-723699 by Det. Valentin, #1648 and Det. Mountcastle, #1155 dated June 20, 2009.
- 6) Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 4, Section 4.14 "Narcotic Drugs"; RE: Anne Arundel County Police Report #2009-723699 by Det. Valentin, #1648 and Det. Mountcastle, #1155 dated June 20, 2009.
- 7) Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 4, Section 4.01 (a) & (d) "Minors"; RE: Anne Arundel County Police Report #2009-724236 by Det. Valentin, #1648 and Det. Guy, #1515 dated June 23, 2009.

- 8) Violation of Article 2B of the Annotated Code of Maryland, Section 12-108 (a) "Sales to minors and intoxicated persons prohibited"; RE: Anne Arundel County Police Report #2009-724236 by Det. Valentin, #1648 and Det. Guy, #1515 dated June 23, 2009.

At the November 10, 2009 hearing, before the Board of License Commissioners ("Board") appeared the Licensees, F. Gregory Phillips, President and Regina M. Phillips, Secretary/Treasurer of Frank's Den, Inc., trading as Frank's Den, Inc., 1814 Crain Highway, S.W., Glen Burnie, Maryland ("Premises"). The following 8 Counts were as follows:

Count 1: Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 3, Section 3.01 (c) "Ownership and Operation"; RE: Letter from Edward I. Aronson, Deputy Administrator dated July 13, 2009 and Anne Arundel County Police Report #2009-724236 by Det. Valentin, #1648 and Det. Guy, #1515 dated June 23, 2009.

Count 2: Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 3, Section 3.02 (a) & (b) "Cooperation"; RE: Letter from Edward I. Aronson, Deputy Administrator dated July 13, 2009 and Anne Arundel County Police Report #2009-724236 by Det. Valentin, #1648 and Det. Guy, #1515, dated June 23, 2009.

Count 3: Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 3, Section 3.11 (b) "Sales and Consumption Adjacent to Premises"; RE: Anne Arundel County Police Report #2009-7236691 by Det. Mountcastle, #1155 and Det. Collier, #1632 dated June 20, 2009.

Count 4: Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 3, Section 3.11 (b) "Sales and Consumption Adjacent to Premises"; RE: Anne Arundel County Police Report #2009-723699 by Det. Valentin, #1648 and Det. Mountcastle, #1155 dated June 20, 2009.

Count 5: Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 4, Section 4.08 "Illegal Possession"; RE: Anne Arundel County Police Report #2009-723699 by Det. Valentin, #1648 and Det. Mountcastle, #1155 dated June 20, 2009.

Count 6: Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 4, Section 4.14 "Narcotic Drugs"; RE: Anne Arundel County Police Report #2009-723699 by Det. Valentin, #1648 and Det. Mountcastle, #1155 dated June 20, 2009.

Count 7: Violation of the Rules and Regulations of the Board of License Commissioners for Anne Arundel County, Chapter 4, Section 4.01 (a) & (d) "Minors"; RE: Anne Arundel County Police Report #2009-724236 by Det. Valentin, #1648 and Det. Guy, #1515 dated June 23, 2009.

Count 8: Violation of Article 2B of the Annotated Code of Maryland, Section 12-108 (a) "Sales to minors and intoxicated persons prohibited"; RE: Anne Arundel County Police Report #2009-724236 by Det. Valentin, #1648 and Det. Guy, #1515 dated June 23, 2009.

In light of admission to Count 7 and testimony presented, the Board makes the following findings.

1. The Board finds the Licensees guilty of Count 7. As to Count 7 the Board imposes a reprimand.
2. In addition the Board imposes hearing costs of five hundred dollars (\$500.00). This amount must be paid

to the Board, 94 Franklin Street, Annapolis, Maryland not later than Friday, November 20, 2009.

3. Furthermore, the Board dismissed Counts 1 through 6 and merged Count 8 into Count 7 as a matter of law.

CASES

1. HOMEPORT WINE & SPIRITS/PORTSIDE
k/a Homeport Wine & Spirits, LLC
Andrew I. Garte, Member

CHANGE OF OFFICER: formerly Lynn Diane Phillips, Member of Homeport Wine & Spirits, LLC, trading as Homeport Wine & Spirits/Portside, 1004 Main Street, Galesville, MD 20765.
Class D (Beer, Wine, Liquor) Dancing & Sunday license
NO RESTRICTIONS

(Approved as applied for)

2. TITAN CIGAR
k/a Titan Cigar Corporation
David D. Williams, President
Michael W. Zimmerli, Secretary

REQUEST TO ALLOW OUTSIDE SERVICE OF ALCOHOLIC BEVERAGES.
2834 Chapel Lake Drive, Gambrills, MD 21054.
Class D (Beer, Wine, Liquor) Dancing & Sunday license (ON SALE ONLY)
RESTRICTED: 1. Must show 90% of gross sales of retail vs. 10% alcohol sales once every year at renewal time.
2. A management agreement must be on file at all times in absence of the licensees, No dancing/dance floor/live entertainment/bar/beer. Two (2) drink maximum per card, wide screen TV's and piped in music only.

(Approved as applied for)

3. WHITEY'S LIQUORS
k/a RJG Beverages II, Inc.
Richard Alan Gavigan, President
Robert Craig Ziegler, Secretary

TRANSFER – formerly Robert Craig Ziegler, President, Darlene Carole Ziegler, Vice President, Vincent Craig Ziegler, Secretary and Dorothea M. Ziegler, Treasurer of Whitey's Supermarket, Inc., 803 N. Hammonds Ferry Road, Linthicum, MD 21090.
Class A (Beer, Wine, Liquor) Beer-Wine Tasting & Sunday license
NO RESTRICTIONS

(Approved as applied for)