

October 7, 2020
9200 Basil Court
Largo, MD 20774

THE BOARD OF LICENSSE COMMISSIONERS MET IN REGULAR SESSION:

PRESENT:

Daphne Turpin Forbes, Chairman
Armando Camacho, Vice Chairman
Ken Miles, Commissioner
Tammie Norman, Commissioner
Tammy Sparkman, Commissioner
Jason DeLoach, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Cristian 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

Time: 7:04 p.m.

Mr. Sheppard stated a new rule has been instituted due to virtual sessions. The 10 Day Open Record Rule allows record to remain open for 10 days from date of hearing and allows licensees or their attorneys 10 days to submit to the record any additional information or evidence they would like to submit. Typically, during non-virtual hearings, information and evidence would be submitted immediately and entered into the record, which is not possible at this time. In addition, information not discussed at this hearing will not be able to be entered into the record at a later date.

In the matter of **t/a The Olive Garden Italian Restaurant**, 4 locations are making a Request for Substitution of Corporate Officers. All principals are the same.

The Licensees (4 locations) are represented by Leanne Schrecengost, Esquire.

Angela Simmons stated she is a resident of Clermont, FL and an authorized person of Olive Garden Holdings LLC.

Lindsay Koren stated she is a resident of Orlando, FL and an authorized person of Olive Garden Holdings LLC.

Leanne Schrecengost, Esquire approved stipulation that information provided by Ms. Simmons and Ms. Koren is the same for 4 locations of **t/a The Olive Garden Italian Restaurant**.

Mr. Camacho moved to accept the Substitution of Corporate Officers, seconded by Mr. Miles and made unanimous by Ms. Sparkman, Ms. Norman and Ms. Turpin Forbes.

In the matter of **t/a The Olive Garden Italian Restaurant #1560 (Bowie)**, Class B(BLX), Beer, Wine and Liquor, 4101 Towne Center Blvd, Bowie, 20716;

In the matter of **t/a The Olive Garden Italian Restaurant #1364 (Laurel)**, Class B(BLX), Beer, Wine and Liquor, 14560 Baltimore Avenue, Laurel, 20707

In the matter of **t/a The Olive Garden Italian Restaurant #1651 (Hyattsville)**, Class B(BL), Beer, Wine and Liquor, 3480 East West Highway, Hyattsville, 20781;

In the matter of **t/a The Olive Garden Italian Restaurant #4499 (Capitol Heights)**, Class B(BLX), Beer, Wine and Liquor, 1681 Ritchie Station Court, Capitol Heights, 20743.

In the matter of **t/a Cheddar's Scratch Kitchen #2077**, Class B(BLX), Beer, Wine and Liquor, 15804 Crain Highway, Brandywine, 20613 is making a Request for Substitution of Corporate Officers. All principals are the same.

The Licensee is represented by Leanne Shreckengos, Esquire.

Leanne Shreckengos, Esquire approved stipulation that information provided by Ms. Simmons and Ms. Koren is the same for **t/a Cheddar's Scratch Kitchen** as was provided for **t/a The Olive Garden Italian Restaurant**.

Mr. Camacho moved to accept the Substitution of Corporate Officers, seconded by Mr. Miles and made unanimous by Ms. Norman, Ms. Sparkman, and Ms. Turpin Forbes.

In the matter of **t/a LongHorn Steakhouse**, 3 locations are making a Request for Substitution of Corporate Officers. All principals are the same.

The Licensees (3 locations) are represented by Leanne Schrecengost, Esquire.

Leanne Schrecengost, Esquire approved stipulation that information provided by Ms. Simmons and Ms. Koren is the same for **t/a LongHorn Steakhouse**, 3 locations, as was provided for **t/a The Olive Garden Italian Restaurant** and **t/a Cheddar's Scratch Kitchen**.

Mr. Camacho moved to accept the Substitution of Corporate Officers, seconded by Mr. Miles and made unanimous by Ms. Sparkman, Ms. Norman and Ms. Turpin Forbes.

In the matter of **t/a LongHorn Steakhouse #5255 (Laurel)**, Class B(BLX), Beer, Wine and Liquor, 13600 Baltimore Avenue, Laurel, 20707;

In the matter of **t/a LongHorn Steakhouse #5494 (Largo)**, Class B(BLX), Beer, Wine and Liquor, 1100 Capital Centre Blvd, Largo, 20774;

In the matter of **t/a LongHorn Steakhouse #5174 (Bowie)**, Class B(BLX), Beer, Wine and Liquor, 4100 Town Center Blvd, Bowie, MD 20716.

In the matter of **t/a Base Restaurant**, Class B(DD), Beer, Wine and Liquor, is summoned to show cause for an alleged violation of Section 26-208 of the Alcoholic Beverage Article of the Annotated Code of Maryland and R.R. No. 10 (2) and R.R. No. 26 (B)4 of the Rules and Regulations for Prince George's County.

On or about Sunday, July 26, 2020 at approximately 7:00 p.m., Inspectors Patterson and Bagby

of the Prince George's County Board of License Commissioners arrived at the Base Restaurant, located at 5451 Annapolis Road, Hyattsville, MD 20710 and noticed a DJ and band performing outside the establishment. Having entertainment was not permitted under the County Executive's Order.

Licensee is represented by Bradley Farrar, Esquire.

Dandy Chukwuezi stated that he is a resident of Hyattsville, MD.

Sgt. Paul Brooks ID #0309 stated he is a shift advisor of city of Bladensburg Police Department.

George Patterson represents Board of License Commissioners.

Warren Bagby represents Board of License Commissioners.

Inspector Bagby testified before the Board as to what he observed on July 26, 2020.

Inspector Patterson did not have any additional information to add to the testimony.

Dandy Chukwuezi stated there was no DJ, that this was a Voter Registration and Awareness event occurred during Phase 2 and the event occurred at 5:00 pm.

Sgt. Paul Brooks stated he saw 2 inspectors at 5:00 pm and a band setting up or closing down.

Bradley Farrar, Esquire stated that the County Executive's Order on June 17, 2020 did not clearly state that entertainment was prohibited.

Jason DeLoach, Esquire stated that county's position of prohibiting entertainment was clearly stated in County Executive's newsletter on June 26, 2020 and Liquor Board letter dated June 17, 2020.

Mr. Camacho motioned to find the licensee **t/a Base Restaurant** in violation, as charged, and assessed a fine of \$4,500.00 as second offense in 24 months, seconded by Mr. Miles and quorum reached with Ms. Sparkman and Ms. Norman.

In the matter of **t/a De Ranch Restaurant**, Class B, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of 6-304 of the Alcoholic Beverage Article of the Annotated Code of Maryland and R.R. No. 1 of the Rules and Regulations for Prince George's County.

On Thursday, August 6, 2020 at approximately 10:30 a.m. One underage operative (20-years old) of the Prince George's County Cadet Program entered the De Ranch Restaurant located at 3511 Maryland Avenue, Cheverly, MD 20785 and was sold one 12-ounce bottle of Heineken beer. The sale was witnessed by an undercover police officer of the Prince George's County Police Department. Inspectors Glenn and Galato of the Prince George's County Board of License Commissioners contacted the server/manager, Iris C. Agubuzo, on the scene.

Licensee is represented by Robert Kim, Esquire.

Kenny Reyes is a Cadet with Prince George's County Police.

Detective Madeline Alvarado is a detective with Prince George's County Police.

Paschal Agubuzo stated he is a resident of Mitchellville, MD.

Iris Agubuzo stated she is a resident of Mitchellville, MD.

Catherine Chikeri is a resident of Landover, MD.

Cadet Kenny Reyes stated he requested a Heineken beer and was served an open bottle of Heineken.

Detective Madeline Alvarado stated that Cadet Reyes ordered a Heineken beer and was served an open bottle of Heineken. Neither Detective Alvarado nor Cadet Reyes could confirm if payment was made for the Heineken.

Robert Kim, Esquire requested that Cadet Reyes's official ID is reviewed by Director Sheppard

to confirm that the Cadet is underaged. Robert Kim, Esquire also requested a review of the 5-minute video and 3 submitted pictures, which should show the bottle was not opened and was not paid for.

Ms. Turpin Forbes stated that the Board will reconvene and review the video and pictures that have been provided, and that Robert Kim, Esquire may submit any other information within the next 10 days.

Catherine Chikeri stated that she thought that Det. Alvarado and Cadet Reyes were a married couple, and that Det. Alvarado looked like a regular customer and did not ask for her ID.

Ms. Turpin Forbes stated that the Board owes Robert Kim, Esquire some follow up and will do that.

In the matter of **t/a El Puente De Oro Restaurant**, Class B, Beer, Wine and Liquor, Robert Kim, Esquire entered his appearance and asked that the case be continued to a future hearing.

In the matter of **t/a El Trifuno Tex Mex Restaurant**, Class B, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-208 of the Alcoholic Beverage Article of the Annotated Code of Maryland and R.R. No. 10(2) failure to comply with all State laws, R.R. No. 26(B)(4) failure to comply with all State laws, of the Rules and Regulations for Prince George's County. That on or about Saturday, August 15, 2020 at approximately 11:20 p.m., Inspectors Bowden and Brockington of the Prince George's County Board of License Commissioners entered El Triunfo Tex Mex Restaurant, located at 1835 University Blvd., Adelphi, MD 20783 and observed a DJ playing music. Having entertainment was not permitted under the County Executive's Order. Mr. Rene Moreno, the manager and Treasurer was notified on the scene.

The Licensee was not represented by an attorney.

Rene Moreno waived right to have counsel represent him and proceeded without an attorney.

Rene Moreno stated he is a resident of Silver Spring, MD

Christian Guevara stated he is a resident of Silver Spring, MD.

Jacqueline Bowden Board represents Board of Licensed Commissioners.

Jeffrey Brockington represents Board of License Commissioners.

Inspector Guevara testified before the Board as to what she observed on August 15, 2020.

Inspector Brockington did not have any additional information to add to the testimony.

Christina Guevara stated that letter dated June 17, 2020 from the Liquor Board that prohibited entertainment in licensed establishments went into Junk Mail and was not received.

Mr. Camacho motioned to find the licensee **t/a El Trifuno Tex Mex Restaurant** in violation, as charged, and assessed a fine of \$4,500.00 as second offense in 24 months, seconded by Mr. Miles and made unanimous by Ms. Sparkman, Ms. Norman and Ms. Turpin Forbes.

Robert Kim, Esquire asked if **t/a De Ranch Restaurant** had received a first (prior) violation within 24 months. It was confirmed that a prior violation was issued March 6, 2019, and it was confirmed that no Offer and Compromise Letter was issued for today's case due to the prior violation.

Adjourned 9:11 p.m.