

**November 10, 2021
9200 Basil Court
Largo, MD 20774
Virtual Hearing**

Present:

Armando Camacho, Vice Chair
Tammie Norman, Commissioner
Dennis Smith, Commissioner
Tammy Sparkman, Commissioner
Jason DeLoach, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Christian Mendoza, Deputy Chief Liquor Inspector
Johnny Toles, Deputy Chief Liquor Inspector
Patricia Bell, Administrative Manager
Leonard Vauss, Administrative Assistant
Katrice James, Administrative Aide
Keyanna Little, Administrative Aide

Start Time: 7:01 p.m.

Commissioner Camacho: We just want to welcome everyone this evening. We do want to let you know that we have four of Commissioners. Our Chairwoman is how on business assignment and unavailable to be with us. We do want to let you know that we do now have a new Commissioner with us. We'd like you to introduce you to Mr. Dennis Smith, our newest Commissioner. Welcoming him with his first meeting, and we hope to see a little more of him, and a little more participation as it gets into the groove of the meetings.

I do want to start out by saying that we hold our meetings, and in compliance with the Maryland. Open Meetings Act. All of our transactions, all of our testimony, all of the interactions between the commissioners will be visible to all. We will have no private discussions on any matters.

And going on from there, we'd like to let you know that as a Board, we have a procedure for the hearings. We will start a hearing by swearing in those who will be testifying. And then after we swear them in, we will hear testimony from both sides in these cases this evening. We have two violation hearings so we'll be hearing from inspectors, and then we'll be hearing from the licensees once testimony is collected, and there are no further questions, we will go ahead and call for a motion. A motion will be made and seconded. Then I will poll the commissioners, which I will do now, just to establish that they're here tonight. I'm going to ask that each commissioner, as I call your name, please state whether you are present and alone.

Commissioner Camacho: Commissioner Norman.

Commissioner Norman: Present and alone.

Commissioner Camacho: Commissioner Sparkman

Commissioner Sparkman: Present and alone.

Commissioner Camacho: Commissioner Smith.

Commissioner Smith: Present and alone.

Commissioner Camacho: And Vice Chair Camacho. I am present that alone. Once we're done with the hearings and the motions, we will proceed to the next case. At this time, I would like to have the director first introduce the office staff that's here tonight, and also explain a 10-day rule that we have in effect due to virtual sessions. So, Director.

Director Sheppard: Thank you Mr. Chair. I'll start with the introductions. Is the Board Attorney, Jason DeLoach, present?

Jason DeLoach: Present and alone.

Director Sheppard: Thank you Mr. DeLoach. Patty Bell.

Patty Bell: Present and alone.

Director Sheppard: Thank you Miss Bell. Our Chief Liquor Inspector, Mr. Robert Clark.

Chief Clark: Present and alone.

Director Sheppard: Our Deputy Chief Liquor Inspector, Christian Mendoza.

Deputy Chief Mendoza: Present and alone.

Director Sheppard: Deputy Chief Liquor Inspector, Mr. Johnny Toles.

Deputy Chief Toles: Present and alone.

Director Sheppard: Mr. Leonard Vauss.

Leonard Vauss: Present and alone.

Director Sheppard: Our office staff, Miss Keyanna Little. I think she just came into the hearing so she may not be ready to speak, so I'll come back to her. The office assistant, Miss Katrice James.

Katrice James: Present and not alone.

Director Sheppard: And let me go back to Miss Little. Miss Keyanna Little. Alright, Miss Keyanna Little, one more time. She's not quite on yet, so we'll get back to her.

And as it relates to the 10-day rule if the hearing was taking place in present, there would be a certain amount of information exchanged taken place between the attorneys, the Board, and our licensees, but since this is a virtual hearing that, that exchange of information cannot take place. Due to that fact the board is implemented a 10-day rule. This 10-day rule allows licensees and our attorneys 10 additional days from today's date to enter any information or evidence. You're only allowed to enter information into the record that has been discussed here today. We're not allowed to introduce anything new. At that time, once it is received by the Board, the Board has the option to wait the 10 days to make a determination, if information is accepted. Other than that, that concludes the explanation of the 10-day rule. We can move forward with the agenda Mr. Camacho.

Commissioner Camacho: Okay, please call first hearing Mr. Director.

Director Sheppard: Absolutely. The first case that we'll hear tonight, November 10, 2021, Mr. Woon Cho, President Soon Cho, Vice President, Ayoola Amaefule, Vice President, Metro Supermarkets 7734 Landover Road, Landover, 20785. Class D. Is show caused for an alleged violation of Section 6-304, selling alcohol beverages to an individual under the age of 21. Mr. Chow.

Attorney Tae Kim: Good evening, members of the Board, Mr. Chairman. This is attorney Tae Kim, on behalf of Metro supermarket and the licensees that are present by zoom this evening.

Commissioner Camacho: Okay. Are they are they here, I mean I don't see them.

Attorney Tae Kim: They're on video. Soon C. Can you turn on your audio? Please, Mr. Cho.

Soon Cho: Hi.

Attorney Tae Kim: Ayoola, can you turn on your audio as well? Thank you.

Commissioner Camacho: Thank you. Okay. So, these are the two that will be testifying on your behalf, on their behalf?

Attorney Tae Kim: There are three licensees in total.

Commissioner Camacho: So, who's going to be here tonight? That's what I'm trying to establish. These two individuals we just saw on the screen?

Attorney Tae Kim: Yes.

Commissioner Camacho: Okay. In that case what I'd like to do is, I'd like to swear them in. If I can have. Mr. Cho, and Amaefule, is it? Is that the other licensee?

Attorney Tae Kim: Yes.

Commissioner Camacho: If I could have you both, raise your right hand please, ma'am.

Attorney Tae Kim: Ayoola, raise your right hand please.

Ayoola Amaefule: Okay.

Commissioner Camacho: Okay. Do you swear under the penalty of perjury that the testimony you're about to provide is the truth, the whole truth and nothing but the truth?

Soon Cho: Yes.

Ayoola Amaefule: Yes.

Commissioner Camacho: Okay. All right. Mr. Cho, I would like you to for the record, please to state your name and home address, please.

Soon Cho: 6509 Water Trade Centerville, Virginia 20120.

Commissioner Camacho: Okay. And Ms. Amaefule, is it?

Ayoola Amaefule: Yes, 13820 Carlene Drive, Upper Marlboro, Maryland 20772.

Commissioner Camacho: All right. Thank you very much. And just one second Mr. Kim. What I'd like to do is I'd like to swear in the, the, the inspectors were going to make the report. Mr. Brockington, who is making the report for Metro Supermarket?

Inspector Brockington: Mr. Brockington. Jeff, I am.

Commissioner Camacho: OK, I can swear you in, please. Do you swear that the testimony you're about to provide is the truth, the whole truth and nothing but the truth?

Inspector Brockington: I do.

Commissioner Camacho: All right, please state your name and the agency you represent.

Inspector Brockington: My name is Jeffrey Brockington. I represent the Board of License Commission for Prince George's County.

Commissioner Camacho: All right, sir. Do you have a report that you wish to enter into the record?

Inspector Brockington: I do.

Commissioner Camacho: All right, you're on sir, you can go ahead and give your report.

Inspector Brockington: Okay. On Tuesday, August 17, 2021 at approximately 1:47 pm, a female underage operative of the Prince George's County Cadet Program, Michelle Zegalia (20 years old) and (1) undercover police officer from the Prince George's County Police Department (Alvarado) entered Metro Supermarket located at 7734 Landover Road, Landover, Md. 20785.

Once inside the establishment, the operative retrieved one (1) 6 pack of 12oz bottles of Bud Light from the refrigerator while the officer watched. The operative proceeded to the counter to pay at the cash register. The cashier (Arteaga Garcia) did request the operative's ID and accepted the sale, (money exchanged) in direct violation of Rule and Regulation #1: Sale to or Possession of Underage Person: "Anyone purchasing, consumption, possessing an alcoholic beverage must be 21 years of age." The undercover officer (Alvarado) witnessed the sale of the alcoholic beverage. At that point, notification was made via text message to Inspectors Glenn, Golato and Brockington, while they were located outside the establishment. Inspectors Glenn, Golato and Brockington entered the establishment and made direct contact with the cashier (Arteaga Garcia) and the manager (Jun Chun Nyun) and informed him that a (1) 6 pack of 12oz bottles of Bud Light was sold to an underage person. The manager (Jun Chun Nyun) signed the Underage Sales Prevention Report, and the alcoholic beverage was confiscated by Inspectors Glenn, Golato and Brockington. A picture of the alcoholic beverages that was confiscated has been submitted to the Board. The investigative team left the premises at approximately 2:05pm. All members of Metro Supermarket were cooperative with the members of the investigative team, per Rule and Regulation No.32- Inspections." Licensee must be cooperative with all officials."

Commissioner Camacho: Does that conclude your report Mr. Brockington?

Inspector Brockington: That concludes my report.

Commissioner Camacho: Thank you very much. Commissioners, do you have any questions for Mr. Brockington? Okay, hearing none, Mr. Kim. Do you have any questions?

Attorney Tae Kim: I do not, your honor.

Commissioner Camacho: Okay. Well then, it's your turn to present your case.

Attorney Tae Kim: Thank you, your honor. Your honor, there's not going to be any excuses or reasoning or anything of that nature. The licensees fully accept responsibility for one of their employees, selling the alcohol to somebody that is under 21 years of age. As your honor heard and members of the Board heard the employee did check the ID, for whatever reason, whether she didn't calculate the dates properly or what have you, she ultimately, you know, in a strict liability sense sold the alcohol to the cadets, and there's no reasonable explanation, other than that it was a mistake. Although she did have the wherewithal to check the ID, but obviously did not calculate that they properly and then ultimately made the mistake of selling the alcohol to the cadet. I will tell the members of the Board that they have recently certified every single employee that deals in the front of the, the supermarket all cashiers, and anyone who would be involved in checking folks out with alcohol, and they have all received their Serve Safe Alcohol Certificates between 10/8, and 10/14 of 2021. I do have them in my computer but I'm not sure if I can share the now if I can send them to the Board at another time.

Commissioner Camacho: You can send them to the Board, they will be admitted.

Attorney Tae Kim: Thank you. And I'll go ahead and send them to the Board via email I suppose tomorrow or Friday, whenever we open back up. The licensees, and the employee, Ms. Artesia, accept full responsibility for their actions.

Commissioner Camacho: Commissioners, do any questions at all?

Commissioner Sparkman: No.

Commissioner Camacho: Okay. Hearing none, I will entertain a motion.

Commissioner Norman: This is Commissioner Norman. I'm moved to fine Metro supermarket \$1,500 for violation of R.R. 1, sales to a minor.

Commissioner Camacho: Motion has been made to fine the licensee, Metro supermarket in violation, as charged, for selling to a minor and assess a fine in the amount of \$1,500. Is there a second?

Commissioner Sparkman: I second the motion.

Commissioner Camacho: Okay. Motion has been properly seconded. I will now call for the vote, Commissioner, Smith.

Commissioner Smith: Yes.

Commissioner Camacho: Okay. It's aye sir, but it's okay that's understandable. Commissioner Sparkman.

Commissioner Sparkman: Aye.

Commissioner Norman: Aye.

Commissioner Camacho: Vice Chair votes aye. Motion carries. It's again my hope that that we won't have to see your client again regarding this issue.

Attorney Tae Kim: Same here, Your Honor. It's good seeing you Commissioner Camacho. It's been a long time.

Commissioner Camacho: Yeah, I agree. Thank you very much

Attorney Tae Kim: Thank you for your consideration.

Commissioner Camacho: Mr. Director.

Director Sheppard: Mr. Chair, I'll call the next case. Sumit Khaneja, managing member/ authorized person. SK stores, LLC t/a Liquor King, 7053 Martin King Highway, Landover, 20785. Class A. Beer, Wine and liquor is summoned to show cause from alleged violation of Section 6-304, selling alcoholic beverages to an individual under the age of 21. Is there anyone here representing Liquor King?

Attorney Eddie Pounds: I am. This is Eddie Pounds, Director Sheppard.

Director Sheppard: Good evening Mr. Pounds.

Attorney Eddie Pounds: Good evening to all and hello to my good friend, Mr. Smith. Welcome to the Board and congratulations.

Commissioner Camacho: Okay, and you will have how many to testify? On person?

Attorney Eddie Pounds: Yes sir, yes sir, just one person.

Commissioner Camacho: Just one person, okay if I can get him to raise his hand. His right hand, please.

Attorney Eddie Pounds: Sumit.

Commissioner Camacho: Okay. Do you swear under the penalty of perjury that the testimony you're about to give is the truth, the whole truth and nothing but the truth?

Sumit Khaneja: I swear.

Commissioner Camacho: Alright so for the record, please state your name and home address for the record.

Sumit Khaneja: My name is Sumit Khaneja, my address is 4716 River Creek Terrace, Beltsville, Maryland, 20705.

Commissioner Camacho: Okay. Thank you very much and ask who's the, who will be representing the violation report for the board.

Inspector North: Inspector North.

Commissioner Camacho: Okay, let me swear you went please raise your right hand. Do you swear under the penalty of perjury that the testimony you're about to give is the truth, the whole truth and nothing but the truth?

Inspector North: Yes, I do.

Commissioner Camacho: Okay, please state your name and the agency you represent.

Inspector North: My name is Inspector Haywood North. I represent the Bureau of License Commissions in Prince George's County, Maryland.

Commissioner Camacho: All right, sir, and you have a report to present?

Inspector North: Yes.

Commissioner Camacho: Yes, please proceed.

Inspector North: On Tuesday August 24, 2021, at approximately 7:19 PM, a male underage operative of the Prince George's County Cadet Program, Preston (20 years old) and one (1) undercover police officer from the Prince George's County Police Department (Alvarado) entered Liquor King located at 7053 Martin Luther King Highway, Landover, Maryland 20785. Once inside the establishment, the operative and the undercover officer purchased a four (4) pack 16 oz of Corona Extra beer. The store attendant did not request to see the underage operative's ID and made the sell (money exchange) to the underage operative, Preston, which, was in direct violation of Rule and Regulation #1: Sale to or Possession of Underage Persons: "Anyone purchasing, consuming, or possessing an alcoholic beverage must be 21 years of age." The undercover officer witnessed the sale of alcoholic beverage. At that point, notification was made via text message to Inspectors Bowden, North, and Hamilton while they were located outside of the establishment. Inspectors Bowden, North, and Hamilton entered the establishment and made direct contact with the store attendant, Vijay Kalia, and informed him that a four (4) pack 16 oz of Corona Extra beer was sold to an underage person. Vijay Kalia signed the Underage Sales Prevention Report. The four (4) pack of Corona Extra beer was confiscated by Inspectors Bowden, North, and Hamilton. A picture of the alcohol beverage that was confiscated has been submitted to the Board as evidence. The investigative team left the premises at approximately 7:30 PM. All members of Liquor King were cooperative with the members of the investigative team, per Rule and Regulation No. 32 – Inspections:" Licensee must cooperate with all officials."

Commissioner Camacho: Does that conclude the report?

Inspector North: Yes, sir.

Commissioner Camacho: Thank you very much, Commissioners, do you have any questions?

Commissioner Norman: No

Commissioner Camacho: Okay. Mr. Pounds. Do you have any questions for the inspector?

Attorney Eddie Pounds: No sir, Mr. Chairman

Commissioner Camacho: Okay, well then you may proceed with your presentation.

Attorney Eddie Pounds: Thank you, Mr. Chairman and it's always a pleasure to see you. Eddie Pounds with the firm, Perry, White, Ross and Jacobson here tonight on behalf of SK stores, LLC trading as liquor King. Mr. Chair and commissioners, we fully accept responsibility for a violation of the rules and regs. Number one, sales, and under aged person. I will say, we do not have defense or even an excuse. This was an oversight by a manager employed by Liquor King, who, who practice the policy of only IDing, or asking for ID for those individuals who appear to be under the age of 25. And as you know, in this climate during a pandemic where individuals have to be subjected to a mass mandate in Prince Georges County, it's nearly impossible to glean the age of, a person desiring to purchase alcoholic beverages. This manager was recertified under TIPS on September 29th, a little over a month after the violation occurred. The practice now, was the point of sale. There is a requirement to check every ID, and the company has started conducting random inspections, or that the policy will be

followed by all employees. So, with that, Mr. Chairman and fellow Commissioners, we do accept full responsibility and understand how we will proceed going forward.

Commissioner Camacho: Thank you Mr. Pounds. Commissioners, you have any questions?

Commissioner Sparkman: No.

Commissioner Norman: Mr. Pounds. Good evening, how are you?

Attorney Eddie Pounds: Good evening, Commissioner Norman.

Commissioner Norman: So, can you make sure you provide, so has everyone been trained or just that manager?

Attorney Eddie Pounds: Let me ask Mr. Khaneja. I do have records to indicate, to show or demonstrate that the manager has been recertified, Mr. Khaneja?

Sumit Khaneja: Everyone has been trained this year, and I have the certification that I can submit, but the manager was recertified in September, after the incident. He actually went to the Liquor Board to take your training.

Commissioner Norman: Okay, great.

Attorney Eddie Pounds: And I can provide evidence to substantiate the trainings.

Commissioner Camacho: We would appreciate that Mr. Pounds.

Attorney Eddie Pounds: Okay.

Commissioner Camacho: Thank you. Any further discussion? Hearing none, I will entertain a motion.

Commissioner Norman: So, this is condition Norman, I will move to fine Liquor King \$1500 for violation of R.R. 1.

Commissioner Camacho: Okay. Motion has been made to fine trading as Liquor King in violation of R.R. number one, selling to a minor. And is there a second?

Commissioner Sparkman: Commissioner Sparkman, I second the motion.

Commissioner Camacho: Motion has been made and properly seconded. I will call for the vote. Commissioner Smith.

Commissioner Smith: Aye

Commissioner Camacho: Commissioner Norman.

Commissioner Norman: Aye

Commissioner Sparkman: Aye

Commissioner Camacho: And Vice Chair votes aye. There you go. Motion carries. \$1500 fine.

Attorney Eddie Pounds: Thank you, Mr. Chairman, thank you fellow Commissioners.

Commissioner Camacho: Okay, thank you very much. Good evening.

Attorney Eddie Pounds: Good evening,

Commissioner Camacho: Mr. Director.

Director Sheppard: Mr. Chair, that concludes the regular session we'll move on to the administrative session.

Commissioner Camacho: Okay, court reporter, you are released now because we're done with the regular session.

End Time: 7:25 p.m.