

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF KELLY KIL AND	*	
SEAN D. JOUN ON BEHALF OF	*	BEVERAGE HEARING BOARD
CHIMAC, INC., T/A GOL MOK GIL, FOR	*	
A TRANSFER OF A CLASS B BEER,	*	FOR HOWARD COUNTY, MARYLAND
WINE, AND LIQUOR 7-DAY ON-SALE	*	
LICENSE	*	Case No.:19-05
	*	

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 February 12, 2019, the Hearing Board heard the application of Kelly Kil and Sean D. Joun (“Applicants”), on behalf of Chimac, Inc., t/a Gol Mok Gil (“Gol Mok Gil”), for a transfer of a Class B, Beer, Wine, and Liquor, 7-day on-sale license held by Mi Youn Lee and Kelly Kil, on behalf of HJ Kil, Inc., t/a Galaxy Restaurant, for a 1,350-square foot restaurant located at 10226 Baltimore National Pike, Ellicott City, MD 21042.

The hearing was advertised and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Jay Yoo, Esquire. 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

Jay Yoo, counsel for Gol Mok Gil, addressed a preliminary matter regarding advertising

and stated that the Howard County Times did not run the legal ad in their paper as required by law even though the ad was properly and timely submitted to them. The legal ad in the Howard County Sun was published as required by law. Additionally, the property was posted. The Board determined that the Applicant made a good faith effort to complete all advertising requirements and that there had been substantial compliance with the advertising requirements.

Kelly Kil, current licensee and proposed resident agent, was sworn and testified that she has lived in Howard County for 17 years, is a registered voter and is alcohol awareness certified. Ms. Kil testified that she is the current owner of Galaxy Restaurant and will be selling 90% of the restaurant to Sean D. Joun but will be retaining a 10% ownership. She stated that she will continue to work at the restaurant as a manager and supervisor two to three days per week for about two years. Ms. Kil testified that she has no criminal record and that there have been no violations at the restaurant during the six years that she has owned it. She stated that the alcohol will be stored in the back stockroom and will not be assessible to customers. Ms. Kil testified that she understands the Board's Rules and Regulations and will abide by them.

Sean D. Joun, proposed licensee, was sworn and testified that he is the 90% owner and president of Chimac, Inc., and is alcohol awareness certified. He testified that the business will stay as it is currently, there will be no changes in the operation of the restaurant, and they will be keeping the same menu. Mr. Joun stated that he owns a cleaning business in Pennsylvania that someone else will now operate and that he has recently moved to Howard County. Mr. Joun stated that he does not have a criminal record. He testified to the Board about the background results showing an alias of Dae Kil Joun and explained that he changed his name when he became a US citizen. Mr. Joun also explained that he did not disclose a previous

employment on his background questionnaire as this was an old business venture (coffee shop) that he attempted and which failed and he did not realize he needed to include this on the application. Mr. Joun stated that he plans to have 5 employees: his fiancée as the cook, two waiters and two managers, all of whom will be alcohol awareness certified. The following exhibit was submitted and entered into the record:

Applicant's Exhibit No. 1 – Sean Joun's Alcohol Awareness certificate.

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 Kelly Kil and Sean D. Joun, on behalf of Chimac, Inc., t/a Gol Mok Gil, have applied for a transfer of a Class B, Beer, Wine, and Liquor 7-day on-sale license held by Mi Youn Lee and Kelly Kil, on behalf of HJ Kil, Inc., t/a Galaxy Restaurant, for a 1,350-square foot restaurant located at 10226 Baltimore National Pike, Ellicott City, MD 21042.
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 Kelly Kil has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of Chimac, Inc., t/a Gol Mok Gil.
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 Kelly Kil and Sean D. Joun, on behalf of Chimac, Inc., t/a Gol Mok Gil, have applied for a transfer of a Class B, Beer, Wine, and Liquor 7-day on-sale license held by Mi Youn Lee and Kelly Kil, on behalf of HJ Kil, Inc., t/a Galaxy Restaurant, for a 1,350-square foot restaurant located at 10226 Baltimore National Pike, Ellicott City, MD 21042.

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 Kelly Kil 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 would not unduly disturb the peace and safety of the neighborhood.

ORDER

1. For the foregoing reasons, it is this 12th day of MARCH, 2019, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Kelly Kil and Sean D. Joun, on behalf of Chimac, Inc., t/a Gol Mok Gil, for a transfer of a Class

B, Beer, Wine, and Liquor 7-day on-sale license held by Mi Youn Lee and Kelly Kil, on behalf of HJ Kil, Inc., t/a Galaxy Restaurant, for a 1,350-square foot restaurant located at 10226 Baltimore National Pike, Ellicott City, MD 21042 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; and
- (b) That the Applicants satisfy any requirements necessary to obtain the license by May 26, 2019, unless that deadline is extended by the Board upon good cause shown; and
- (c) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:

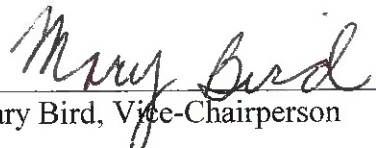
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Robin Regner
Board Administrator



Gene Ryan, Chairperson



Mary Bird, Vice-Chairperson

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



Charles C. Feaga, Member



Heather Gaetano, Member



Lewis Taylor, Esquire
Senior Assistant County Solicitor

ABSENT

Charley C. Sung, Member