

PETITION TO FINE, SUSPEND, OR	*	BEFORE THE ALCOHOLIC
REVOKE THE CLASS A-1 BEER, WINE	*	
& LIQUOR 7-DAY OFF SALE	*	BEVERAGE HEARING BOARD
ALCOHOLIC BEVERAGE LICENSE OF	*	
IAN BELL-FOWBLE AND JEAN CARR	*	FOR
ON BEHALF OF OML, LLC T/A	*	
OAKLAND MILLS LIQUORS	*	HOWARD COUNTY, MARYLAND
	*	
	*	Case No.: 21-23

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### **DECISION AND ORDER**

The Board of License Commissioners for Howard County, Maryland (the “Liquor Board”), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the “Hearing Board”).

On May 25, 2021, the Hearing Board heard the Petition of Howard County, Maryland and Detective Mark Baxter, the Alcoholic Beverage Inspector (collectively “Petitioners”), to Fine, Suspend, or Revoke the Class A-1 Beer, Wine, and Liquor 7-day off-sale license of Ian Bell-Fowble and Jean Carr (“Respondents”), held on behalf of OML, LLC t/a Oakland Mills Liquors (“Oakland Mills Liquors”) located at 5865 Robert Oliver Place, Columbia, MD 21045.

The Licensees were represented by Bryan K. Saxton, Esquire. The Alcoholic Beverage Inspector was represented by Tsega Girma, Esquire.

The hearing was properly advertised, and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland.

All the documents on file were incorporated into the record by reference.

## **STIPULATIONS**

The parties agreed to stipulate to all the allegations of the Petition, including the following:

1. Detective Mark Baxter, Petitioner, at the time of the Petition, was a sworn Howard County Police Officer, specially assigned and designated, pursuant to the applicable laws, as the Alcoholic Beverage Inspector for Howard County. In this capacity, he has the obligation, duty, and responsibility to investigate any licensed liquor establishment for any violations of the applicable liquor or other laws which may occur in the licensed establishment.
2. Howard County, Maryland, is a chartered county, organized pursuant to law, and has the authority, through the exercise of its police power, to enforce all of the laws relating to alcoholic beverages.
3. On or before May 1, 2020, Respondents applied for and received a Class A-1, Beer, Wine and Liquor, 7-Day, Off-Sale License for OML, LLC t/a Oakland Mills Liquors, 5865 Robert Oliver Place, Columbia, Maryland 21045. Oakland Mills Liquors is located in Howard County and is subject to the jurisdiction of the Board of License Commissioners for Howard County.
4. At all times relevant to these proceedings, Respondents were responsible for the operation of Oakland Mills Liquors and were responsible for ensuring compliance with all local and State laws concerning the distribution, sale and transfer of alcoholic beverages to members of the public.
5. On November 24, 2020, a male cadet was sent into Oakland Mills Liquors to purchase alcoholic beverages.

6. The male cadet was able to purchase a pint of Fireball whiskey, an alcoholic beverage, from the cashier.

7. The cashier, Kenneth Keepers, asked for identification; however, conducted the transaction without looking at the cadet's license, which would have shown that he was under the age of twenty-one.

8. Detective Baxter photographed the evidence, returned said evidence to the establishment, and was refunded the money for the purchase.

9. The Respondents have committed the following violations:

1. Liquor Board Rule 4.04 – Compliance with Laws and Regulations;
2. Liquor Board Rule 5.02 – Sales to Minors; and
3. Liquor Board Rule 5.08 – Acts Contrary to Law.

10. The Respondents and their agents have allowed Oakland Mills Liquors to be used for acts which are contrary to local ordinances and against the public peace, safety, health or welfare.

### **SUMMARY OF TESTIMONY**

Ian Bell-Fowble, Resident Agent Licensee, was sworn and testified as follows:

Mr. Bell-Fowble testified that he has worked at Oakland Mills Liquors since 2003 and has been the General Manager since 2014. Mr. Bell-Fowble testified that while there was a tobacco violation, there has never been an alcohol violation since he has been there.

Mr. Bell-Fowble testified that he generally works Saturday through Thursday, and that there is an Assistant Manager who is present when he is not. Mr. Bell-Fowble testified that he is alcohol awareness certified and anyone working more than 30 hours a week is also certified.

Mr. Bell-Fowble testified that Kenneth Keeper, who is an owner and was a former license holder, had a violation for not changing when he moved out of the County. He stated that Mr. Keeper, who made the underage sale, does not work at the store on a regular basis but helps on occasion.

Mr. Bell-Fowble testified that he was at the store accepting a delivery at the time of the incident. Mr. Bell-Fowble testified that he learned of the incident at the time. One of the managers confused the cadet with a regular customer and informed Mr. Keeper of that.

Mr. Bell-Fowble testified that since the incident they have changed the carding policy to include carding anyone who appears under forty years of age and they have ordered an ID scanner. Mr. Bell-Fowble further testified that they will ensure that all employees are TAMS certified and he believes he has done everything possible to make sure there will not be further violations. Mr. Bell-Fowble testified that at the time of the violation they were getting a delivery.

### **FINDINGS OF FACT**

1. The Hearing Board finds that Ian Bell-Fowble and Jean Carr are the licensees on behalf of OML, LLC t/a Oakland Mills Liquors, a Class A-1 Beer, Wine, and Liquor 7-day off-sale license located at 5865 Robert Oliver Place, Columbia, MD 21045.
2. Detective Mark Baxter, Petitioner, at the time of the Petition, was a sworn Howard County Police Officer, specially assigned and designated, pursuant to the applicable laws, as the Alcoholic Beverage Inspector for Howard County. In this capacity, he has the obligation, duty, and responsibility to investigate any licensed liquor establishment for any violations of the applicable liquor or other laws which may occur in the licensed

establishment.

3. Howard County, Maryland, is a chartered county, organized pursuant to law, and has the authority, through the exercise of its police power, to enforce all the laws relating to alcoholic beverages.

4. On or before May 1, 2020, Respondents applied for and received a Class A-1, Beer, Wine and Liquor, 7-Day, Off-Sale License for OML, LLC t/a Oakland Mills Liquors, 5865 Robert Oliver Place, Columbia, Maryland 21045. Oakland Mills Liquors is located in Howard County and is subject to the jurisdiction of the Board of License Commissioners for Howard County.

5. At the times relevant to these proceedings, Respondents were responsible for the operation of Oakland Mills Liquors and were responsible for ensuring compliance with all local and State laws concerning the distribution, sale and transfer of alcoholic beverages to members of the public.

6. On November 24, 2020, a male cadet was sent into Oakland Mills Liquors to purchase alcoholic beverages.

7. The male cadet was able to purchase a pint of Fireball whiskey, an alcoholic beverage, from the cashier.

8. The cashier, Kenneth Keepers, asked for identification; however, conducted the transaction without looking at the cadet's license, which would have shown that he was under the age of twenty-one.

9. Detective Baxter photographed the evidence, returned said evidence to the establishment, and was refunded the money for the purchase.

10. The Respondents have committed the following violations:

1. Liquor Board Rule 4.04 – Compliance with Laws and Regulations;
2. Liquor Board Rule 5.02 – Sales to Minors; and
3. Liquor Board Rule 5.08 – Acts Contrary to Law.

11. The Respondents and their agents have allowed Oakland Mills Liquors to be used for acts which are contrary to local ordinances and against the public peace, safety, health or welfare.

### **CONCLUSIONS OF LAW**

1. The Hearing Board concludes that Ian Bell-Fowble and Jean Carr are the licensees on behalf of OML, LLC t/a Oakland Mills Liquors, a Class A-1 Beer, Wine, and Liquor 7-day off-sale license located at 5865 Robert Oliver Place, Columbia, MD 21045.

2. The Hearing Board concludes that the Licensees have violated:

1. Liquor Board Rule 4.04 – Compliance with Laws and Regulations;
2. Liquor Board Rule 5.02 – Sales to Minors; and
3. Liquor Board Rule 5.08 – Acts Contrary to Law.

3. The Hearing Board concludes that it is not necessary to revoke the License, but in order to ensure compliance with the law and Rules and Regulations, and protect the public health and safety, it is necessary to impose a one-day suspension of the liquor license and a fee of Two Hundred Seventy Dollars (\$270.00) for the cost of the hearing as provided by Rule 7.05(B).

### **ORDER**

For the foregoing reasons, and upon finding a violation of Liquor Board Rules 4.04, 5.02, and 5.08, it is this 16 day of July, 2021, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED:**

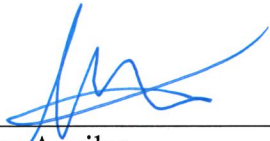
1. That the Class A-1 Beer, Wine, and Liquor 7-day off-sale license held by Ian Bell-Fowbel and Jean Carr on behalf of OML, LLC t/a Oakland Mills Liquors, a located at 5865 Robert Oliver Place, Columbia, MD 21045, be and the same is hereby is **SUSPENDED beginning at 6:00 a.m. on Saturday August 21, 2021 through 2:00 a.m. on Sunday August 22, 2021;** and

2. That the Licensees shall **DISPLAY the attached SIGN** in color and in a prominent and clear manner, on the front door of the licensed premises beginning at the close of business the day prior to suspension and continuing until reopening for business the day after the suspension; and

3. That a **FEE of Two Hundred and Dollars (\$270.00) is HEREBY IMPOSED** upon Ian Bell-Fowbel and Jean Carr on behalf of OML, LLC t/a Oakland Mills Liquors and **SHALL BE PAID NO LATER THAN** August 21, 2021 for the cost of the hearing as provided by Rule 7.05(B).

**ATTEST:**

**ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND**

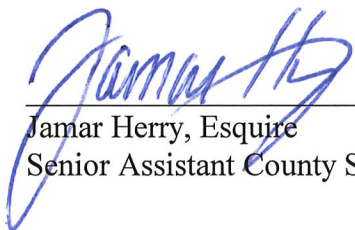
  
\_\_\_\_\_  
Ashley Aguilar  
Board Administrator

  
\_\_\_\_\_  
Mary Bird, Chairperson

**REVIEWED BY HOWARD COUNTY  
OFFICE OF LAW  
GARY W. KUC  
COUNTY SOLICITOR**

NOT AVAILABLE  
\_\_\_\_\_  
Harry Evans, Vice Chair

  
\_\_\_\_\_  
Charley Sung, Member

  
\_\_\_\_\_  
Jamar Herry, Esquire  
Senior Assistant County Solicitor

  
\_\_\_\_\_  
Steven Chen, Member

NOT AVAILABLE  
\_\_\_\_\_  
Claire Kim, Member

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER MAY APPEAL THE  
DECISION TO THE LIQUOR BOARD WITHIN TEN DAYS OF THE DATE OF THE  
DECISION, IN ACCORD WITH RULE 6.14 OF THE RULES AND REGULATIONS OF  
THE LIQUOR BOARD.



**THE HOWARD COUNTY ALCOHOLIC BEVERAGE HEARING BOARD  
HAS ORDERED THE LIQUOR LICENSE FOR  
OAKLAND MILLS LIQUORS**

**SUSPENDED**

No alcoholic beverage may be sold or consumed at this location from:

**6:00am on 8/21/21 to 2:00am on 8/22/21**

This licensee was found to have violated:

Liquor Board Rules 4.04, 5.02 AND 5.08

THIS SIGN SHALL BE PRINTED IN COLOR & CLEARLY DISPLAYED PROMINANTLY ON THE FRONT DOOR BEGINNING AT CLOSE OF BUSINESS THE DAY PRIOR TO SUSPENSION, AND CAN BE TAKEN DOWN ONLY UPON REOPENING FOR BUSINESS THE DAY AFTER SUSPENSION.

Any questions about this notice should be directed to the Howard County Alcoholic Beverage Administrator at 410-313-2395.