

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

**February 22, 2021  
9:00 a.m.**

The Board of License Commissioners of Queen Anne's County held a special Zoom meeting, provided by QA TV, on Monday, February 22, 2021. 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; Gene M. Ransom, III, Esq., John T. McQueeney, Timothy G. Hibbard, Members; Tom Calmon, Liquor Inspector; Cathy Maxwell, Clerk to the Board; Jeffrey E. Thompson, Esq., Attorney for the Board.

**PUBLIC HEARING:**

The Board continued a public hearing for the transfer of a Class "A" beer, wine & liquor license, from Sunil and Renu Datta to Dhara S. Patel and Renu Datta, for the Benefit of Shree Hari Om, LLC, trading as Rhodes Store, located at 620 Main St., Church Hill, MD 21623. This hearing was continued because the background check for Ms. Patel was not available at the February 2, 2021 monthly meeting. It has since been received. Ms. Patel and Ms. Datta, Licensees, along with their Attorney, Joseph McQueeney, Esq., appeared before the Board via Zoom. Member John McQueeney recused himself as he is the father of Joseph McQueeney, Esq. Mr. Thompson said the application and all associated documents were in order. These were entered collectively as Applicants' Exhibit No. 1. Mr. Thompson administered the oath to all who were to testify. Ms. Patel is a citizen of the U.S. She resides in Edgewater, MD and Ms. Datta resides in Queen Anne's Co. Ms. Patel has not previously had a license to sell alcohol beverages, nor has she ever been denied an alcohol license. She said Rhodes Store sells beer, wine & liquor. She is purchasing the business and plans to operate it. Ms. Patel is the only member of the LLC. She and Ms. Datta are the only authorized persons on the governing documents for the purpose of holding a liquor license on behalf of the LLC. No other person has a financial interest in the business. Mr. McQueeney reviewed § 4-210 of the Alcoholic Beverages Code, approval or denial of license application. Ms. Patel said there is a public need for the license. Rhodes Store has been operating for many years. They also sell food items and gasoline There are no other Class "A" licenses within 5 miles of the store. She does not think this license would have any negative impact on existing licenses in the area or the community. Ms. Patel has Alcohol Awareness training and is aware that someone must always be present on the premises who is certified. No one appeared in opposition to this application. Mr. Ransom said the applicant has met the criteria under § 4-210 and § 4-302 of the Alcoholic Beverages Article. A motion was made by Mr. Ransom, seconded by Mr. Beery, to approve the transfer of this license. By a vote of 4 in favor, none opposed, the motion passed.

### **VIOLATION HEARINGS:**

The Board held a hearing regarding a violation under § 6-304 of the Alcoholic Beverages Code for Beam, Inc., trading as El Jefe Mexican Kitchen Tequila Bar. The charge involves the sale of alcohol to a minor which occurred on November 5, 2020 at the licensed premises. Ms. Diana Paladino, Licensee, along with her Attorney, Joseph McQueeney, Esq. appeared before the Board via Zoom. Member John McQueeney recused himself as he is the father of Joseph McQueeney, Esq. Mr. Thompson administered the oath to all who were to testify. Ms. Paladino confirmed that she received a letter and Incident Report dated 12/18/20 from Mr. Calmon advising them of the charges and the hearing date. She is not contesting the charges. Mr. Calmon's letter and Incident Report were entered into the record as Board's Exhibit No. 1. Mr. Calmon reviewed his Incident Report. On November 5, 2020 an underage volunteer working with Mr. Calmon entered El Jefe Restaurant and requested an alcoholic beverage. The bartender requested identification and was handed the volunteer's valid MD driver's license. After inspecting the license, the bartender served the volunteer the beverage she had requested. Mr. Calmon entered the restaurant and advised the bartender that she served an underage volunteer. She said she looked at the license but added the numbers wrong on the birthdate. She did not have a current alcohol awareness certificate. Mr. Calmon said the bartender was very polite and admitted she made a mistake adding the numbers. Mr. Calmon then met with the manager, who did have a current certificate, and advised him that the licensee would be receiving a letter in the mail advising her of a hearing date before the Board. A motion was made by Mr. Beery, seconded by Mr. Ransom, that a violation did occur. By a vote of 4 in favor, none opposed, the motion passed. Mr. McQueeney said Ms. Paladino has had the license for a couple of years and this is her first violation. She understands that even though she was not working at the time of the incident, she is responsible to assure compliance with all alcohol laws. Mr. Beery asked Ms. Paladino if her business has suffered revenue due to the pandemic and she said, yes, it has decreased substantially. A motion was made by Mr. Beery, seconded by Mr. Hibbard, that since this is the first offense, to impose a fine of \$500, with \$300 in abeyance for one year from this date, which means as long as they do not have another sale to minor violation for one year, they only have to pay the \$200 fine within the next 30 days. All members voted in favor of the motion. By a vote of 4 in favor, none opposed, the motion passed.

The Board held a hearing regarding two violations of the Alcoholic Beverages Code for 401 Love Point Road, LLC, trading as Amalfi Coast Italian & Wine Bar. The charges involve: (1) § 6-304, sale of alcohol to a minor, and (2) § 4-505(e) and § 27-1903, failure to complete training in an approved Alcohol Awareness Program. The first charge involves the sale of alcohol to a minor which occurred on November 5, 2020 at the licensed premises. Ms. Molly Knapp, Licensee, Ivano Scotto, and Joseph McQueeney, Esq. appeared before the Board via Zoom. Member John McQueeney recused himself as he is the father of Joseph McQueeney, Esq. Mr. Thompson administered the oath to all who were to testify. Ms. Knapp confirmed that she received a letter and Incident Report dated 12/18/20 from Mr. Calmon advising her of the charges and the hearing date. She is not contesting the charges. Mr. Calmon's letter and Incident Report were entered into the record as Board's Exhibit No. 1. Mr. Calmon reviewed his Incident Report. On

November 5, 2020 an underage volunteer working with Mr. Calmon entered Amalfi Restaurant and requested an alcoholic beverage. The bartender did not request identification and served the volunteer the alcoholic beverage she requested. Mr. Calmon entered the restaurant and advised the bartender that she served an underaged volunteer. He then spoke to the manager and advised her of the incident. The bartender did not have an alcohol awareness training certification. However, another staff member gave Mr. Calmon her TIPS certification card information and expiration date but she did not have the actual card on site. They assured Mr. Calmon that they would see that he received the actual card as soon as possible. Mr. Calmon advised the manager that the licensee would be receiving a letter in the mail advising her of a hearing date before the Board. Mr. Ransom asked Mr. Calmon if he has since received the bartender's actual TIPS card and Mr. Calmon said he received it this morning. Mr. Ransom asked if the charge involving the TIPS card is still being considered here today. Mr. Calmon said he is fine with dropping that charge, as long as the licensee and manager are aware that they were given plenty of time to supply the card and he could have fined them at the time of the violation on November 5. A motion was made by Mr. Ransom, seconded by Mr. Beery, to dismiss the charge under § 4-505(e). By a vote of 4 in favor, none opposed, the motion passed. A motion was made by Mr. Beery, seconded by Mr. Hibbard, that a violation did occur regarding § 6-304, sale of alcohol to a minor. By a vote of 4 in favor, none opposed, the motion passed. Mr. McQueeney said this is the first violation for this establishment. He said Ms. Knapp was on maternity leave when this incident occurred but she aware that she is responsible as the licensee. She also plans to be sure that there is always a current alcohol awareness certificate on premises. Ms. Jones pointed out that employees have every right to ask a customer to remove their mask so that they can be compared to the picture on their license. She also said that alcohol awareness training in MD may be done electronically but the test must be taken in person. Ms. Knapp has had her license for approx. a year and this is her first violation. Also her sales have been down about 40% during the pandemic. Mr. Scotto said this is his first violation in over 20 years of operating and managing restaurants in Queen Anne's Co. He said dealing with the pandemic has caused many more problems than usual. He assured the Board that any restaurant he is involved with, at least 80% of the staff will receive alcohol awareness training. A motion was made by Mr. Beery, seconded by Mr. Ransom, that since this is the first offense, to impose a fine of \$500, with \$300 in abeyance for one year from this date, which means as long as they do not have another sale to minor violation for one year, they only have to pay the \$200 fine within the next 30 days. By a vote of 4 in favor, none opposed, the motion passed.

Mr. Calmon then asked Ms. Knapp when and where she took her alcohol awareness training and she said she took the class in Baltimore, at Limoncello Restaurant a couple months prior to Amalfi Restaurant opening and the trainer was Norman Neverson. Mr. Ransom said there has been a question about Mr. Neverson but there is no evidence here today that the Comptroller's Office has taken any action and Ms. Knapp has testified when and where she took the training. Mr. McQueeney said he now advises his clients to seek other training programs when applying for a license.

The Board held a hearing regarding three violations of the Alcoholic Beverages Code for Squisito, Inc., trading as Carmines N.Y. Pizza Kitchen. The charges involve: (1) an alleged violation under § 4-505(e) of the Alcoholic Beverages Code, failure to complete training in an approved Alcohol Awareness Program; (2) § 27-1903, which requires that someone certified in the training must be on premises at all times; and (3) Board of License Commissioners Rules & Regulations, Rule 2.26 which requires that all license holders, their agents and employees, must cooperate with the representatives of the Board of License Commissioners. Mr. Gennaro Dibenedetto, Licensee, his brother, Mr. Giuseppe (Peno) Dibenedetto, and his Attorney, Joseph McQueeney, Esq., and appeared before the Board via Zoom. Member John McQueeney recused himself as he is the father of Joseph McQueeney, Esq. Mr. Thompson administered the oath to all who were to testify. He confirmed that he received Mr. Calmon's letter and Incident Report dated December 18, 2020 advising him of the charges and the date of this hearing. Mr. Calmon's letter and Incident Report was entered into the record as Board's Exhibit No. 1. Mr. Dibenedetto does not intend to contest the charges. Mr. Calmon read the Incident Report into the record. Regarding the alleged violation under § 4-505(e) a motion was made by Ms. Jones, seconded by Mr. Beery, that on February 26, 2020 neither the license holder nor an employee designated by the license holder had completed alcohol awareness training at an approved alcohol awareness program. All members voted in favor. Regarding the alleged violation under § 27-1903 and the licensee's admission to the same, a motion was made by Ms. Jones, seconded by Mr. Beery, that on February 26, 2020 neither the license holder nor an employee designated by the license holder had completed alcohol awareness training and was not on site at all times that alcohol may have been sold. All members voted in favor. With regard to the alleged violation under Board of License Commissioners Rules and Regulation 2.26, failure to cooperate with the Liquor Inspector from February 26, 2020 through May 19, 2020, a motion was made by Mr. Beery, seconded by Mr. Hibbard. All members voted in favor. Mr. McQueeney said Mr. Dibenedetto has been working in this County in the food industry for decades and has never had any kind of issues. He said March, April and May were the worst times for anyone trying to run a restaurant and were probably doing very little alcohol sales. He said Mr. Dibenedetto did not pick up the certified letter from Mr. Calmon because of a lack of cooperation as much as he was not on the premises during that time. Mr. Dibenedetto has had all the necessary documentation for the past nine months and there have been no further incidents. He will cooperate more fully and openly with Mr. Calmon in the future. Mr. Beery asked Mr. Dibenedetto how much time he spends in the restaurant discussing today's concerns. Mr. Dibenedetto said he tries to stop by at least twice a week and talks to his brother multiple times on the phone. Mr. Beery asked him if during the time period from February, 2020 thru May, 2020, was he aware that the management had discussions with Mr. Calmon and Mr. Dibenedetto said, yes. He said Mr. Calmon had an incorrect phone number so was unable to reach him. Mr. Beery said it is Mr. Dibenedetto's responsibility to assure that correction information is in the file. Mr. Dibenedetto said things will be different from now on and he apologized to the Board. Ms. Jones said § 4-505 requires this Board to enforce this requirement for alcohol awareness training. The Board discussed the fines that may be imposed under § 4-505 and § 27-1903. Ms. Jones said the Board may impose a fine of \$100 for

each section. Concerning the third violation, Mr. Thompson said the Board does have the general power to adopt Rules and Regulations under the statute. The penalties would be the penalties the Board is allowed under the statute, absent the Board adopting something specifically in the Rules and Regulations. Regarding the charge under § 4-505, a motion was made by Mr. Ransom, seconded by Mr. Hibbard, to impose a fine of \$100. All members voted in favor. Regarding the charge under § 27-1903, a motion was made by Mr. Beery, seconded by Mr. Hibbard, to impose a fine of \$100. By a vote of three in favor, with Mr. Ransom opposed, the motion passed. Regarding the charge under Rules and Regulations, Rule 2.26, a motion was made by Mr. Ransom, seconded by Mr. Hibbard, to not institute a sanction. Mr. Ransom said this is a good business and they have indicated they will cooperate in the future. Mr. Ransom and Mr. Hibbard voted in favor of the motion and Ms. Jones and Mr. Beery opposed. The motion failed. A motion was made by Ms. Jones, seconded by Beery, to impose a fine of \$100 to match the substantive charge. Ms. Jones and Mr. Beery voted in favor of the motion and Mr. Ransom and Mr. Hibbard opposed. The motion failed. Ms. Jones said there will be no fine for the violation of Rule 2.26. The total fines of \$200 will be due within 30 days of this date. Mr. Thompson said for future reference, if a licensee continues to fail to cooperate, the Board may call them in for a hearing at renewal time. So the fines today are minimal compared to what the Board could apply.

The Board held an inquiry hearing for Carmines NY Pizza Kitchen. Mr. Calmon said the reason for this hearing concerns the alcohol awareness training for the licensee. Mr. Calmon had questions about where the training took place. On May 20, 2020 he received documentation that stated they received training on March 10, 2020. When Mr. Calmon was at the premises on March 11, 2020, he was advised that no one had the required training and they were not sure when the training would take place. Mr. McQueeney said the Board has dealt with the charge, the violations and the sanctions for this matter. He said he and the licensee are here to cooperate but he does not know on what basis the Board is now having a collateral inquiry hearing and he was not notified of this. Ms. Jones, referring to the letter to Mr. Dibenedetto dated December 18, 2020, said it states in Bold on the third page that the Board is requiring the licensee and all current employees that have received the alcohol awareness training to appear for an inquiry/show cause hearing scheduled for today's date. Mr. McQueeney said there was nothing about an inquiry on the actual charging document. Ms. Jones said the inquiry hearing is to ask questions and decide whether the Board needs to bring the licensee back on an alleged violation. She said if Mr. McQueeney is not prepared to move forward today, this matter can be postponed. Mr. Dibenedetto said he was prepared to move forward today. Ms. Jones said on March 11, 2020 an employee, Allen Quezada, Manager, said they had not had the training and did not know when the training would occur. Later in May of 2020 Mr. Calmon received certificates indicating that the training occurred on March 10, 2020. Mr. Dibenedetto said the confusion is that Mr. Quezada is no longer employed by him. He said on March 10, 2020 a gentleman named Norman Neverson, Trainer, came to Carmines and gave a 3-hour class. Mr. Dibenedetto said he did not take the class but his brother, Mr. Giuseppe (Peno) Dibenedetto, did. Mr. Giuseppe (Peno) Dibenedetto, confirmed that he did take the class at Carmines. There were four attending the class, three employees, Giuseppe (Peno) Dibenedetto, Felipe R.

Ventura, Ruby Reyes Ventura, plus the instructor. Mr. Allen Quezada did not attend. Ms. Jones said that there is a question about the veracity of any training given by Mr. Norman Neverson but this Board is not making any determination at this point. Mr. Dibenedetto said he will not use Mr. Neverson for training in the future. No further action is required at this time regarding this matter.

The Board held a hearing regarding an alleged violation under § 1-401(a) of the Alcoholic Beverages Code for Pool Bar, LLC, trading as Lazy Mermaid. The charge is selling alcohol beverages without a license. Mr. Curtis Hoover and his Attorney, Joseph McQueeney, Esq. appeared before the Board. Member John McQueeney recused himself as he is the father of Joseph McQueeney, Esq. Mr. Thompson administered the oath to all who were to testify. Mr. McQueeney said Mr. Hoover is contesting the charge. Member Gene Ransom said for the record he wanted to state that his son was a lifeguard this past summer at the pool where the bar is. He does not know the ownership and he does not feel this is a problem or a conflict and he can remain impartial. There was no objection. The letter and Incident Report dated December 18, 2020 from Mr. Calmon to Mr. Hoover was entered as Board's Exhibit No. 1. Mr. McQueeney said there has been a miscommunication in this matter. The pool bar season is approximately Memorial Day to Labor Day each summer. 2019 was the first year that this group came in pursuant to a management agreement and lease agreement with the licensee, Kent Narrows Yacht Club, to manage the pool bar. In February, 2020, after the summer went well, Kent Narrows Yacht Club agreed to transfer the license to a newly formed entity, Pool Bar LLC. Due to the pandemic, a final hearing was not scheduled until July, 2020. Had there not been a pandemic this would not have been a problem because in March or April, 2020 the transfer would have become effective. Once the Governor issued the Executive Order that said all licenses are extended until 30 days after the end of the state of emergency, the Kent Narrows Yacht Club license is still valid because the state of emergency has not been rescinded. In July, 2020, before the transfer hearing, Mr. Calmon came to the premises and met with Mr. Hoover. At that time the pool bar was operating under the Kent Narrows Yacht Club license. On July 7, 2020 a hearing was held by this Board and conditional approval was granted for the transfer, contingent upon the production of a Maryland Sales Tax ID Certificate, Trader's License and Fire Marshal approval. The Maryland State Tax ID Certificate was not issued until August 27, 2020. It was received by Mr. Gordon on August 31, 2020, at which time he immediately emailed it to Mr. McQueeney who emailed it to the Liquor Board. Nothing was heard from the Liquor Board until September 25, 2020 when Pool Bar was notified that the license was ready to be picked up. By that time the seasonal bar had already closed so there was no reason, in their minds, to pick up the new license. Instead, they operated under the previous management agreement and lease agreement and authority of the Governor to operate under the Kent Narrows Yacht Club license. Invoices for the purchase of alcohol were submitted to Mr. Calmon for the relevant period of time verifying that the account was always and remained Kent Narrows Yacht Club. Mr. McQueeney said in his opinion the license is now fully vested and transferred to Pool Bar LLC. If and when they elect to open business in April, 2021 it will be necessary for them to pick up the license and pay the renewal and transfer fees. He said until then there was no legal obligation for them to pick up the license because they

were not operating any business. Pool Bar LLC never purchased or sold alcohol but the management group continued to exist under the previous license and the authority that vested from that. Mr. McQueeney said if this Board views it differently, the applicant is here to get it resolved. There was no intention to do anything unlawful or uncooperative. Ms. Jones asked Mr. McQueeney when Kent Narrows Yacht Club cease to exist and Mr. McQueeney said he does not know that it has ceased to exist. Pool Bar LLC did not purchase any alcohol because they did not have a license to do so. Mr. Thompson asked Mr. Hoover who was getting the economic benefit from the pool bar during the past summer. Mr. Hoover said he could not answer that. Mr. Thompson asked Mr. Hoover if he knew Mr. Meisel and Mr. Cohen (Kent Narrows Yacht Club) and did they receive the funds. Mr Hoover said he met Mr. Meisel one time two years ago. Mr. Thompson said Mr. Hoover continued to operate under a license in the name of Mr. Meisel and Mr. Cohen but he has not talked to them for two years and how can that be. Mr. Thompson asked if Mr. Meisel and Mr. Cohen vacated the property on or about May 8, 2020 when the property was sold. Mr. Thompson said Mr. Hoover held the license but yet he is not able to tell the Board who was benefitting economically from the operation of the business. Mr. McQueeney said Mr. Hoover was not made aware that he was able to pick up any licenses until September 25, 2020. So Mr. Hoover did not hold the license over the summer. The license was conditionally transferred and those conditions were not satisfied until the end of the summer. Mr. Thompson said nothing kept them from satisfying the requirement. Mr. McQueeney said the Sales & Use Tax Certificate was not issued until August 27, 2020 which delayed them from satisfying the requirement. Mr. Thompson said Covid was well under way when the license was approved in July, 2020. Mr. McQueeney said they did not get their license, they were granted conditional approval, meaning the transfer would not be effective until the conditions were satisfied. Those conditions were not satisfied due to SDAT delays until the end of August, 2020. Mr. Thompson said it is clear to him that Mr. Meisel and Mr. Cohen had vacated that premises. Mr. Ransom asked if this Board should be addressing Mr. Meisel and Mr. Cohen instead of the Pool Bar LLC. Mr. McQueeney said, no, because there has always been a valid, unexpired license that authorized the sale of alcohol on this premises. Mr. Thompson asked who paid for the alcohol. Mr. Ivano Scotto appeared before the Board. He said in 2019, Dock Bar LLC had a management agreement to manage the Lazy Mermaid, which at the time was at Kent Narrows Yacht Club. After that, a lease went into place. So the end of 2019 or the beginning of 2020, they were on the lease with the former property owners. When the sale occurred, all the leases stayed in place. Mr. Scotto said he was under the impression that in February or March 2020 they would be able to obtain the license. Mr. Thompson asked who paid for the alcohol. Mr. Scotto said he did, with an LLC that was originally managing the Pool Bar before the lease took place. Dock Bar LLC was in charge of managing the business that was held by Kent Narrows Yacht Club LLC. He believes the alcohol was paid for by Dock Bar LLC which was the same LLC that had initiated the original management agreement. Mr. Thompson said the bottom line here is they are trying to operate under a license in the name of Meisel and Cohen and he doubts that they made any money from the time they sold the property until now. They were the ones who were supposed to be deriving the economic benefit from the license. Regarding Kent Narrows Yacht Club, Mr. Thompson said it was his understanding that when someone had a slip, they got a pool and gym

membership and other facilities and it was all a part of being a member of that yacht club community. And this changed when it was sold and the pool bar became a private for-profit entity. Mr. Scotto said the pool is still through the marina. If you have a slip or you come there for the weekend, you are given and granted passes to access the pool. Mr. Thompson said when Mr. McQueeney gave his opening statement, he indicated as far as he was concerned, that Yacht Club license was gone and that his client, Pool Bar LLC, vested in the license that was granted in July 2020. Mr. Thompson said he wants to clarify who has the license now, who claims to have the license now, is the Kent Narrows Yacht Club license still in effect or are they now gone. Mr. McQueeney said it is his opinion that the previous license is no longer valid once the Liquor Bd. notified Mr. Hoover that the license was ready to be picked up which was on September 25, 2020. The final documents required were submitted on August 31, 2020 so that was when the transfer was valid. Mr. Thompson said to argue that the Governor's Order applied and knowing that Mears sold on May 8, 2020, that they were just waiting for the 30 days to expire to come renew the license for a property they had sold in May, 2020 does not make sense. Mr. McQueeney said but they operated under the license agreement which went through October 2021 which allowed the licensee to purchase alcohol under the name of the previous license. Mr. Thompson said you can't have a management agreement that circumvents this Board and that is what that management agreement did. It ignored the fact that the prior license holder not only sold, they are gone. Mr. Ransom said it appears at a minimum the Board needs to collect a fee for the 2020 license year because they were selling alcohol. Ms. Jones said it makes it harder on staff when the Board grants "conditional approvals". She said when Mr. Hoover left the meeting on July 7, 2020 he wasn't going to be operating until the requirements were met. At that point, if not earlier, the prior license was gone. Mr. Thompson said Mr. Meisel and Mr. Cohen have vacated the property now and the question of selling alcohol without a license is one for the State's Attorney, not this Board. He feels it is appropriate not to do anything in this regard. Mr. Thompson said he does not feel the license for Lazy Mermaid was properly granted in July 2020 because you have to be a non-profit for a Class "C" license. Mr. McQueeney said you do not have to be a non-profit to have a Class "C" license. He referred to § 27-905 of the Alcoholic Beverages Code. Ms. Jones said that section says, "The Board may issue the license for use by: (1) a nonprofit organization or club that:", and Mr. McQueeney said, or a yacht club (2) which has 50 adult members who pay at least \$20 per year. Mr. Thompson referred to the "Revisor's Notes", subsection (b)(2), the former requirement that the organization "not (be) directly or indirectly owned or operated as a public business" is deleted as unnecessary because the organization is nonprofit. The next section reads, "Also in subsection (b)(2) of this section, the former phrase "which is not operated for profit" is deleted as unnecessary in light of the defined term "club". Mr. Thompson said the definition of "club" under § 1-101(e) of the Code says a club has to be a nonprofit. Mr. McQueeney said Pool Bar LLC would have to reorganize as a nonprofit in order to operate the license. Mr. Thompson said they have to get the class of license they are entitled to get. The options would be to become a Class "C" or a Class "B-D". Mr. Thompson said there is no license there now and they need to come back and apply for the license they feel they are entitled to. He said there has been a lot of confusion with this license and he sees no need to refer this situation to the State's Attorney. He said the applicant needs to

understand that someone needs to pay for the license that they obtained last year. Ms. Jones stressed that any alcohol awareness training must be conducted by a legitimate organization. She said there is a concern with any certifications issued by Norman Neverson. She said Mr. Hoover was given every opportunity to back out of the hearing on July 7, 2020 when he indicated that the alcohol awareness training he had was legitimate. She said when and if Mr. Hoover applies for a new license, be advised that this Board is well aware of the allegations that certain trainers are not giving training but saying that they did and issuing certification cards. Or giving training on line and not legitimate. She said if this Board sees a training certificate that is not legitimate, an alcohol license will not be approved. She said her concern is that on July 7, 2020 Mr. Hoover testified, after repeated warnings by the Board, that he had had the alcohol awareness training and that he had it a couple weeks prior and had it at Red Eyes Dock Bar. Since then Mr. Neverson indicated that he hasn't been on the Eastern Shore for two years. Also Mr Christopher Bates indicated that he didn't give Mr. Hoover a training class at Red Eyes. Ms. Jones said she wants to record straight. People being untruthful is not acceptable. Ms. Jones said the penalties of perjury carry their own criminal sanctions. And if the Board finds that a licensee has been untruthful under oath on an application or testimony, it means the Board can revoke the license. Mr. McQueeney assured the Board that this will not be an issue in the future. Mr. Ransom made a motion, seconded by Ms. Jones, to accept Mr. Thompson's recommendation that someone must pay for the license they had last year and it is not a Class "C" license. All members voted in favor. Mr. Thompson said the Board should clarify what the terms are when a license is granted. There are licenses that are issued for a building that is not complete or not constructed. In those cases it would be reasonable for an applicant to ask the Board to postpone the issuance of a license for some stated period of time. But absent that, for transfers and new applications, there should be a time period in which they should have to pick up their license and if not, it is void. This could be added to the Board's Rules and Regulations.

#### **VOTE ON RENEWALS:**

The following 2020 renewal application was approved: Narrows Restaurant.

#### **PENDING LEGISLATION:**

The Board discussed the "to go cups" legislation. Mr. Ransom said he will follow up on the issue with the Co. Commissioners. The chain store legislation has been introduced and the County has activated their lobbyists to try to kill this Bill. Mr. Beery said there is also legislation regarding reducing the number of inspections required for the Liquor Inspector.

#### **ROUNDTABLE:**

Mr. Thompson said he will not be available for the March 2, 2021 regular meeting but he felt assured that Ms. Jones and Mr. Ransom could handle the situation. The Board agreed to proceed in Mr. Thompson's absence.

There being no further business the meeting was adjourned, to meet again on Tuesday, March 2, 2021.

Respectfully Submitted,

*Cathy Maxwell*  
Clerk

/s/ Joyce E. Jones, Esq.  
Chairman