

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF IAN BELL-FOWBLE	*	
AND JEAN KARR ON BEHALF OF	*	BEVERAGE HEARING BOARD
OML, LLC, t/a OAKLAND MILLS	*	
LIQUORS FOR A TRANSFER OF A	*	FOR
CLASS A-1 BEER, WINE AND LIQUOR	*	
7 DAY OFF-SALE LICENSE	*	HOWARD COUNTY, MARYLAND
	*	

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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 February 11, 2014, the Hearing Board heard the application of Ian Bell-Fowble and Jean Karr, (“Applicants”), on behalf of OML, LLC, t/a Oakland Mills Liquors (“OML, LLC”), for a transfer of a Class A-1 Beer, Wine, and Liquor 7-day off-sale license currently held by Kenneth Keepers, Frederick Keepers, and Inez Keepers on behalf of Alagna, Inc., t/a Oakland Mills Liquors for a 2,364 square foot liquor store located at 5865 Robert Oliver Place, Columbia, Maryland 21045. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Christopher S. Young, Esquire. There were no protestants who appeared in opposition to the application.

The following documents were presented to the Hearing Board and entered into the record: a letter dated January 29, 2014, from the Administrator to the Alcoholic Beverage Hearing Board re-scheduling the transfer application for OML, LLC; a letter dated January 29, 2014, from the Applicants’ attorney requesting the transfer application be heard as soon as possible, and including an article from the Baltimore Sun regarding the possibility of Second Chance Saloon in the Oakland Mills Village Center closing; a letter dated November 21, 2013, enclosing the transfer application for OML, LLC, a copy of the Articles of Organization for OML, LLC; a copy of the floor plan; the background investigation questionnaire from Jean Patricia Karr; a copy of the criminal record check for Jean Patricia Karr from the Maryland

Criminal Justice Information System; the background investigation questionnaire from Ian Aubrey Bell-Fowble; a copy of the criminal record check for Ian Aubrey Bell-Fowble from the Maryland Criminal Justice Information System; a copy of TAM certification for Maxwell Keepers and Thomas Micheel; a memorandum dated January 30, 2014, from the Comptroller of Maryland enclose the Bulk Transfer Permit for OML, LLC; a memorandum dated January 3, 2014, from the Liquor Board to the Alcoholic Beverage Inspector, the Department of Inspections, Licenses and Permits, the Bureau of Environmental Health and the Department of Planning and Zoning; the background investigations of the Applicants by the Alcoholic Beverage Inspector dated January 7, 2014; a letter dated January 3, 2014, to the Department of Finance; a letter dated January 17, 2014, from the Department of Finance; a letter dated January 3, 2014, to the Comptroller of Maryland; a letter dated January 13, 2014, from the Comptroller of Maryland; a fax transmission to the Applicants' attorney enclosing a letter dated December 20, 2013, with notification of the hearing date and the necessity to advertise; a memorandum dated January 8, 2014, from the Alcoholic Beverage Inspector stating the premises had been posted; and a fax transmission dated January 24, 2014 from the Applicants' attorney enclosing the certificates of legal advertising from the Baltimore Sun and the Howard County Times

#### SUMMARY OF TESTIMONY

Jean Karr, Authorized Member and 100% shareholder of OML, LLC, was sworn and testified she is requesting a transfer and will be the sole owner of the business. Ms. Karr testified that she obtained OML, LLC through an Asset Purchase Agreement with Alagna, Inc. Ms. Karr testified that Kenneth Keepers is her brother, and Frederick Keepers is her father. Ms. Karr testified that she worked at Oakland Mills Liquors part time approximately 30 years ago. Ms. Karr testified that she never had an interest in the business, and never received money from the business.

Ms. Karr testified that she went to cosmetology school 30 years ago to become a Master Barber, and that she has owned a successful hair salon for thirteen years. Ms. Karr testified that she currently employs eight people at her salon, and that she has a full time manager to help operate the business.

Ms. Karr testified that although she does not have much experience in the liquor business, she does have experience being a business owner. Ms. Karr testified that she is alcohol awareness certified, that she has read the Liquor Board Rules and Regulations, and that she

understands the responsibility of being a licensee. Ms. Karr testified that she plans to be in the store every day. Ms. Karr testified that she will rely on Mr. Fowble, as he has experience in running Oakland Mills Liquors. Ms. Karr testified that she has known Mr. Fowble since he was a baby, and that she feels comfortable with him operating as a manager. Ms. Karr testified that Mr. Fowble will spend more hours at the store than she will.

According to Ms. Karr, the staff will include Ian Bell-Fowble, William Fowble, a full time clerk, and herself. Ms. Karr testified that they have all taken an alcohol awareness certification course.

Ms. Karr testified that she feels the community needs the liquor store, and that their business helps the other merchants in the Oakland Mills Village Center. Ms. Karr testified that they have a lot of customers who walk to the Village Center.

Ian Bell-Fowble, proposed resident agent, was sworn and testified that he has lived in Howard County for 19 years, is a registered voter, is alcohol certified, and a full-time manager at OML, LLC. Mr. Bell-Fowble testified that he worked part-time at Oakland Mills Liquors since 2003, while he was in college. He testified that he has worked there full time since 2007, and has been the manager since 2009. Mr. Bell-Fowble testified that he has a Bachelor's Degree in Business Administration/Finance.

Mr. Bell-Fowble testified that his uncle, William Fowble will be a back-up manager at the store. He testified that his uncle has worked part-time at Oakland Mills Liquors for 30 years, and is now retired from Howard County Government. He now has more flexibility to work at the store. Mr. Bell-Fowble testified that he resides with his uncle in Howard County, and does not have any plans to move. If he would decide to move in the future, Mr. Bell-Fowble testified that he would give Ms. Karr sufficient notice, and his uncle could always become the resident agent, if necessary.

Mr. Bell-Fowble testified that people have asked him when the store will be open again. Mr. Bell-Fowble testified that a lot of their customers walk to the liquor store, and that the closest store is approximately 5 miles away in the Owen Brown Village Center. Mr. Bell-Fowble testified that people come to their store because they like the family atmosphere.

Mr. Bell-Fowble testified that the community has been negatively impacted by the liquor store being closed. In the past, many of their customers have been able to enjoy one-stop

shopping. Mr. Bell-Fowble testified that their customers come from the local community, Hilton, Doubletree, and the Ice Rink.

David Moore, Sr. Assistant County Solicitor with the Howard County Office of Law, asked Mr. Bell-Fowble if he understood the residency requirement for a liquor license in Howard County. Mr. Bell-Fowble stated he did. Mr. Bell-Fowble testified that when it was decided that he should apply to be the resident agent, he realized there had been a problem with dual residency. Mr. Bell-Fowble testified that Kenneth Keepers and Frederick Keepers were licensees at that time.

David Moore asked Mr. Bell-Fowble if the public had been told that they were closed for renovations. Mr. Bell-Fowble testified that he did tell customers that they were closed for renovations because the Fire Marshall was there at that time, and they were required to correct some issues. Mr. Bell-Fowble stated that a sign he placed in the window notifying the public of the store being closed because of renovations was later changed to state that the store was closed “until further notice.”

The following Exhibits were entered into the record:

Exhibit #1 – Alcoholic Beverage Certifications for Ian Bell Fowble, Jean Karr, Michael Spencer, William Fowble, Jantana Remogosakul, Maxwell Keepers, Thomas Micheel

Exhibit #2 – Oakland Mills Liquors Carding Policy

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

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

#### FINDINGS OF FACT

1. The Hearing Board finds that Ian Bell-Fowble and Jean Karr on behalf of OML, LLC, t/a Oakland Mills Liquors, have applied for a transfer of a Class A-1 Beer, Wine, and Liquor 7-day off-sale license currently held by Kenneth Keepers, Frederick Keepers and Inez Keepers on behalf of Alagna, Inc., t/a Oakland Mills Liquors, for a 2,364 square foot liquor store located at 5865 Robert Oliver Place, Columbia, Maryland 21045.

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 Ian Bell-Fowble has been a Howard County resident for more than two years, is a registered voter, and a full time manager of OML, LLC, t/a Oakland Mills Liquors.

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 this application will not unduly disturb the peace and safety of the residents in the neighborhood.

#### CONCLUSIONS OF LAW

1. The Hearing Board concludes that Ian Bell-Fowble and Jean Karr on behalf of OML, LLC, t/a Oakland Mills Liquors, have applied for a transfer of a Class A-1 Beer, Wine, and Liquor 7-day off-sale license currently held by Kenneth Keepers, Frederick Keepers and Inez Keepers on behalf of Alagna, Inc., t/a Oakland Mills Liquors, for a 2,364 square foot liquor store located at 5865 Robert Oliver Place, Columbia, Maryland 21045.

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 Ian Bell-Fowble meets the requirements of Rules 1.09(S), 1.09(T) and 2.10 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 in the neighborhood.

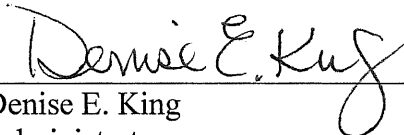
#### ORDER

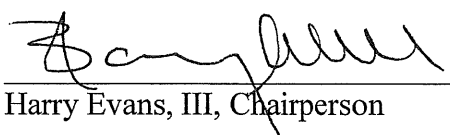
For the foregoing reasons, it is this 18<sup>th</sup> day of February, 2014, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Ian Bell-Fowble and Jean Karr on behalf of OML, LLC, t/a Oakland Mills Liquors, for a transfer of a Class A-1 Beer, Wine, and Liquor 7-day off-sale license currently held by Kenneth Keepers, Frederick Keepers and Inez Keepers on behalf of Alagna, Inc., t/a Oakland Mills Liquors, for a 2,364 square foot liquor store located at 5865 Robert Oliver Place, Columbia, Maryland 21045, be and the same is hereby **GRANTED** subject to the following conditions:

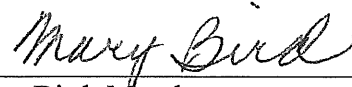
1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicants obtain the license and comply with the following conditions:
  - a. That the Applicants submit an Affidavit of Compliance with the Bulk Transfer Act; and
  - b. That the Applicants comply with all State and County rules and regulations; and
  - c. Failure to comply with these conditions and obtain the license before February 28, 2014, shall render this Proposed Decision and Order null and void.

**ATTEST:**

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


  
\_\_\_\_\_  
Denise E. King  
Administrator

  
\_\_\_\_\_  
Harry Evans, III, Chairperson

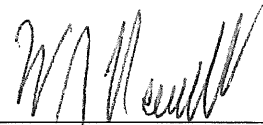
  
\_\_\_\_\_  
Mary Bird, Member

REVIEWED BY HOWARD COUNTY  
OFFICE OF LAW  
MARGARET ANN NOLAN  
COUNTY SOLICITOR

\_\_\_\_\_  
ABSENT  
Lisa Lopez Friedman, Member

  
\_\_\_\_\_  
Lewis Taylor, Esquire  
Assistant County Solicitor

  
\_\_\_\_\_  
Charles C. Feaga, Member

  
\_\_\_\_\_  
William Neault, Member