

**Meeting Minutes  
Board of License Commissioners  
for Caroline County, Maryland**

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**DATE:** Wednesday, December 10, 2014

**PLACE:** Health & Public Services Building  
403 South 7<sup>th</sup> Street, Room 110  
Denton, Maryland 21629-1335

**BOARD MEMBERS PRESENT:** Carol H. Webster, Chair  
Gregory Eigenbrode, Commissioner  
Nicholas A. Loukides, Commissioner

**OTHERS PRESENT:** Crystal L. Dadds, Assistant Director of Codes  
Rick Davis, Alcoholic Beverage Inspector  
Heather Price, Caroline County Attorney  
Leslie Grunden, Acting Recording Secretary

Chair Webster called the meeting to order at 9:30 a.m.

**NEW BUSINESS**

**Public Hearing - Transfer License Application (Application # T141205)**

Wetcher Whistle - Anisha M. Patel, Bharat C. Patel and Nisha H. Patel, 305 Bloomingdale Avenue, Federalsburg, MD, for a transfer of the existing Class A - Beer, Wine and Liquor, 7-day off premise sales alcoholic beverage license. The current licensee is Kurt R. Butler for use by Butler Brothers Beverages, Inc.

Ms. Dadds read the Notice of Public Hearing into the record and stated that the Notice was published in the Star Democrat on November 30, 2014 and in the Times-Record on December 3, 2014. Ms. Dadds read the following list of exhibits into the record:

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| Exhibit 1  | Notice of Public Hearing   |
| Exhibit 2  | Application for Transfer Alcoholic Beverage License (5 pgs)        |
| Exhibit 3  | Consent Form to Transfer   |
| Exhibit 4  | Liquor Store Layout  |
| Exhibit 5  | Alcohol Awareness Certification for Bharat Patel                   |
| Exhibit 6  | Alcohol Awareness Certification for Anisha Patel                   |
| Exhibit 7  | Real Property Purchase Agreement (5 pgs)                           |
| Exhibit 8  | Asset Purchase Agreement (6 pgs)                                   |
| Exhibit 9  | Articles of Incorporation for BHB, Inc.                            |
| Exhibit 10 | Acceptance Certificate from the MD Dept. of Assessments & Taxation |
| Exhibit 11 | Corporate Resolution (2 pgs)                                       |

Ms. Webster invited the Applicants to begin. Mr. Robert Thornton, attorney for the applicant, introduced Mr. Ankit (Andy) Patel, Mr. Bharat (Bob) C. Patel, Ms. Nisha H. Patel and Ms. Anisha Patel. Mr. Thornton explained that the new corporation, BHB Inc. t/a Wetcher Whistle, is owned by Bob, Nisha and Anisha Patel, and that Andy Patel will manage the operation of Wetcher Whistle liquor store. Mr. Thornton informed the Commissioners that Bob Patel is presently in India and will return in January 2015, and subsequently requested that the Board hold the transfer of the liquor license (should it be approved) until February 2015, when Bob Patel will be available for signature requirements. Mr. Thornton added that Bob Patel has authorized Andy Patel to act on his behalf via Power of Attorney. Mr. Thornton said that the current owners of the store (Butlers Bros. Beverages) are selling the business to pursue other interests and that the store has been a successful operation to date.

Andy Patel informed the members that he and his wife (Anisha) are local residents and want to operate the store in a manner that will support and enhance the community around it. The Patels plan to refurbish the interior of the store with new floors and shelving, to improve cleanliness and organization of the store, and to expand inventory to provide more choices for customers.

Mr. Thornton told the members that Andy and Anisha Patel are both certified in alcohol awareness and have 7-8 years of experience operating liquor stores in New Jersey, Pennsylvania and Delaware.

Mr. Eigenbrode asked Andy Patel who would operate the store on a daily basis; Mr. Patel replied that he would. Mr. Davis asked Andy Patel if the Wetcher Whistle inventory will be similar to the inventory of the store he currently operates (Super Soda); Mr. Patel replied that it would.

Chairman Webster asked if there were any more questions for the applicants. There being none, the Chairman requested a motion to approve the request for transfer of the license. Mr. Eigenbrode moved to approve the request for transfer of the license; Mr. Loukides seconded the motion.

Ms. Price recommended that the members discuss the findings of fact that support the approval of the request. She noted that the testimony of the Patels and their attorney offered sufficient information to support what is required for consideration of approval, and instructed Chairman Webster to swear in the Patels and their attorney so that their testimony could be considered. Mr. Ankit (Andy) Patel, Mr. Bharat (Bob) C. Patel, Ms. Nisha H. Patel and Ms. Anisha Patel were sworn in by Chairman Webster and verified under oath that the information they provided earlier in the meeting is accurate.

The members discussed the findings of fact, including:

- The transfer of license will enable the new owners to continue to provide products and services that have been offered at that location for a number of years;
- The new owners will operate the business in a manner that will not negatively impact the community;
- The new owners intend to improve and enhance the interior of the business and the selection of products;
- The new business will not offer products and services already commonly found in the community (Ms. Dadds noted that the number of liquor stores in the County has decreased);

Mr. Davis added that the inspections of the Patel's existing operation have been in compliance to date.

The members voted unanimously to approve the request for transfer of the license to BHB Inc. t/a Wetcher Whistle.

Mr. Thornton reiterated his request that the actual transfer not take place until February 2015 when Bob Patel will be available. Ms. Dadds said there will be no problem with the transfer taking place in February 2015.

### Temporary License Applications

#### **State Line Gas Inc. – Beer & Wine Tasting License for 2015**

Ms. Dadds informed the members that the owners have applied to host a wine tasting event on the store's premises on December 21, 2014. Regulations allow for up to 26 beer and wine tasting events per year with this being the first one for calendar year 2014. Ms. Dadds requested that the owner email her with the time of the event for inclusion on the temporary license; the owner responded that she would email the information to Ms. Dadds. Ms. Dadds asked the owners about the number of tasting events they estimate will take place on their premises in 2015. The owners responded that they estimate no more than 5-10 events for the year.

Mr. Loukides made a motion to approve the December 21, 2014 event and the temporary beer & wine tasting license for 2015 for State Line Gas, Inc. Mr. Eigenbrode seconded the motion. The members voted unanimously to approve the December 21, 2014 event and the temporary beer & wine tasting license for 2015 for State Line Gas, Inc.

#### **Bargain Beverage – Beer & Wine Tasting License for 2015**

Ms. Dadds informed the members that the owner has applied for a beer & wine tasting license for 2015. Mr. Davis added that Bargain Beverage has had no license violations to date. Mr. Eigenbrode made a motion to approve the temporary beer & wine tasting license for 2015 for Bargain Beverage; Mr. Loukides seconded the motion. The members voted unanimously to approve the temporary Beer & Wine Tasting License for 2015 for Bargain Beverage.

The owner, Bruce Hastings of Bargain Beverage asked the members and Ms. Dadds if the Board would consider changing the fee/approval process for temporary licenses from the current event-driven requirements to a one-time annual fee added to the owner's annual license fee, similar to Talbot County's temporary license requirements. Ms. Price noted that a legislative request is required for a change in liquor licensing regulations and that such a request could be made for the next legislative session. Ms. Dadds stated that the staff can research procedures in neighboring counties and make recommendations to the Board before the next legislative session. Ms. Dadds noted that this could benefit local businesses and organizations that currently have to pay \$50 for a temporary license each time an event is scheduled.

#### **Goldsboro Volunteer Fire Company Inc. – Multiple Event License for 2015**

Mr. Eigenbrode made a Motion to Approve the Multiple Event License for 2015 for the Goldsboro Volunteer Fire Company Inc.; Mr. Loukides seconded the Motion. The members voted unanimously to approve the Multiple Event License for 2015 for the Goldsboro Volunteer Fire Company Inc.

## Denton Volunteer Fire Company Inc. – Multiple Event License for 2015

Mr. Eigenbrode made a Motion to Approve the Multiple Event License for 2015 for the Denton Volunteer Fire Company Inc.; Mr. Loukides seconded the Motion. The members voted unanimously to approve the Multiple Event License for 2015 for the Denton Volunteer Fire Company Inc.

### OLD BUSINESS

#### Meeting Minutes from November 19, 2014

Ms. Dadds informed the members that the minutes of the November 19, 2014 meeting are not yet ready for review.

#### Written Violation Decision for the September 17, 2014 hearing – Sheldon's 313

Ms. Dadds presented the Decision to the members for their review. After discussion it was unanimously decided that edits were necessary and that Ms. Price should review and present this at the next scheduled meeting for signature.

### PUBLIC COMMENT

Chairman Webster asked if any member of the public wished to make a comment. A member of the Drug Free Caroline Coalition in the audience asked about the violation for Sheldon's 313. Chairman Webster responded that the violation stemmed from customers of Sheldon's taking alcoholic beverages with them when they left the premises to smoke outside and that a fence has since been installed to keep the customers and their beverages on the premises.

### INSPECTOR'S REPORT

Mr. Davis reported that he had no violations to report and that most of his time has been focused on the TIPS program. He recently completed the TIPS 'Train the Trainer' course and has since received his certification. He will conduct his first training class at the Goldsboro Volunteer Fire Company on December 21, 2014 for 14-15 of their members. Ms. Dadds informed the members that a grant applied for by the County enables the County to offer TIPS training free of charge, which is a benefit to County establishments. Mr. Davis added that he plans to offer 4 training classes per year, one each quarter.

### BOARD MEMBER COMMENTS

Chairman Webster asked if there was any further business to be discussed. Ms. Dadds informed the members that she will send them the draft 2015 meeting schedule next week and that their next meeting (in January) will be held one week later than usual.

Mr. Davis told the members that he and Ms. Dadds are preparing a list of items for discussion by the Board, including issues concerning regulations and procedures that have come up in the last year. Ms. Dadds added that when the list is complete she will schedule a workshop with the Board and staff to review and discuss the items.

ADJOURNMENT

Chairman Webster adjourned the meeting at 10:30 a.m.

BOARD OF LICENSE COMMISSIONERS  
Carol H. Webster, Chair

A handwritten signature in black ink, appearing to read "Leslie Grunden", is written over a horizontal line.

Minutes prepared by:  
Leslie Grunden



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