

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

**February 4, 2020  
9:00 a.m.**

The Board of License Commissioners of Queen Anne's County met on Tuesday, February 4, 2020 at 9:00 A.M. at 110 Vincit St., Centreville, MD. The meeting was called to order by Chairman Joyce E. Jones, Esq. Those present were: Joyce E. Jones, Esq., Chairman; Thomas E. Beery, Vice Chairman; Maurice D. Dashiell, John T. McQueeney, and Timothy G. Hibbard, Members; Jeffrey E. Thompson, Esq., Attorney for the Board; Tom Calmon, Liquor Inspector; Cathy Maxwell, Clerk to the Board; Mike Wisnosky, Planning Director; Vivian Swinson, Zoning Administrator.

The Minutes from the January 7, 2020 Liquor Board meeting were approved with edits.

The following Special/Temporary licenses were reviewed and approved:

Saving Future Feral Cats – Date of event – February 8  
Queen Anne/Hillsboro Vol. Fire Co. – Date of event – March 21  
Crushin' Orange For LLS – Date of event – April 25  
Paul Reed Smith Guitars – Date of event – May 8-9

The Board discussed how many events an organization can request and whether in the new Rules and Regulations this would be per calendar year or license year. Mr. Thompson suggested that the application could be changed so the applicant could state how many one days they have received. Mr. McQueeney suggested that the number of one-day licenses run with the license year, May 1 to April 30.

The Board held a hearing for Bennett Point Store requesting retail deliveries of alcoholic beverages, Art. 4-507(b). Mr. Thompson administered the oath to all who were to testify. Mr. Sushil Datta, license holder, appeared before the Board. Mr. Datta requested a retail delivery permit. Ms. Jones reviewed the regulations for this permit with Mr. Datta. There is a yearly fee of \$120, prorated at \$10 monthly. The delivery must be made from the licensed premises by the retail license holder or one of his employees. All off-premise sales must be in factory sealed containers only. A whole six pack would have to be delivered, not just an individual bottle. At no time may an individual under the age of 21 be employed or allowed to deliver the alcoholic beverages. No one under the age of 21 may receive the alcoholic beverages. If granted permission to deliver alcoholic beverages, he must require identification from the recipient of alcoholic beverages, no matter how old they are. The licensee has to maintain a delivery log and when the Liquor Inspector visits the premises, the permit and delivery log must be available. The delivery log needs to have the delivery employee's name and age, date of the delivery, the amount of the alcohol delivered, the delivery address and the name and age of the recipient of the alcohol, as well as the type of identification. A copy of the receipt for the type of alcohol

will suffice. Mr. Datta said he does not do a lot of deliveries. There was no one present opposed to this request. A motion was made by Mr. McQueeney, seconded by Mr. Beery, to approve Bennett Point Store's request for retail delivery of alcoholic beverages. Ms. Maxwell will prepare the authorization letter for Mr. Datta.

The Board held a hearing for a new Class "B" beer, wine & liquor license for Brooks McNew and Jesse McNew, for the benefit of Glass Valve Brewing, LLC, trading as Cult Classic Brewing, located at 1169 Shopping Center Rd. Stevensville, MD 2666. Mr. Thompson administered the oath to all who were to testify. No one questioned the jurisdiction of this Board to hear and decide this matter. All advertising requirements have been met. Mr Thompson said the application was in order. Health Dept. approval is still needed before the license may be issued. Mr. Brooks McNew and Mr. Rohry Flood appeared before the Board. Mr. McNew said he will be getting a different State license and therefore needs a Class "B" license from the County. He said if this license is approved he would request that it be in a provisional manner where his current Class "D" license stays in effect until the State completes their processing. He spoke to the Comptroller's Office who indicated they would contact the County stating that they are changing this brewery from a Class "5" to a Class "7" as of "x" date and time. At that same time his Class "D" license would change over to the Class "B". Mr. McNew said a Class "5" license is only allowed to have a Class "B", beer only, and only beer made by him. Plus he has to close at 10:00 p.m. even on New Year's Eve. So by changing to a Class "7" license, he gets out from a lot of the restraints of the Class "5" license. Ms. Jones reviewed §4-210, factors to approve or deny a license. Mr. McNew said the need for this license is so he can best serve his customers. He has been successful in attracting people from a wider area to come to events at his location, mainly musical performances. His customers are constantly asking if he could sell food and stay open later. He does not think this license would have any adverse effect on existing license holders in the area because he is already operating a business in the area. He is not near any residences or adding any traffic. As far as uniqueness, there is no other brewery in the area. He has been providing food to his customers by way of food trucks so having food inside will be much more convenient for his customers. Mr. McNew is required to have 51% food/beverage ratio and the Liquor Inspector may ask him for those receipts. Mr. Thompson said Mr. McNew has the option to convert to a Class "B-D" license which would reduce the food requirement down to 25% and he could also sell beer to go. Mr. Thompson said under the new Rules and Regulations, you have to pick up the license within 90 days but the Rules do also provide for an extension. Mr. McNew said he anticipates getting Health Dept. approval by this Friday and hopes to have this complete by the end of this month. A motion was made by Mr. Beery, seconded by Mr. Hibbard, to approve the license, contingent upon receipt of Health Dept. approval. When the new Class "B" license is issued, Mr. McNew's current Class "D" license will be expired. All members voted in favor.

The Board reviewed changes to the Draft Rules and Regulations. Mr Thompson made the following changes on a draft copy.

**3.01 – SPECIAL ONE-DAY AND MULTIPLE EVENT LICENSES** – A motion was made by Mr. Hibbard, seconded by Mr. Dashiell, to change paragraphs 3 & 4 from “calendar year” to “license year” (May 1 to April 30). All members voted in favor.

**2.22 – FEES AND FINES** – A motion was made by Mr. Beery, seconded by Mr. Hibbard, to amend this section to read as follows: **All fees and fines must be paid within 30 days of assessment, by cash, check, money order or credit card and paid to the order of the Queen Anne’s County Commissioners. The failure to timely pay fees and/or fines may result in the suspension or revocation of the alcoholic beverages license in question.** All members voted in favor.

Ms. Jones said at a later date the Board may want to consider set amounts of fines and penalties to ensure that all licensees are sanctioned similarly. Mr. Beery said when the Board gets into suspensions, there is a huge difference between one licensee and another. If an “A” license is suspended and all they sell is package goods, they are out of business. If a “B” license is suspended, it has less of a financial impact.

**1.04 - CLUB** – A motion was made by Mr. Beery, seconded by Mr. Dashiell, to strike the last sentence of this rule: ~~The Board shall judge whether such an establishment is operated in good faith.~~ All members voted in favor.

**2.03 – APPEALS** – A motion was made by Mr. Beery, seconded by Mr. Hibbard, to change the last sentence to read “should” in place of “must”. All members voted in favor.

**2.04 – APPLICATIONS** – A motion was made by Mr. Beery, seconded by Mr. Dashiell, for the following changes: (b) “must” was changed to “should”. 2. Add to the end of the first sentence: “where an application is filed in less than 37 days”. (c) change to read: **TEMPORARY LICENSES – Unless exception is made for good cause shown, applications for a temporary license must be submitted 5 business days prior to the date of the hearing.** All members voted in favor.

**2.06 – CARDING, STANDARDS FOR** – A motion was made by Mr. Beery, seconded by Mr. Dashiell, for the following changes: (a)(1) changed to read: **Driver’s license or government issued identification card**; Add: (iii) **Passport**. All members voted in favor.

**2.11 – COMPLIANCE CHECKS** – A motion was made by Mr. Beery, seconded by Mr. Dashiell, for the following changes: (a) changed to read: **Compliance checks will be performed as follows:** (b) **Underaged Buyer** – eliminate: (if at a liquor store). (d) **Results**. Second sentence changed to read: **Should a licensee fail a compliance check, said establishment shall be notified of the failure in writing by the Board, and the license holder will be required to come before the Board for a hearing to address the violation and possible sanctions that may be imposed by the Board.** All members voted in favor.

**2.24 – GRANTING OF LICENSE/TIME LIMIT OF APPROVAL.** A motion was made by Mr. Beery, seconded by Mr. Hibbard, for the following changes. Amended as follows: **Any transfer or new license conditional approval granted by the Board is valid for no more than ninety (90) days from the date of the hearing unless the Board establishes some other deadline when granting**

~~its conditional~~ approval. If the license is not issued within that time period, the ~~conditional~~ approval of the license ~~will be revoked~~ shall expire unless the applicant requests and receives an extension of time from the Board. It is solely within the Board's discretion to approve or deny an extension of time. The license must not be issued until the applicant is fully ready for use and all other approvals have been received. All members voted in favor.

**2.25 – HEARINGS AND CONFERENCES.** A motion was made by Mr. Beery, seconded by Mr. Dashiell, to add at beginning of sentence: **Unless excused by the Board,** All members voted in favor.

**2.42 - RENEWAL APPLICATIONS.** A motion was made by Mr. Beery, seconded by Mr. McQueeney, to amend the fourth paragraph as follows: **No revision in licensees, classification, location, etc., may be processed on a renewal application (add) provided, however, that a less restrictive license of the same class may be issued.** All members voted in favor.

**2.48 – SPECIAL AND TEMPORARY LICENSES.** A motion was made by Mr. Beery, seconded by Mr. McQueeney, to amend as follows: **Special and Temporary Licenses may be granted for any qualified, bona fide religious, fraternal, veterans, political, civic or other nonprofit organization when such organizations are having a function at which there will be a cash bar or admission charge or both, provided that the application and fee for the license is filed with the Board at least ~~forty five days prior to the effective date of the license~~ five (5) business days prior to the hearing.**

This concluded the discussion on the Draft Rules and Regulations. A copy of the finalized Rules and Regulations will be included with all licensees' renewal application, with instructions to return the Licensee Attestation page to Mr. Calmon, Liquor Inspector, prior to receiving their 2020 renewal license.

Mr. Thompson discussed with the Members that if they plan to attend a public event involving this Board (i.e., for instance a wine festival) they should put it on the record to avoid any ethics conflict. This statement can be placed on the County website, for instance, when the Board members attend the MALA conference in Ocean City.

In other business, Ms. Jones said Co. Commissioner Corchiarino has found someone to do a comparison of our County's fees compared to comparable licenses for the other jurisdictions.

Mr. Wisnosky welcomed Mr. Calmon as the new Liquor Inspector and said he is looking forward to working with him as the liaison between this Board and the Planning & Zoning Dept. Mr. Calmon will be receiving an iPad shortly. Mr. Wisnosky said the IT Dept. is working on getting applications, forms, etc. on the website. Mr. Thompson said due to recent legislation the standard application for a license will be changing substantially. Ms. Jones said other jurisdictions had to go on-line with their applications after out-of-state persons were allowed to have licenses. Ms. Swinson said a person could fill an application out on-line but could not pay for it without coming to the office, as the County's computer system does not allow you to do a

payment on-line, you have to come in and swipe a credit card. Mr. Thompson said an applicant would be delivering the original application anyway unless the Board accepts electronic signatures. He said the revised application should be much shorter if the legislation is approved.

Mr Wisnosky said there will be a budget meeting in March where he will present this Board's requests to the Co. Commissioners. Also he said his Department has been asked by a Co. Commissioner to create a new ordinance which would be a Commissioner sponsored text amendment to create farm distilleries. This is being researched and has not been drafted yet. Once it is drafted it will be sent to the Commissioners. If they recommend to the Planning Commission that it start through the process, he will submit the draft to this Board as well. There is a farm brewery license but not a farm distillery license. Mr. Thompson suggested that this should be run by the Comptroller's Office to be sure the County zoning ordinance does not conflict. Ms. Jones said the current supplements to the Alcohol Code do not include the proposed changes that were approved at the 2019 legislative session that go into effect June 1. She said you can go on-line to access this through the Lexis Nexis website.

Concerning numerous Tips/Tams cards being required to be maintained in the licensee's file, Ms. Jones said there should at least be a current card on file for the licensee or their designated employee.

Mr. Dashiell announced his resignation after 25+ years of service. Everyone thanked him for his service.

The March meeting will be changed to Tuesday, March 10, 2020 and the April meeting will be changed to Wednesday, April 8, 2020 due to the conference room not being available on the regular meeting dates. There being no further business the meeting was adjourned.

Respectfully Submitted,

  
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Cathy Maxwell, Clerk

  
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Joyce E. Jones, Esq., Chairman