

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

DATE: Wednesday, December 13, 2017

PLACE: Health & Public Services Building
403 S. 7th Street, 1st Floor, Room 110
Denton, Maryland 21629

BOARD MEMBERS: Greg Eigenbrode, Acting-Chairman
Nick Loukides, Member
Glen Plutschak, Member

OTHERS PRESENT: Crystal Dadds, Assistant Director of Codes
Heather Price, Board Attorney
Philip Moore, Alcoholic Beverage Inspector
Melanie Smith, Administrative Assistant to the Boards

Chairman Eigenbrode called the meeting of the Caroline County Board of License Commissioners to order at 9:30 a.m.

Ms. Dadds informed the Board that there are three requests to change the order of the agenda. Mary Ann Swann asked to go first to request that her name be removed from Dave's Place liquor license and that she be excused from the show cause hearing as the other license holder was present and knowledgeable about the charge.

Also, Ms. Pilipauskis requested that her hearing be put at the end of the agenda because her witness is unable to appear until later in the meeting.

In addition to the temporary license portion of the hearing, the Denton Volunteer Fire Company has applied for an annual 20-event license for 2018.

The Board unanimously approved all the agenda changes.

REQUEST TO REMOVE LICENSEE – Dave's Place, Ridgely, MD

Chairman Eigenbrode announced the request by Mary Ann Swann to be removed from Dave's Place liquor license. Ms. Swann provided the assignment of the LUMA LLC membership interest and asked the Board to approve her removal. Ms. Swann explained that she has not been involved with the business and has come to an agreement with Lucille Ball to take over full membership of the LLC.

Ms. Dadds asked if Scott Judy was still a member of the LLC. Ms. Swann stated that he was not and could not remember when he was removed. Ms. Price advised that this information

does not hinder Ms. Swann's request to be removed but Lucille Ball will have to correct the paperwork that is on file with the Board.

Motion: Mr. Loukides made a motion to approve the removal of Mary Ann Swann from Dave's Place liquor license.
Second: Mr. Plutschak seconded the motion.
In Favor: The motion was unanimously approved (3-0).

Ms. Swann also requested to be excused from the show cause proceedings for Dave's Place.

Motion: Mr. Loukides made a motion to excuse Mary Ann Swann from the hearing for Dave's Place.
Second: Mr. Plutschak seconded the motion.
In Favor: The motion was unanimously approved (3-0).

SHOW CAUSE HEARINGS

WHISKEY BARREL SALOON – CONTINUED HEARING FROM NOVEMBER 2017

Ms. Dadds read the summons for Ms. Pilipauskis to appear before the Board to discuss four (4) violations discovered during a routine compliance check on October 25, 2017 and a follow up inspection on November 1, 2017.

Charge No. 1 – Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.36, specifically, failure to maintain and keep accurate records of all alcoholic beverage transactions on the premises where alcoholic beverages are sold for at least two (2) years, on October 25, 2017 and again on November 1, 2017.

Charge No. 2 – Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.17(b), specifically, failure to maintain records of all employees on the premises on October 25, 2017 and again on November 1, 2017.

Charge No. 3 – Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.06, specifically, failure to notify the Board in writing within ten (10) business days of any change in renewal application information (change of employees involving Workers' Compensation Insurance coverage) on October 25, 2017.

Charge No. 4 – Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.14, specifically, refilling a container of alcoholic beverages after such container has been fully or partially emptied of its original contents on November 1, 2017.

- Exhibit 1: November 15, 2017 Pilipauskis summons
- Exhibit 2: October 25, 2017 Whiskey Barrel incident report
- Exhibit 3: November 1, 2017 Whiskey Barrel follow up incident report
- Exhibit 4: Employee information for Nicki Pilipauskis and Brandy Ward
- Exhibit 5: Records & invoices submitted on 11/15/17
- Exhibit 6: November 1, 2017 Whiskey Barrel evidence bag
- Exhibit 7A: January 25, 2017 minutes
- Exhibit 7B: January 25, 2017 decision
- Exhibit 8: 2017-2018 renewal application
- Exhibit 9: December 13, 2017 Pilipauskis summons
- Exhibit 10: Whiskey Barrel employer's insurance policy cancellation as of 11/9/17
- Exhibit 11: Employee Record for William Griffin as of 11/1/17

Ms. Price stated for the record that this is a continuation of the previous hearing on November 15, 2017 and the record will include everything from the November hearing as well as today's.

Chairman Eigenbrode swore in:

Karen Pilipauskis, 25556 Hill Road, Greensboro, MD 21639.

Ms. Pilipauskis stated that she was instructed by the Board at the November hearing to bring in the missing sales receipts and alcohol invoices by December 6, 2017. Next thing she knew it was December 6th, she brought her paperwork in on December 7, 2017 but the Liquor Inspector refused to accept them. She added that she called Ms. Dadds on the morning of December 7, 2017, but Ms. Dadds never returned her phone call. She called her again on December 8th and Ms. Dadds suggested she bring them to the December meeting and ask if the Board will accept them.

Mr. Plutschak asked Ms. Pilipauskis why she did not get the paperwork into them on time after the Board allowed her an extra 21 days to do so. She replied that she has been doing double shifts since her niece Brandy started another job. She made the excuse that she was only one day late, that she was sorry, and she didn't know what else to say.

Ms. Pilipauskis argued that she attempted to pick up the papers that she submitted at the November hearing on three occasions; stating that she lost a week of preparing the paperwork because of this. Ms. Dadds confirmed that it was in fact 4 business days. Ms. Price noted that the papers that she was to bring in were supplementary sales records that were not a part of what she submitted at the November meeting.

Mr. Plutschak reminded Ms. Pilipauskis that she was supposed to have had them at the initial inspection, at the follow up inspection on November 1, 2017, again on November 15 and still the Board allowed her an additional 21-day grace period after that.

Ms. Pilipauskis answered that she had complete records in boxes at the initial inspection and that it was the inspectors fault for not going through each individual envelope to find what was missing. Chairman Eigenbrode asked her if those were the same boxes she brought in to the November hearing. She said they were. (Exhibit 5) He informed her that the Board went through each envelope of the box and found all the records were not there. Ms. Pilipauskis replied that she had the missing records with her today.

The Board agreed that Ms. Pilipauskis was given extraordinary opportunity to produce the records and they would not allow anything new to be submitted this late.

Charge No. 1 – Failure to maintain and keep accurate records of all alcoholic beverage transactions on the premises where alcoholic beverages are sold for at least two (2) years, on October 25, 2017 and again on November 1, 2017.

Ms. Pilipauskis stated that she did not get her license until October 5, 2016 and wasn't required to produce two years of receipts. Chairman Eigenbrode agreed and asked Ms. Pilipauskis for an explanation as to why her receipts showed invoices from Kelly Distributors in her name t/a Whiskey Barrel as early as May of 2016. Ms. Pilipauskis insisted they did not and that the receipts are still to this day under "Shooters". (Exhibit 5) The invoices were shown to her and she answered that Kelly Distributors was mistaken.

She insisted again that she had all the records the day of the inspection and she showed them to the Inspector. Ms. Price asked for the Inspector to respond.

Inspector Moore stated that there were several months missing from the envelopes in the boxes Ms. Pilipauskis showed him and Codes Enforcement Officer Seth Hampton testified to that fact at the November hearing. (See approved November 2017 License Board Minutes)

Motion: Mr. Plutschak moved to find Ms. Pilipauskis guilty of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.36.

Second: Mr. Loukides seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Charge No. 2 – Failure to maintain records of all employees on the premises on October 25, 2017 and again on November 1, 2017.

Chairman Eigenbrode noted that in the inspection report Ms. Pilipauskis first stated she had no employees than moments later stated that she did have employees. (Exhibit 2) Ms. Pilipauskis denied she ever said she had no employees. Chairman Eigenbrode asked if she was confirming then that she does have employees. She said yes, she brought in the employee records for her niece Brandy Ward and daughter Nikki Pilipauskis at the November hearing. (Exhibit 4)

She asked to submit another employee record for a William Griffin. (Exhibit 11) She also showed the Board a plastic divided folder that she created to keep her TIPS cards, beer & liquor invoices, employee records and parking lot patrol report in one place and promised it would be accessible for inspection in the future.

Motion: Mr. Loukides found Ms. Pilipauskis not guilty of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.17(b) on October 25, 2017 and again on November 1, 2017.

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Charge No. 3 - Failure to notify the Board in writing within ten (10) business days of any change in renewal application information (change of employees involving Workers' Compensation Insurance coverage) on October 25, 2017.

Ms. Pilipauskis argued that her employer's insurance is current. She stated that she spoke to her agent that morning and was told the renewal was faxed to Ms. Dadds the prior week. Ms. Dadds noted that she has not received her reinstatement by fax or mail. The Board reiterated that they are not accepting any new documentation as of the December 6, 2017 deadline. Chairman Eigenbrode noted the employee insurance did not lapse until November 9, 2017.

Mr. Plutschak referred to Ms. Pilipauski's License application (Exhibit 8) where she listed three employees and asked if they work for her now. Ms. Pilipauskis replied that they do not. He asked her if she ever informed the Board of the changes to her renewal application.

Ms. Pilipauskis insisted that it didn't matter how many employees she has; that she doesn't have to notify Workman's Compensation of their names.

Ms. Price explained again that the rule states she must notify the Board of any changes to her filed application within 10 days. Ms. Pilipauskis parroted Ms. Price. Ms. Dadds read the rule again. Ms. Pilipauskis stated that this is the first she has heard of that rule.

The Board supported staff's comments and told her, again, it is in the Rule & Regulation booklet. Ms. Pilipauskis became excited and argued that she only had to tell them of her TIPS certified people. She continued to ask the Board if they had any idea how many times she would need to call in with new information. After she fires someone for stealing from her or for drinking while on the job.

Ms. Pilipauskis stated that she should be in trouble again for not informing them that her niece Brandy does not work there anymore. Mr. Plutschak confirmed that she doesn't have any employees then. Ms. Pilipauskis replied that Brandy works there one day a week. Mr. Plutschak confirmed that she does have employees then.

Ms. Price asked if Ms. Pilipauskis had two or three employees now. Ms. Pilipauskis became argumentative and asked Ms. Price when she ever said she had two employees. Ms. Price explained that Ms. Pilipauskis told the Board earlier that she employed her niece, Brandy, and Mr. Griffin. Ms. Pilipauskis replied that she had just hired Mr. Griffin and that he doesn't start working until December 16, 2017, although the record showed that Mr. Griffin became an employee on November 1, 2017. (Exhibit 11) Ms. Price asked about Nikki Pilipauskis and Ms. Pilipauskis said that Nikki has not worked there for a year, although she submitted employee records for Nikki Pilipauskis with an 11/9/2017 date. (Exhibit 4)

Ms. Pilipauskis asked if all the establishments called in to report a change in employees. Ms. Price answered that they are required to and if it were found that they didn't they will be summoned before the Board just as she was for violating that rule.

Ms. Pilipauskis argued that she should have been charged for this many times in the past year because she has never been asked for employee names in the past.

Ms. Price noted that Ms. Pilipauskis signed a document stating that she has read and understands the rules and regulations that all licensees are bound by. When the Board brings

her in and asks her why she violates the rules and she replies she did not know the rules... she is talking in circles. Ms. Pilipauskis argued that she only had to report her TIPS certified people.

Motion: Mr. Loukides found Ms. Pilipauskis guilty by her own admission of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.06 on October 25, 2017.

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Charge No. 4 – Refilling a container of alcoholic beverages after such container has been fully or partially emptied of its original contents on November 1, 2017.

Ms. Pilipauskis stated that she explained last month that when her daughter Nikki was working for her on Halloween (which she stated earlier hadn't worked for her in a year) she opened two bottles of Jim Beam, which her niece Brandy poured into one bottle the next day.

Motion: Mr. Plutschak found Ms. Pilipauskis guilty by her own admission of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.14, on November 1, 2017.

Second: Mr. Loukides seconded the motion.

In Favor: The motion was unanimously approved (3-0).

DELIBERATION

Motion: Mr. Loukides moved to fine Ms. Pilipauskis \$100 for violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.36.

Second: Mr. Plutschak announced that this is her second violation of Rule No. 2.36 and seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Plutschak moved to give Ms. Pilipauskis a written reprimand for violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.06 on October 25, 2017.

Second: Mr. Loukides seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Mr. Plutschak stated for the record that the next charge is the most serious one. He stated that when a customer comes in to order a drink from her establishment the customer should be confident that they are getting what they are paying for. Her customers have no idea what they are getting when she pours something into another bottle. Ms. Pilipauskis argued that she would never refill it with anything other than liquor. Ms. Price added that bugs and debris were found floating in the confiscated bottle. (Exhibit 6)

Ms. Pilipauskis interrupted stating that the Inspector took the bottle out of the building. She could not trust what he did with the bottle after he left her establishment. She explained that he did not put it in an evidence bag at the time.

The Board explained that testimony of the officer is given credibility. Inspector Moore explained that normal police procedure is for evidence to be taken to the department for testing and then locked into an evidence locker, in this case sealed into an evidence bag. He testified that he took the bottle directly from the Whiskey Barrel to the Sheriff's Office to be logged into evidence. It remained sealed until the November hearing when it was unsealed in front of Ms. Pilipauskis and the Board.

Chairman Eigenbrode emphasized that she is responsible for her employees and their being knowledgeable about the rules and if she herself does not know the rules it would never happen. Ms. Price explained the fine can be as high as \$2500 and a suspension.

Motion: Mr. Plutschak motioned to fine Ms. Pilipauskis \$500 for violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.14 on November 1, 2017.

Second: Mr. Loukides seconded the motion.

In Favor: The motion was unanimously approved (3-0).

SHELDON'S 313 - GREENSBORO, MD

Ms. Dadds read the exhibits into the record. Mr. and Mrs. Sheldon were summoned to appear before the Board on December 13, 2017 to discuss five (5) violations that were discovered during a "Pimp and Ho" party held at Sheldon's 313 on October 27, 2017, a routine compliance check on November 3 and a follow up November 8, 2017.

Charge No. 1 - Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.08(b) and the Annotated Code of Maryland, Alcoholic Beverages, Title I, §6-308(b), specifically, allowing a person to drink alcoholic beverages on the licensed premises that were not purchased from the license holder on October 27, 2017.

Charge No. 2 - Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.29, specifically, failure to police the immediate area outside of the establishment allowing loitering and drinking outside of the licensed premise area on October 27, 2017.

Charge No. 3 - Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.01(a), specifically, failure to have an up-to-date valid Alcohol Awareness certificate at the establishment and failure to present said certificate to the proper authority upon request on November 3, 2017.

Charge No. 4 - Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.01(b), specifically, the person

certified by an approved alcohol awareness program was absent from the licensed premises on November 3, 2017.

Charge No. 5 – Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.17(b), specifically, failure to maintain records of all employees on the premises on November 3, 2017 and again on November 8, 2017.

- Exhibit 1: Summons for Rodney Sheldon, Sr.
- Exhibit 2: Summons for Jay Sheldon
- Exhibit 3: October 27, 2017 Incident Report including 6 photographs
- Exhibit 4: November 3, 2017 Incident Report
- Exhibit 5: 2017-2018 License Renewal Application for Sheldon's 313
- Exhibit 6: November 8, 2017 Incident Report

Chairman Eigenbrode swore in:

Rodney Sheldon, Sr., 27348 Sandtown Rd., Goldsboro, MD 21636

Jay Sheldon, 27348 Sandtown Rd., Goldsboro, MD 21636

Inspector Moore read the incident report from October 27, 2017.

Mr. Sheldon identified the patrons that drove up in the golf cart as neighbors from down the street. (Exhibit 3, Page 1a) Mrs. Sheldon believed all the violations stemmed from the fact that her bartender was not TIPS certified and trained. Inspector Moore advised the Board that she is referring to another charge from an incident report that has not yet been read.

The Board requested that Inspector Moore read the incident report from November 3 and November 8, 2017.

Charge No. 1 – Allowing a person to drink alcoholic beverages on the licensed premises that were not purchased from the license holder on October 27, 2017.

Ms. Sheldon stated that they clearly did not know that patrons were drinking outside the premises or they would have stopped it, adding, that they could not make money if this was allowed. Mr. Sheldon stated they had all the required signage to prevent this. The Board explained that the signs only assist him in his responsibility of preventing illegal behavior in the parking area.

Mr. Sheldon said that they resolved the problem in the past by erecting a fence in the back. Lights were also installed but the customers shot them out because they didn't want them there. Chairman Eigenbrode pointed out that this incident did not occur within the fenced in area but directly in front of the establishment in plain view of the highway.

Charge No. 2 – Failure to police the immediate area outside of the establishment allowing loitering and drinking outside of the licensed premise area on October 27, 2017.

Mr. Sheldon said the Inspector informed them that they are responsible for unregistered vehicles in on their property as well as patrons drinking alcohol in the parking lot.

Chairman Eigenbrode emphasized that it was their responsibility to prevent illegal behavior from occurring in the parking lot. It is included in the Rules & Regulations booklet they received. The Sheldon's signed a document stating they understood the requirements within the booklet. Inspector Moore confirmed that there were approximately eight customers present that evening. Mr. Sheldon explained how difficult he finds it to police the parking lot when business is that slow and suggested in the future he will have to ask those on golf carts with coolers to leave the premises. He will also train his bartenders to police the lot throughout the night.

Charge No. 3 - Failure to have an up-to-date valid Alcohol Awareness certificate at the establishment and failure to present said certificate to the proper authority upon request on November 3, 2017.

Ms. Sheldon said that her two barmaids started there in September and she made every effort to get them TIPS certified but couldn't find a class. She said it is not her fault that there were no classes available. She claimed to have been working with the girls to train them, but they have not read the Rules & Regulations booklet. This was the first time they left them alone she said, but they have other things to do. Ms. Sheldon said the barmaids have since taken the training class on November 9, 2017 (the day after the inspection).

Ms. Sheldon said that the barmaid quit after the inspections because she was training to be a State Trooper and did not want anything to tarnish her chances.

Charge No. 4 - The person certified by an approved alcohol awareness program was absent from the licensed premises on November 3, 2017.

The Sheldon's stated that the four family members are TIPS certified and there is always one of them present. Mr. Sheldon added that he is there every day and doesn't leave until 5 p.m. Inspector Moore explained that the documentation needs to be available upon inspection. The Board noted that there was no one TIPS certified there on the two inspection days. (Exhibits 3 and 4) Ms. Sheldon said if it was another day it would have been different.

Mr. Sheldon stated that they have been in front of the Board a few times in the past and insisted they have done all they can to stay compliant with the rules. But because they have been so slow they thought it would be safe to leave the barmaid alone. He added that he intended on being there Halloween night but again business was slow.

Charge No. 5 - Failure to maintain records of all employees on the premises on November 3, 2017 and again on November 8, 2017.

Ms. Sheldon said that she does not put records together for the employees until they are TIPS certified. Chairman Eigenbrode asked if she does an employee hire sheet. She answered that they don't really hire people since Michelle (Sherwood?). Ms. Dadds asked if any of the employees that are listed on the renewal form still work for her? (Exhibit 5) Ms. Sheldon confirmed they do not. Mr. Plutschak advised her to update her information.

DELIBERATION

Motion: Mr. Loukides motioned to find Sheldon's guilty of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.08(b) and the Annotated Code of Maryland, Alcoholic Beverages, Title I, §6-308(b), specifically, allowing a person to drink alcoholic beverages on the licensed premises that were not purchased from the license holder on October 27, 2017.

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Loukides motioned to give Sheldons a written reprimand for violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.08(b) and the Annotated Code of Maryland, Alcoholic Beverages, Title I, §6-308(b) on October 27, 2017.

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Loukides motioned to find Sheldon's guilty of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.29, specifically, failure to police the immediate area outside of the establishment allowing loitering and drinking outside of the licensed premise area on October 27, 2017.

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Loukides motioned to give Sheldons a written reprimand for violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.29 on October 27, 2017.

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Mr. Plutschak asked if they have failed to police the area outside in the past. Both Sheldon's stated they have not. A moment later Mr. Sheldon admitted that they had and they put the fence up in the back of the bar because of a past violation. Ms. Dadds stated that was on September 17, 2014 and they were charged again on October 28, 2015 for allowing drinking in the parking lot. The Board confirmed that they were very lucky to have only received a written reprimand.

Motion: Mr. Plutschak moved to find Sheldon's guilty of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.01(a), specifically, failure to have an up-to-date valid Alcohol Awareness certificate at the establishment and failure to present said certificate to the proper authority upon request on November 3, 2017.

Second: Mr. Loukides seconded the motion.
In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Loukides motioned to charge Sheldon's \$100 fine for violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.01(a) on November 3, 2017 and.

Second: Mr. Plutschak seconded the motion.
In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Loukides moved to find the Sheldon's guilty of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.01(b), specifically, the person certified by an approved alcohol awareness program was absent from the licensed premises on November 3, 2017.

Second: Mr. Plutschak seconded the motion.
In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Plutschak motioned to charge Sheldon's a \$100 fine for violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.01(b) on November 3, 2017.

Second: Mr. Loukides seconded the motion.
In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Plutschak motioned to find Sheldon's guilty of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.17(b), specifically, failure to maintain records of all employees on the premises on November 3, 2017 and again on November 8, 2017.

Second: Mr. Loukides seconded the motion.
In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Plutschak motioned to give Sheldon's a written reprimand for violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.17(b) on November 3, 2017 and again on November 8, 2017.

Second: Mr. Loukides seconded the motion.
In Favor: The motion was unanimously approved (3-0).

Mr. Plutschak explained that while they say they are struggling, all the establishments are competing, and reminded the Sheldon's that they are a business like everyone else. The Board must hold them just as accountable as anyone else. He advised them not to come before them again.

WHISKEY BARREL SALOON – NEW HEARING

Ms. Dadds read the summons and entered it into the record as Exhibit 1:

Ms. Pilipauskis was summoned to appear before the Board in December to discuss three (3) violations discovered during a special event on October 27, 2017.

Charge No. 1 – Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.08, specifically, allowing a person to drink alcoholic beverages on the licensed premises that were not purchased from the license holder on October 27, 2017.

Charge No. 2 – Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.15, specifically, allowing alcoholic beverages purchased and/or opened inside an establishment to be taken outside for consumption in an area not approved by the Board as part of the licensed premises on October 27, 2017.

Charge No. 3 – Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.29, specifically, failure to police the immediate area outside of the establishment allowing loitering and drinking outside of the licensed premise area on October 27, 2017.

Exhibit 2: October 27, 2017 Incident Report
Exhibit 3: 13 Photos of Whiskey Barrel event
Exhibit 4: Sealed evidence bag

Inspector Moore read the incident report into the record and a copy of the report and photographs were handed to Ms. Pilipauskis.

Chairman Eigenbrode swore in:

Karen Pilipauskis, 25560 Hill Road, Greensboro, MD 21639.

Ms. Pilipauskis stated that she does not condone illegal activity on her premises. She said the report is hearsay, she was not aware that her customers were talking to the inspector and some of it was not at all true. She stated that the report was false, that her son was not a rap producer. Ms. Pilipauskis testified that she was supposed to have Mr. Harper in as a witness but he didn't show. She stated that he only had ginger ale in his cup and asked the inspector if he tasted the drink to verify it was alcohol. Inspector Moore replied that according to his police training, Mr. Harper was under the influence and admitted to him that it was whiskey and ginger ale in the cup. She said that Mr. Harper would never call it whiskey that he drinks Crown. She insisted she doesn't even allow people to take soda outside.

The report also noted Mr. Harper grabbed beer from his vehicle and walked inside the bar drinking the beer. Ms. Pilipauskis asked what the tag number was for the vehicle. Inspector Moore did not get his license but noted that he was one of a few patrons taking beer from their vehicles.

Chairman Eigenbrode asked Ms. Pilipauskis if there was anyone policing the area that night. She said the employee dressed as a "witch" oversaw that but according to the report, she was cleaning the tables. She asked how the inspector identified Ruby as her sister. She said although her sister and daughter were helping her that night they were not her employees.

Ms. Pilipauskis also denied that she stood next to the inspector outside in view of people drinking alcohol. She admitted to stepping outside to smoke a cigarette but knew who the inspector was because he did an inspection a few days before. Chairman Eigenbrode asked if she was refuting the inspectors report. She said she believes there were two people outside drinking but she did not know either of them and they were the only ones outside.

She asked why the inspector did not come inside to tell her what was going on outside. She asked why he didn't get the tag numbers of the people getting the beer out of the trucks when he got the picture of her son's tag.

Ms. Pilipauskis stated that she has removed the tables from outside the bar so it does not invite people to drink outside. She also hired Bill Griffin to police the outside of the Saloon because Lisa Hurd did not do her job.

Ms. Price asked if Ms. Hurd was an employee. Ms. Pilipauskis stated Ms. Hurd was only helping that day. Ms. Price noted she never informed them of either employee. Whether they get paid for their work is irrelevant, if they are working on the premise they are to be reported as an employee. Ms. Pilipauskis referred to the Sheldon, stating that they did not report their new employee so why is she expected to. Ms. Pilipauskis said that Mr. Griffin was just hired and starts December 15, 2017.

Ms. Smith entered the following exhibits into the records for Ms. Pilipauskis.

- Exhibit 5: Photograph of premise with tables removed & sign (No alcohol can be brought inside)
- Exhibit 6: Photograph of sign (no alcohol beyond this point)
- Exhibit 7: Mr. Griffins employee record stating he started on November 1, 2017

Ms. Price asked why she has not reported this new employee after she was just found guilty of that violation at the previous hearing. Ms. Pilipauskis stated that she had just asked Mr. Griffin to work for her two days prior on December 11, 2017 and that he will not start working until the following Saturday on December 16, 2017. Her verbal testimony contradicts her written testimony. (Exhibit 7)

The Board asked Ms. Pilipauskis to state what she denies being true in the inspector's report. Ms. Pilipauskis stated that she did card the people in the bar but he was correct when he stated some were her son's friends who were not his age. She said she never offered the inspector a specialty drink. Inspector Moore agreed and clarified that she offered him a drink and her daughter offered him a shot. He was referencing that they were both selling alcohol at the bar.

When asked about the specialty drink, Inspector Moore explained that a male subject came out of the bar drinking from a syringe of alcohol. Ms. Pilipauskis said that once they buy them she does not take the syringe back because their mouths have been on them. She said the syringe was empty in the photograph and that it was filled with 2 oz. of Jell-o not alcohol.

Inspector Moore clarified that there was alcohol in the Jell-o. The Board noted there was quite a bit left in the syringe and that it was not empty. (Exhibit 3 page 8)

Ms. Pilipauskis said there was a lot of irrelevant information in the report. For instance, she asked whose tag was in the photograph; she wanted to keep an eye out for them. Inspector Moore stated that it was the tag on the vehicle her son arrived in. (Exhibit 3 page 7) She wanted to know why he took a picture of her son's tag. Inspector Moore explained that was the car that he was offered beer from. She said her son doesn't like beer. She said how was he going to prove the beer in the picture was on top of her son's car. (Exhibit 3 page 6).

She then asked the inspector where he saw her son. He replied that he was sitting on a cooler. She asked him what was in the cooler. The inspector stated he did not ask her son to get up for him to look inside the cooler. Ms. Pilipauskis said she guessed the Inspector did not want to blow his cover.

Ms. Pilipauskis assured them that she didn't know anything about someone offering the inspector marijuana. She thought it suspect that her customers offered the inspector beer and weed and if she knew about it she would have stopped it. She insinuated that the Inspector might have asked for the beer and weed. She added that he manipulated her customers by asking them for photographs for snap chat and lying about waiting for friends.

Ms. Price noted that what Ms. Pilipauskis was implying was a serious allegation. Chairman Eigenbrode asked again if she was refuting the credibility of the officer. Ms. Pilipauskis responded that a lot of it was not true, for instance her son is not a rapper. The Board wanted to know if she was challenging the charges not the incidentals of the report. She would not respond to the question.

Inspector Moore explained that he would only have gathered that information if he had wanted to charge her for each incident, instead he kept the evidence of one charge to be used as an example.

DELIBERATION

Chairman Eigenbrode stated that they would consider each charge individually.

Charge No. 1 – Allowing a person to drink alcoholic beverages on the licensed premises that were not purchased from the license holder on October 27, 2017.

Motion: Mr. Plutschak moved to find Ms. Pilipauskis guilty of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.08

Second: Mr. Loukides seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Charge No. 2 – Allowing alcoholic beverages purchased and/or opened inside an establishment to be taken outside for consumption in an area not approved by the Board as part of the licensed premises on October 27, 2017.

Ms. Pilipauskis stated she did not see that happen. Mr. Plutschak stated they took beer and novelty shots out the door. Ms. Pilipauskis stated the shot was empty. Mr. Plutschak stated according to exhibit 3 page 8 it was not empty.

Motion: Mr. Plutschak moved to find Ms. Pilipauskis guilty according to the evidence and the testimony given of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.15.

Second: Mr. Loukides seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Charge No. 3 – Failure to police the immediate area outside of the establishment allowing loitering and drinking outside of the licensed premise area on October 27, 2017.

Ms. Pilipauskis stated that she showed the Board what actions she has taken to prevent that from happening in the future. Ms. Pilipauskis expressed her wish that the patrons who do this are ticketed thereby discouraging this behavior. She added that she also wished she was made aware of the problem when it started so she could stop it from going on all night.

Motion: Mr. Loukides moved to find Ms. Pilipauskis guilty according to the evidence and the testimony given of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.29.

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Before they decided the charges Mr. Plutschak asked if there were any similar prior violations for the Whiskey Barrel. There were not. He spoke to Ms. Pilipauskis to explain that if she had prevented the third charge by policing the exterior of the premise the first two violations would never have happened. She understood this and stated she has since hired someone to watch the door for her. Ms. Dadds advised that he needs to not only watch the door but the parking lot also. Ms. Pilipauskis confirmed she understood.

She asked what she should do if someone has alcohol in their car in the parking lot, because she cannot remove it. Mr. Plutschak suggested she ask them to leave.

Motion: Mr. Loukides made a motion to give a written reprimand for the violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.08

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Loukides made a motion to give a written reprimand for the violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.15.

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

- Motion:** Mr. Loukides made a motion to fine Ms. Pilipauskis \$150 for the violation of Caroline County Board of License Commissioners Rule and Regulation No. 2.29 because this violation led to all the others.
- Second:** Mr. Plutschak agreed and seconded the motion.
- In Favor:** The motion was unanimously approved (3-0).

Mr. Plutschak emphasized to Ms. Pilipauskis that she is leaving with \$750 in fines today, which is a lot, but she could have been fined substantially more and was facing the possibility of her license being suspended or revoked. Mr. Eigenbrode added that the Board is charged with upholding the law and violating the law forces their hand. They advised her not to come back. As she was leaving the stand she stated that she believes the patrons were persuaded to drink outside.

Dave's Place - Ridgely, MD

Ms. Ball, Mr. Judy and Ms. Swann were summoned to appear before the Board on December 13, 2017 to discuss two (2) violations discovered during an alcohol compliance check and follow up on November 3 and November 8, 2017.

Charge No. 1 - Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.15, specifically, allowing alcoholic beverages purchased and/or opened inside an establishment to be taken outside for consumption in an area not approved by the Board as part of the licensed premises on November 3, 2017

Charge No. 2 - Alleged violation of the Caroline County Board of License Commissioners Rule and Regulation No. 2.29, specifically, failure to police the immediate area outside of the establishment allowing loitering and drinking outside of the licensed premise area on November 3, 2017.

- Exhibit 1: Summons for Mary Ann Swann
- Exhibit 2: Summons for Lucille Ball
- Exhibit 3: Summons for Scott Judy
- Exhibit 4: November 3, 2017 Incident Report
- Exhibit 5: Letter from Scott Judy
- Exhibit 6: 2017-2018 Annual Renewal Application
- Exhibit 7: November 8, 2017 Inspection Report

The Board excused Ms. Swann and Mr. Judy from the proceedings.

Chairman Eigenbrode swore in:

Lucille Elizabeth Ball, 9144 Honeysuckle Drive, Easton, MD 21601.

Inspector Moore read Exhibit No. 4 into evidence. On page 3 of Exhibit No. 4 Inspector Moore showed the area where he witnessed drinking outside. He explained that one patron was at the front of the property by the Road and another was under the awning. Ms. Dadds confirmed that the premise included the area under the awning at Dave's Place.

Ms. Ball explained that “Zack” who she stated in the report was her bouncer had only started doing that job recently and it was her fault for not explaining to him that he must police the parking lot as well. Ms. Dadds confirmed that Ms. Ball provided proof of his TIPS certification. Ms. Ball added that Zack has been working part time in the kitchen for approximately 4 years and has recently started bartending and bouncing.

At a previous Liquor Board meeting the Sheriff’s Office brought to the Boards attention a sign taped to the front of Dave’s Place informing patrons to avoid an area of Caroline County where a compliance checkpoint was arranged. Chairman Eigenbrode explained that putting the sign up was in very poor judgement. While they can’t be charged for doing that it certainly puts them on the radar of law enforcement.

Ms. Ball agreed that putting the sign up was poor judgement and she should have removed it from the door. She explained that so many people stopped to tell her about the checkpoint that night, she was thinking at the time, that the sign would acknowledge their concern. Since her offense she has asked Inspector Moore to attend a staff meeting to answer questions and provide guidance to her and her staff. She has also strongly warned everyone not to post anything about Dave’s Place without her permission.

Ms. Ball does not contest anything in the report. She has since supplied the records Inspector Moore was looking for and she moved her license to a more visible spot. Inspector Moore agreed that Ms. Ball has tried to resolve all issues. She has since put up more signage.

DELIBERATION

Charge No. 1 - allowing alcoholic beverages purchased and/or opened inside an establishment to be taken outside for consumption in an area not approved by the Board as part of the licensed premises on November 3, 2017

Motion: Mr. Loukides moved to find Dave’s Place guilty according to the evidence and the testimony given of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.15.

Second: Mr. Plutschak seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Plutschak moved to give a written reprimand to Dave’s Place for a first offense of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.15.

Second: Mr. Loukides seconded the motion.

In Favor: The motion was unanimously approved (3-0).

Charge No. 2 - failure to police the immediate area outside of the establishment allowing loitering and drinking outside of the licensed premise area on November 3, 2017.

Motion: Mr. Loukides moved to find Dave's Place guilty according to the evidence and the testimony given of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.29.
Second: Mr. Plutschak seconded the motion.
In Favor: The motion was unanimously approved (3-0).

Motion: Mr. Plutschak moved to give Dave's Place a written reprimand for a first offense of violating the Caroline County Board of License Commissioners Rule and Regulation No. 2.29.
Second: Mr. Loukides seconded the motion.
In Favor: The motion was unanimously approved (3-0).

Ms. Dadds informed Ms. Ball that they must talk soon about her LLC. She fears it may not be structured properly. She suggested Ms. Ball email her anytime with any changes or questions she may have. Ms. Ball also confirmed that she has Inspector Moore's cell number and email.

Chairman Eigenbrode excused himself at this point for the remainder of the meeting. Mr. Loukides led the remainder of the meeting.

TEMPORARY LICENSE APPLICATIONS

C. C. FRIENDS OF THE LIBRARY INC - Library Mini Golf Event - February 24, 2018

Ms. Dadds read the Caroline County Friends of the Library request to serve beer and wine at the Denton Library on February 24, 2018 from 5:30 to 10 p.m. for their annual mini golf event. The site plan has not changed from last year. Dr. Joseph McCarthy will be the license holder.

Motion: Mr. Plutschak made a motion to approve the application.
Second: Mr. Loukides seconded the motion.
In Favor: The motion was unanimously approved (2-0)

FRIENDS OF COLONEL ATHLETICS - Adult Fundraiser Dance- January 27, 2018

Ms. Dadds read the Friends of Colonel Athletics request to serve beer, wine and liquor at the Preston Volunteer Fire Hall on January 27, 2018 for their annual Adult Fundraiser Dance from 8 p.m. to midnight. There will be a band and cash bar. Ryan Blanchfield will be the license holder and the PVFC permitted the use of the Hall.

Motion: Mr. Plutschak made a motion to approve the application.
Second: Mr. Loukides seconded the motion.
In Favor: The motion was unanimously approved (2-0)

C.C. CHAMBER OF COMMERCE - Chamber Holiday Mixer - December 14, 2017

Ms. Dadds read the Chamber of Commerce's request to serve beer and wine at the Towers Family Museum on Sennett Road in Denton on December 14, 2017 from 5 to 7:30 p.m. for their annual Chamber Holiday Mixer. Jeff Powell will be the license holder and Bill Towers gave his permission to use the building.

Motion: Mr. Plutschak made a motion to approve the application.
Second: Mr. Loukides seconded the motion.
In Favor: The motion was unanimously approved (2-0)

Ms. Dadds suggested the Board approve the following applications collectively.

GOLDSBORO VOL. FIRE CO. INC. - Joel McGinnis - 2018 annual Multiple 20-Event License

GREENSBORO VOL. FIRE CO. INC. - Rich Covert - 2018 annual Multiple 20-Event License

DENTON VOL. FIRE CO. INC. - Gary Geisel - 2018 annual Multiple 30-Event License

Motion: Mr. Plutschak made a motion to approve all three applications for the Goldsboro, Greensboro and Denton VFC's 2018 multiple event licenses.
Second: Mr. Loukides seconded the motion.
In Favor: The motion was unanimously approved (2-0)

PUBLIC COMMENTS/BOARD COMMENTS

Ms. Dadds informed the Board that there may be several license transfers on next month's agenda. Bodie's resident license holder is deceased and they are struggling to find a resident license holder. They must find one before renewals in April.

Denton Goose Creek President is retiring and Ms. Dadds expects a transfer to be submitted soon.

Ms. Dadds understands the owner of 404 Taphouse is looking to sell the business although she has not been officially informed of this by the owner. She received this information from the owner's attorney and the potential buyer. Ms. Dadds advised the owner that the Board was meeting today and it would be in his best interest to inform the Board of his intentions. She has not yet received a response.

Mr. Plutschak asked about the request Turnbridge Point made at a previous meeting for a special license be approved through legislation. Ms. Price explained that she does not believe the request was included in the County Commissioner's priorities for the 2018 session, therefore, the request would be tabled for the year.

MEETING MINUTES

Mr. Loukides presented the minutes from the November 15, 2017 Board of License Commissioners meeting.

Motion: Mr. Plutschak made a motion to approve the minutes as written.
Second: Mr. Loukides seconded the motion.
In Favor: The motion was unanimously approved (2-0).

Mr. Plutschak mentioned that the minutes made it very clear that Ms. Pilipauskis was aware that she was to submit her records in time or they would constitute her not having them. He was curious if she was ever able to produce what she called the "Z" records of alcohol sales.

INSPECTOR'S REPORT

Inspector Moore inspected the following establishments and found minor violations at each that were corrected immediately or by his follow up visit. Ridgely Exxon was the only establishment where no violation was found.

Bodie's in Greensboro – all three violations were corrected by the follow up visit;
American Legion Post No. 29 – both violations were corrected the next day;
Preston Super Soda – a single violation that was corrected immediately;
Katie Mays in Preston – all three violations were corrected by the follow up visit;
Preston Shore Stop – all violations corrected by follow up visit;
Fosters – both violations were corrected by the follow up visit;
Denton Shell – all three violations were corrected by the follow up visit;
Cohees – a single violation was corrected immediately;
Harry's on the Green – both violations were corrected by the follow up visit;
Mike's Corner - all three violations were corrected by the follow up visit;
404 Taphouse - a single violation was corrected by the follow up visit;
Daves Place – corrected one violation by the follow up visit but received two more serious charges that will be heard next month. They were, again, found in violation of drinking in the parking lot and in violation for drinking after hours.

Inspector Moore has five (5) establishments left to inspect to complete the quarterly report. He has advised the license holders that they can expect him to be present during the holidays and special events.

Inspector Moore has met with all the Caroline County Police Chiefs and discussed a game plan for 2018.

The Board was encouraged that most of Caroline County alcohol beverage businesses valued their licenses and revealed this by correcting their violations immediately or in Ridgely Exxon's case were not found in violation at all. In stark contrast, are the businesses that were before them today. Two of them were frequent flyers that made excuses and blamed others for the violations they received. The Board was further disappointed to hear that Dave's Place is being

charged with a second offense of drinking outside of the premise. The Board directed staff to report their finding to the paper.

There being nothing further to discuss, Mr. Loukides adjourned the meeting at 12:33 p.m.

BOARD OF LICENSE COMMISSIONERS
Greg Eigenbrode, Chairman

Melanie Smith
Minutes prepared by: Melanie Smith

