

January 15, 2020
9200 Basil Court
Largo, MD 20774

THE BOARD OF LICENSE COMMISSIONERS MET IN REGULAR SESSION:

PRESENT:

Daphne Turpin Forbes, Chairman
Armando Camacho, Vice Chairman
Kenneth Miles, Commissioner
Tammie Norman, Commissioner
Tammy Sparkman, Commissioner
Benjamin Rupert, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Cristian Mendoza, Deputy Chief Liquor Inspector
Brian Hubbard, Deputy Chief Liquor Inspector
Nikole Bennett, Administrative Aide
Keyanna Little, Administrative Aide
Katrice James, Administrative Aide

Time: 7:06 p.m.

In the matter of Thomas C. Joyner, Managing Member/Authorized Person, James W. Lokoff, Managing Member/Authorized Person, Milkboy College Park, LLC, t/a **Milkboy Arthouse**, 7416 Baltimore Avenue, College Park, 20740, Class B, BLX, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-1103 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 75 of the Rules and Regulations for Prince George's County, to wit; That on Friday, November 29, 2019 at approximately 10:45 p.m. Chief Inspector Clark and Inspector Bagby of the Prince George's County Board of License Commissioners, observed and confirmed patrons under the age of 21 being allowed into the licensed premises, within the area where entertainment was being performed.

Licensee is represented by Linda Carter, Esquire.

James Lokoff stated that he is a resident of Pennsylvania.

Robert Clark stated that he is the Chief Liquor Inspector for the Prince George's County Board of License Commissioners.

Warren Bagby stated that he is an Inspector for the Prince George's County Board of License Commissioners; read his report into the record.

Benjamin Rupert, Esquire asked what type of music was being played.

Warren Bagby stated rap.

Robert Clark stated that it was a live band; that it was a rap concert.

Benjamin Rupert, Esquire asked if they saw underage coming from the area with entertainment.

Robert Clark stated that they did.

Linda Carter, Esquire stated that they don't dispute that the incident happened; that they had requested to the board before to work something out; that they are contractually obligated to allow patrons under 21 even for events; that the Board said they couldn't help with the situation;

that they have reached out to the Senate and the Board at the University of Maryland; that they were not able to find a reasonable solution; that they sent a letter to the Board notifying them of their closure other than a few specified events they have already scheduled; that there is a transfer application submitted; that MilkBoy Arthouse has closed otherwise; that they are not operating; that they request the Board accept their request to close as punishment; that the new facility will be owned by the University of Maryland and intend to operate under that license. Ms. Turpin Forbes stated that she would like more information on the contract and why they can't move those under 21 to a quarantined area or have them leave.

Linda Carter, Esquire stated that they have University of Maryland events and must allow those under 21 to attend; that it is not University of Maryland property; that they are not exempt like for a Dining Services license.

Ms. Turpin Forbes stated that she would like to hear from Mr. Lokoff regarding the situation.

James Lokoff stated that the situation is unfortunate; that they came into this area to bring excitement and opportunity to College Park; that they wanted to bring Arts and Entertainment to the area; that they have had different musical performers; that one recent performer was Mason Ramsey a 12-year-old yodeler; that the event started at 8:00 p.m.; that he appealed to everyone and people of all different ages; that they couldn't allow the younger crowd in to see the entire performance; that because of this and similar situations they have chosen to close.

Linda Carter, Esquire asked why Mr. Lokoff was invited to come into the area.

James Lokoff stated that they were invited to come to Prince George's County based on their success in Philadelphia; that it had been a depressing area and they opened a coffee shop; that they sold liquor as well to bring in more business; that they brought vitality, energy and art to the community; that hospital staff nearby appreciated they were open in the morning and they could have a burger and beer at the end of their shift; that they had entertainment at night; that it made the area explode with new life; that they thought they could do the same in College Park; that he believes things will be alright in the area and it will continue to thrive; that he wishes he could be a part of it; that he has been working on this for six years; that this will have a significant impact on his family as well; that they took the entertainment permit issues to be a sign to close.

Ms. Turpin Forbes asked if they're close what events are left; that she would like to know about the people coming in and if they will run the events.

Linda Carter, Esquire stated that they will work on drafting a management agreement.

Ms. Turpin Forbes stated that unfortunately they had a violation regardless; that they had a previous violation in November as well for sale to a minor.

Benjamin Rupert, Esquire stated that he believes that the pursuant to Section 26-1103 of the Alcoholic Beverage Article of the Annotated Code of Maryland a first offense penalty begins at \$1,000; that for Special Entertainment Permit violations they begin at least at \$1,000; that they must fine the licensee some amount and may even revoke or suspend the permit.

Mr. Camacho moved to find the licensee in violation of their Special Entertainment Permit and fine the establishment \$1,000, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of Gary McGowan, Member/Authorized Person, Gregory McGowan, Member/Authorized Person, ROD Holdings, LLC, **t/a The Game Room**, 731 Cady Drive, Fort Washington, 20744, Class B, Beer and Wine, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code of

Maryland and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about January 15, 2019, an application for transfer of location for the Class B, Beer and Wine license was filed, that on or about April 23, 2019 approval by the Board was granted for the transfer of location of the license; the license has not been placed in operation after six months following being granted approval.

Gary McGowan stated that he is a resident of Brandywine.

Gregory McGowan stated that he is a resident of Waldorf.

Gary McGowan stated that he assumes they were asked to come because the Board wants to know why they haven't opened; that they have been having business and personal challenges; that they lost their kitchen manager; that he had a bad knee surgery recently; that he has also lost his vision recently; that he hasn't been able to be as good of a resource to his nephew as he'd like to be; that they have done significant renovations; that they are close; that they still need to complete their Use and Occupancy Permit process; that they are hoping for an extension.

Ms. Turpin Forbes asked when they expect to be open.

Gary McGowan stated that when they open depends on the county; that they have inspections to complete; that the kitchen is almost complete; that they still need to complete the Fire Marshall inspection.

Ms. Turpin Forbes stated that unfortunately it has been more than eight months since the license was approved; that the license has been held up as transfer of location.

Gary McGowan stated that he understands; that he would ideally like to have liquor as well, but there were only three licenses available and four applicants at his hearing; that if he is able, he would to apply when he is closer to being able to place the license in use.

Ms. Turpin Forbes stated that since the license was not placed in use within six months they can expire; that when they get everything in place they can reapply.

Mr. Camacho moved to expire the license without prejudice, seconded by Mr. Miles and made unanimous by Ms. Norman, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of Hector A. Garcia, President/Secretary, Galicia Restaurant & Cantina, Inc., **t/a Galicia Restaurant & Cantina**, 10907 Fort Washington Road, Fort Washington, 20774, Class B, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about March 19, 2019 an application for transfer of the Class B, Beer, Wine and Liquor license was filed, that on or about May 21, 2019 approval by the Board was granted for the transfer of the license; the license was not placed in operation after six months following being granted approval.

Hector Garcia stated that he is a resident of Fort Washington.

Juan Campos stated that he is a resident of Accokeek.

Ms. Turpin Forbes stated that she would like to know why the license hasn't been placed in use.

Hector Garcia stated that during their inspection they found that the site plans had not updated; that they have been working with the county; that he believes they are almost to the end and have the building permits that they need; that they already did the floor; that they have talked with an architect; that construction will take 60 days.

Ms. Turpin Forbes asked if they have their Use and Occupancy Permit and other permits.

Hector Garcia stated that they are working on it; that it is why they are working with an architect; that they already have the drawings.

Ms. Turpin Forbes asked if they have anything else completed.

Hector Garcia stated that they do not; that they request additional time to have the license transferred; that he has put in a lot of time and money; that Prince George's County closed them six months ago.

Juan Campos stated that there are items the Health Department required them to fix; that they inherited all the issues from the previous owner; that the site plan previously submitted is no longer current; that the site plan doesn't show the driveway or the gas tank; that they have been closed since September.

Ms. Norman asked why the Health Department closed them.

Hector Garcia stated that they took over beginning of 2019; that he has been putting in labor and time to get things right since the Health Department closed them to get make the corrections needed.

Mr. Miles asked if the establishment used to be a restaurant and a bar.

Hector Garcia stated that yes, it is a restaurant and bar; that it was Darrah's Café previously; that it was a 7-Eleven initially.

Ms. Turpin Forbes stated that they have had the license for eight months; that they have a lot of things that still need to be done; that she doesn't believe they'll be done in 60 or even 90 days; that they can expire the license without prejudice; that once the work is completed they can reapply.

Mr. Camacho moved to expire the license without prejudice, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of Johnny West, Operations Director, Artsgroup Inc., **t/a StudioPlace by Artsgroup**, 4719 Stamp Road, Temple Hills, 20748, Class C, Fraternal, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 26 of the Alcoholic Beverage Article of the Annotated Code of Maryland Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about March 26, 2019 approval by the Board was granted to the issuance of the license; the license has not been placed in operation after six months following being granted approval.

Johnny West stated that he is a resident of Temple Hills.

Takara Chapman stated that she is a resident of Upper Marlboro.

Johnny West stated that he understands that they have a delay in placing the license in use; that they had the wrong address written on the application; that the application needs to be updated; that the county hadn't updated the plot.

Ms. Norman asked if the problem had been fixed with the county.

Johnny West stated that he had not correct the problem with the plot; that it is not on him to correct; that he doesn't own the property; that it is for the property owner to correct; that it is an I shaped building on the corner of two roads.

Ms. Turpin Forbes asked if guests can enter at either address.

Johnny West stated that the address is 4730 not 4719; that people can use both entrances to the property; that the Use and Occupancy has the correct address; that he needs to correct the application.

Ms. Turpin Forbes asked if the only thing holding up the application is an address change.

Johnny West stated yes; that he has all the other documents to effectuate the license; that he has provided a copy of the Use and Occupancy Permit.

Mr. Camacho stated that the Use and Occupancy Permit says that the property is for recreation, arts and a school; that they have applied for the license as a fraternal organization; that he believes he will have to withdraw the approval for the license in order to allow time for the application and the Use and Occupancy Permit to get sorted out.

Johnny West stated that based on the Use and Occupancy Permit issues and the documents missing he doesn't believe he has a choice; that he doesn't know how to change the Use and Occupancy Permit.

Ms. Turpin Forbes stated that they will need to contact the Department of Permitting Inspection and Enforcement.

Johnny West requested that the Board write a letter of support on his behalf; that he has had problems with getting the Department of Permitting Inspection and Enforcement to explain what all is needed and to get things done; that the process is hard; that he has not been attacking the problem every day, but he has been trying to resolve the issues; that it is hard to do business in this county because of zoning issues; that he has invested a lot of money and work.

Ms. Turpin Forbes stated that she hears his frustration and their only involvement is in the Alcoholic Beverage Licenses; that she encourages him to keep going; that Prince George's is a great county; that the Board is not in the business of writing letters of support; that it is not feasible for all licensees and they can't do for just one.

Mr. Camacho moved to withdraw the Board's previous approval for a Class C, Fraternal license, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

Respectfully Submitted,

Nikole Bennett
Administrative Aide

Adjourned 7:57 p.m.