

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF GARY GLENN	*	
BEALL, MATTHEW BRIAN BEST,	*	BEVERAGE HEARING BOARD
AND RHONDA DOLORES BEST	*	
ON BEHALF OF ISLAND GREEN	*	FOR
ASSOCIATES, LLC T/A TEN OAKS	*	
TAVERN, FOR A RESIDENT AGENT	*	HOWARD COUNTY, MARYLAND
CHANGE AND EXTENSION OF	*	
PREMISES FOR A CLASS B BEER,	*	Case No.: 21-50
WINE AND LIQUOR 7-DAY LICENSE	*	

\*\*\*\*\*

**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 December 14, 2021, the Hearing Board heard the application of Gary Glenn Beall, Matthew Brian Best and Rhonda Dolores Best (the “Applicants”), on behalf of Island Green Associates, LLC, t/a Ten Oaks Tavern (“Ten Oaks Tavern”), for a resident agent change, replacing Rhonda Dolores Best, and an extension of premises for a Class B, Beer, Wine and Liquor 7-Day License for a 2,400 sq. ft. restaurant with a 750 sq. ft. outdoor area located at 3900 Ten Oaks Road, Glenelg, MD 21737.

The hearing was properly advertised, and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Martin Johnson and there were no protestants who appeared in opposition to the application.

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

## SUMMARY OF TESTIMONY

Matthew Brian Best, 8% interest holder and proposed licensee, was sworn in and testified before the Board.

Mr. Best testified that he supplied the Board with documents supporting the changes under way. Mr. Best stated the Board approved licenses for his mother and father in 2008. Mr. Best stated his father passed away about ten years ago and he and his mother have operated the business since. Mr. Best stated he is the General Manager and his mother works at Patapsco Middle School, and now plans to retire. Mr. Best stated they have never had a liquor violation, he is Alcohol Awareness Certified, and recently took a class with his wife and eight other staff members. Mr. Best stated he and Mr. Beall have studied the Howard County Liquor Board Rules and Regulations. Mr. Best stated he is at the restaurant between 60-70 hours a week running all of the operations.

Mr. Best stated that during Covid, they offered temporary outdoor dining under a tent during good weather, and they are working with the Department of Inspections, Licenses and Permits (DILP) to obtain a permit for permanent outdoor service when the weather allows. Mr. Best testified as to the photos of the restaurant and the outdoor dining space. Mr. Best stated there will be 8 tables outside with seating for up to 32 people, there will be no outdoor bar and all food and drinks will be served from within the building. Mr. Best stated signs will be posted directing patrons inside to be seated outdoors, and staff members will rotate throughout the tent attending to customers. Mr. Best stated that if approved for the license, the servers, managers and himself will watch people who choose to drink. Mr. Best stated he knows not to allow underage drinking or possession and the same rules that apply indoors would apply outdoors. Mr. Best stated he understands the approval of the outdoor service would be conditional upon

the approval of DILP. Mr. Best stated that the outside area is not visible from the inside of the restaurant, but he has considered installing a camera. Mr. Best stated that someone who is Alcohol Awareness Certified will be continually watching the outdoor area.

Gary Glenn Beall, 10% interest holder and proposed resident agent, was sworn in and testified before the Board.

Mr. Beall testified that he lives in Howard County, three miles from the restaurant. Mr. Beall stated he is retired and worked for NBC news on the White House Press Corps staff. Mr. Beall volunteered to be a resident agent and is Alcohol Awareness Certified. Mr. Beall stated he has studied the Howard County Liquor Board Rules and Regulations and is aware of the responsibilities of being a resident agent. Mr. Beall stated he makes sure the staff is not violating rules and that alcohol is being consumed by only those at least 21 years old. Mr. Beall stated he will make surprise visits to the business and correct any issues. Mr. Beall stated he is aware that if there is a violation, he will be held responsible. Mr. Beall stated he has no plans to move out of the County and that he has the Liquor Inspector's phone number if needed. Mr. Beall stated he is at the restaurant once or twice a week and he plans to take his position seriously.

Rhonda Dolores Best, 82% interest holder and proposed licensee, was sworn in and testified before the Board.

Ms. Best testified she will eventually be out of the State, but before then she will be at the restaurant a few times a week. Ms. Best stated she felt confident transferring the license to other family members. Ms. Best stated Mr. Beall is very familiar with the business and is well-known by the staff.

Martin Johnson, consultant, was sworn in and testified before the Board.

Mr. Johnson testified that Ms. Best is a family friend and they have worked on this project

for over a year. Mr. Johnson stated he and Mr. Best have reviewed the Comprehensive Alcohol Service Manual and have revised it. Mr. Johnson stated he created a self-evaluation checklist for the restaurant to prepare for inspections. Mr. Johnson stated he is confident in the abilities of Mr. Beall to be a resident agent. Mr. Johnson stated the DILP process may take a few months and requested that the Decision and Order state that the licensee changes would not be delayed by the outdoor dining matter. Mr. Johnson stated he has been to the outdoor dining area and has never seen more than two or three tables at full capacity. Mr. Johnson stated that the outside area is not visible from the inside of the restaurant, but all food and drinks must be taken outside by a staff member. Mr. Johnson stated the outdoor area is well defined and there are large logs in place that delineate what is part of the restaurant and what is public area. Mr. Johnson stated that a camera would be a good idea and the monitor should be visible to employees.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants waived their right to request the Liquor Board to hear the case.

Based on the evidence presented at the hearing, the Alcoholic Beverage Hearing Board makes the following Findings of Fact and Conclusions of Law:

#### **FINDINGS OF FACT**

1. The Hearing Board finds that Gary Glenn Beall, Matthew Brian Best and Rhonda Dolores Best (the “Applicants”), on behalf of Island Green Associates, LLC, t/a Ten Oaks Tavern (“Ten Oaks Tavern”), have applied for a resident agent change, replacing Rhonda Dolores Best, and an extension of premises for a Class B, Beer, Wine and Liquor 7-Day License for a 2,400 sq. ft. restaurant with a 750 sq. ft. outdoor area located at 3900 Ten Oaks Road, Glenelg, MD 21737.
2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board finds that Gary Glenn Beall, the resident agent applicant, meets the requirements of Rules 1.10(S), 1.10(T), and 2.06 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board finds that the granting of the application will not unduly disturb the peace and safety of the residents of the neighborhood.

### **CONCLUSIONS OF LAW**

1. The Hearing Board concludes that Gary Glenn Beall, Matthew Brian Best and Rhonda Dolores Best (the “Applicants”), on behalf of Island Green Associates, LLC, t/a Ten Oaks Tavern (“Ten Oaks Tavern”), have applied for a resident agent change, replacing Rhonda Dolores Best, and an extension of premises for a Class B, Beer, Wine and Liquor 7-Day License for a 2,400 sq. ft. restaurant with a 750 sq. ft. outdoor area located at 3900 Ten Oaks Road, Glenelg, MD 21737.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that Gary Glenn Beall, the resident agent applicant, meets the requirements of Rules 1.10(S), 1.10(T), and 2.06 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board concludes that the granting of the application will not unduly disturb the peace and safety of the residents of the neighborhood.

**ORDER**

For the foregoing reasons, it is this 19<sup>th</sup> day of May 2022, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Gary Glenn Beall, Matthew Brian Best and Rhonda Dolores Best (the “Applicants”), on behalf of Island Green Associates, LLC, t/a Ten Oaks Tavern (“Ten Oaks Tavern”), for a resident agent change, replacing Rhonda Dolores Best, and an extension of premises for a Class B, Beer, Wine and Liquor 7-Day License for a 2,400 sq. ft. restaurant with a 750 sq. ft. outdoor area located at 3900 Ten Oaks Road, Glenelg, MD 21737, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicants comply with all State and County laws and regulations;
- (b) That the Applicants satisfy any requirements necessary to obtain the license by August 14, 2022 unless that deadline is extended by the Board upon good cause shown;
- (c) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

**ATTEST:**



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

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

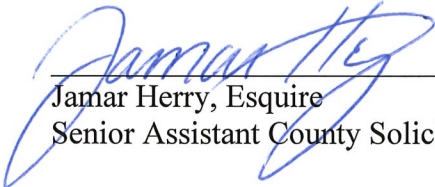
*Kel L. Berg for*  
\_\_\_\_\_  
Mary Bird, Chairperson

ABSENT  
\_\_\_\_\_  
Harry Evans, Vice-Chairperson

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

*Kel L. Berg for*  
\_\_\_\_\_  
Charley Sung, Member

*Kel L. Berg for*  
\_\_\_\_\_  
Steve Chen, Member

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

*Kel L. Berg for*  
\_\_\_\_\_  
Claire Kim, Member