

**Queen Anne's County Liquor Board  
Minutes of Meeting**

January 2, 2018

The Board of License Commissioners of Queen Anne's County met on Tuesday, January 2, 2018 at 9:00 A.M. at 110 Vincit St., Centreville, MD. The meeting was called to order by Chairman John McQueeney. Those present were: John McQueeney, Chairman; Gene Ransom, Esq., Vice-Chairman, Maurice Dashiell, Joyce Jones, Esq., and Tom Beery, Members; Jeffrey Thompson, Esq., Attorney for the Board; Patrick E. Thompson, Esq.; Cathy Maxwell, Clerk to the Board; and Bill Council, Liquor Inspector; Michael Wisnosky and Holly Tompkins, Dept. of Planning & Zoning.

The following Special/Temporary licenses were reviewed and approved:

Wildlife Trust of North America – Dates of events – Jan. 24, Feb. 21, March 7, April 18

The hearing scheduled for a new Class "B" Beer and Wine License for Joseph P. Candella, Sr., Eileen P. Candella and Audrey V. Candella for the Benefit of The Lion's Den Ice Cream Parlor, LLC, trading as The Lion's Den Ice Cream Parlor is postponed until the February 6, 2018 meeting by request of the applicant.

Pursuant to §4-603 of Alcoholic Beverages I of the Annotated Code of Md., hearings were held on the following businesses regarding compliance checks completed by Bill Council, Liquor Inspector. Patrick E. Thompson, Esq. represented the Board at these hearings. Mr. John McQueeney, Chairman, administered the oath to all who were to testify.

**O' Shucks Irish Pub** - it was alleged that an employee violated §6-304 of Alcoholic Beverage I, in that on November 15, 2017 at the licensed premises, the employee sold alcohol to a minor, a volunteer working with the Queen Anne's Co. Liquor Inspector. Mr. Council reviewed his Compliance Checks Incident Report. The violation was one bottle of beer sold at the bar. The volunteer working with Mr. Council was 20 years old. He was dressed in plain clothes. He entered O' Shucks, sat at the bar and ordered a Bud Light beer and the beer was opened and served to him by the employee. Mr. Council then identified himself as the Liquor Inspector and the employee said she had just started the job and she did serve him. The employee did not have Tips training. Ms. Jennifer Brown, license holder, and Ms. Desiree McAllister, employee, appeared before the Board. Ms. Brown said this employee previously worked for her at another restaurant and recently moved to Centreville. Knowing what a good employee she was, Ms. McAllister was hired and trained by another bartender. This was her first job serving alcohol. She was on her very first shift, the bar was full and she was on the clock for about an hour when the incident occurred. Ms. Brown has approx. 15 bartenders and at least 10 of them are Tips trained. Ms. McAllister is from the police academy and was a cadet at one time in

Anne Arundel Co. doing compliance checks. Ms. Brown does not have a ID scanner machine in the restaurant. O' Shucks had one previous violation in 2013. A motion was made by Mr. Beery, seconded by Mr. Dashiell, that a violation occurred. A motion was made by Mr. Beery, seconded by Mr. Ransom, to impose a fine of \$500 with a 3-day suspension. The 3-day suspension will be held in abeyance for one year from this date, being January 2, 2019. If no future violations occur between now and January 2, 2019 the suspension will be expunged. The fine to be paid within 30 days of this date. All members voted in favor. Mr. McQueeney requested that Ms. McAllister receive Tips training before she resumes selling alcohol.

**Doc's Riverside Grill** - it was alleged that an employee violated §6-304 of Alcoholic Beverage I, in that on November 15, 2017 at the licensed premises, the employee sold alcohol to a minor, a volunteer working with the Queen Anne's Co. Liquor Inspector. Mr. Council reviewed his Compliance Checks Incident Report. The violation was one bottle of beer sold at the bar. The volunteer working with Mr. Council was 20 years old. He was dressed in plain clothes. He entered Doc's Riverside Grill, sat at the bar and was served a Bud Light beer by the employee. Mr. Council then identified himself as the Liquor Inspector. He asked the employee if she had checked the volunteer's ID and she said no. She stated the bar was very busy and she did not check his ID. The employee said she did not have a Tips card. Mr. & Mrs. Karl (Bo) Oristian, license holders, and Ms. Dana Musterman appeared before the Board. Mr. Oristian said they have been in business for 11 years and have never had a violation. They have received letters of commendation for not selling alcohol to anyone under age. They take it very seriously. All their employees are Tips trained. Mr. Oristian said the employee who sold the alcohol is Tips trained. Mr. Council said since this incident occurred, Mr. Oristian has put signs up in the restaurant that all IDs will be checked. A motion was made by Mr. Ransom, seconded by Mr. Beery, that a violation occurred. A motion was made by Mr. Ransom, seconded by Ms. Jones, to impose a fine of \$250 to be paid within 30 days of this date. All members voted in favor.

**Hemingway's Restaurant** - it was alleged that an employee violated §6-304 of Alcoholic Beverage I, in that on November 15, 2017 at the licensed premises, the employee sold alcohol to a minor, a volunteer working with the Queen Anne's Co. Liquor Inspector. Mr. Mark Andrews, Manager of the corporation, and Ms. Stephanie Dutting appeared before the Board. The current license holders, Ms. Cheryl Hobson and Mr. Larry Lauterbach, were not present. Mr. Ransom said he did not feel the Board should proceed without either license holder being present and this hearing should be continued. Mr. Ransom made a motion, seconded by Ms. Jones, that this hearing be continued until the February 5, 2018 meeting. All members voted in favor.

The Board reviewed an application for a new Class "D" (tavern) beer, wine & liquor license for Jonathan Cook and Christopher Cook, for the benefit of Blackwater Distilling, Inc., trading as Blackwater Distilling, located at 405 Cleat St., Stevensville, MD. Mr. Jonathan Cook, Chief Operating Officer of Blackwater Distilling, appeared before the Board. He said he plans to keep his current location as a warehouse for the federal license but will be moving the production operation and hopefully the tavern to Cleat St. He is working with the Planning Dept. and has plans to begin construction work so he would like to move forward with the advertising. Mr.

Mike Wisnosky, Director, and Ms. Holly Tompkins, Planner, Dept. of Planning & Zoning, appeared before the Board. Mr. Wisnosky said his office is still in the process of reviewing the site plan and working out other unresolved issues such as parking, etc. Ms. Tompkins said Mr. Cook must submit an amended site plan to add additional floor area and other things. The site plan will also go to the Planning Commission for their review. Mr. Thompson said there are provisions in the Alcohol Beverage Article for the Planning Dept. to approve a license for a facility not yet constructed but this project is not even shown on paper yet. This Board needs to have at least a conceptual plan of what is going there. Mr. Ransom said the applicant could agree for it to be advertised but then it may have to be re-advertised if the site plan is changed. Thompson said that Ms. Tompkins has indicated this will not be approved by her office by the Board's February meeting date. He said when an application is advertised, this is for the public's notice and if someone came into the office, they should have a completed application to review. Mr. Thompson said the Board can choose to not require Mr. Cook to come back to the Board again for advertising review and this would save him time. Ms. Jones made a motion, seconded by Mr. Ransom, that when Planning & Zoning's review is complete and the application is submitted to Mr. Thompson for review, the Board will then move forward with advertising and Mr. Cook does not have to come back to the Board for advertising purposes. Mr. Thompson said when Mr. Cook and Planning & Zoning are comfortable with the concept plan, the Board could proceed with advertising. Mr. Ransom said the Board could also approve the license contingent upon Planning Commission approval. Mr. Cook said he is in the process of transferring all his federal, state and county licenses from the old location to the new location. All members voted in favor. Mr. Thompson added that Mr. Cook will also need to identify on the site plan what portion will be the licensed premises and also indicate any outside activities. Ms. Jones cautioned Mr. Cook to think long and hard about his outdoor activities at this location with the other businesses there. Mr. Cook said he appreciated her feedback.

Mr. Wisnosky discussed funding for next year's budget. Some monies will be allocated to the Liquor Bd. The exact amounts are not known at this time. The fake ID posters will soon be ready for distribution.

The Board held a hearing to consider proposing legislation amending the Alcoholic Beverages Article of the Annotated Code of Md. to permit administrative approval of Temporary Licenses in lieu of a Board of License Commissioners' public hearing. Mr. Thompson had prepared two pieces of proposed legislation. One was an amendment to §27-1302, administrative approval. §4-1202 (a) states that "a local licensing board may issue a per diem license for the periods and at the fees specified in this subtitle or by the local licensing board". He said "periods" is referring to the license period. Mr. Thompson feels the Board can change the fees and the days without there being a special provision to do so because the general provision already says you can. Concerning distance from churches, §4-1202(c) states that "a per diem license may be issued only if the issuance of a regular license of the same class is authorized". Mr. Thompson said this section could be amended to say that this section does not apply to the issuance of a temporary license of any class. Calvert Co.'s application for temporary license states "application due at three days prior the scheduled event". Mr. Thompson said this has to mean

they are approving them administratively instead of at a regular meeting. He referred to other counties who presumably are doing it the same way. He said this Board could pass a regulation, rather than legislation, to have these licenses approved administratively. The hearing was advertised for today and no one appeared. Mr. Council said he reviews all the temporary licenses when they are submitted. He feels that one day licenses are completely different from a regular alcohol license. Mr. Thompson said §27-206 states that "the Board may adopt regulations to carry out this article". He read a regulation he drafted for §27-1302 which stated, "the Board shall have the power to designate a Board and/or staff member(s) to administratively review and approve temporary license applications". After discussion, Mr. Thompson will make necessary changes and finalize this regulation. All Board members agreed.

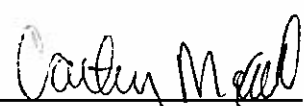
Mr. Warren Wright, Drug Free Coalition, appeared before the Board. He has requested funds from the County Commissioners for saturation patrols. This will include patrols at school functions. He read statistics from a 2016 DOC survey. Some highlights were: percentage of Queen Anne's Co. students who have used alcohol in the last 30 days, 58%. During the last 12 months, if you drank alcohol, where did you drink. 28% said in a car. A higher percentage said at home, without permission. The percentage of students, 11th and 12th graders, who in the last 30 days were riding with someone who had been drinking, 11th graders 4% and 12th graders 8%. Most of the time they get their alcohol at a party. 51% of students think they would only be taken home by their parents if caught using alcohol. Mr. Wright will also distribute the fake ID posters when they are ready. Mr. Council said it would be good if these posters were displayed in the driving schools.


Mr. Council did 64 business checks for the month of December. No compliance checks were done.

Mr. Thompson said he reviewed the application for Blackwater Distilling and will contact Mr. Cook with items that need to be addressed.

There being no further business the meeting was adjourned to meet again on Tuesday, February 6, 2018.

Respectfully Submitted,

  
Cathy Maxwell, Clerk

  
John T. McQueeney, Chairman