

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

**April 6, 2021  
9:00 a.m.**

The Board of License Commissioners of Queen Anne's County held an "in person" with virtual/zoom option, provided by QA TV, on Tuesday, April 6, 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; John T. McQueeney, Timothy G. Hibbard and Gene M. Ransom, III, Esq., Members; Tom Calmon, Liquor Inspector; Cathy Maxwell, Clerk to the Board; Jeffrey E. Thompson, Esq., Attorney for the Board.

Ms. Maggie Thomas, Queen Anne's Co. Health Dept., appeared via zoom before the Board to discuss alcohol and substance abuse. The Board members were able to hear Ms. Thomas but she was unable to hear the Board members. **NOTE:** A good deal of audio was unclear. Ms. Thomas has worked with Mr. Warren Wright, Drug Free Coalition. She pointed out reasons for increased alcohol abuse in the past year such as unemployment. On line alcohol sales increased 435% in the last two weeks of March 2020. There has been an increase in homelessness. As of 2010, excessive alcohol use cost the United States \$249 billion. In 2019 Maryland experienced 213 alcohol intoxication deaths. In 2020 those preliminary numbers show approx. 287 deaths. Ms. Thomas said the Health Dept. is able to offer outreach in person, on site, social media, etc. She thanked the Board for their time.

The Board held a public hearing for the transfer of a Class "A" beer, wine & liquor license from Cinthya M. Griffin, trading as Thompson Creek Liquors, to David A. Marberger and Beverly S. Ferrar, for the benefit of Bay Ridge Wine & Spirits - Kent Island, LLC, trading as Bay Ridge Wine & Spirits – Kent Island, located at 340 Thompson Creek Mall, Stevensville, MD 21666. Mr. Thompson administered the oath to all who were to testify. All advertising requirements were met. All required paperwork was submitted and is in order. Mr. David Marberger, Ms. Beverly Ferrar and their Attorney, Christopher Drummond, Esq. appeared before the Board. Mr. Drummond said the settlement on the transfer is scheduled for April 7, 2021. Mr. Marberger has lived in Queen Anne's Co. approx. one year. His wife and father-in-law are owners of Bay Ridge Wine & Spirits in Annapolis, MD. and he has worked there for the past 25 years and has stayed current on his alcohol awareness training. He is past president of Maryland State License Beverages Assoc. (MSLBA) which is an organization made up of both retail on-premise and off-premise licensees around the State. They monitor the rules, regulations and laws as they are put forth in front of the legislation on a yearly basis. He has been part of this group for over 20 years. Mr. Marberger said he and his mother-in-law plan to continue to operate the present store, Thompson Creek Liquors, the way the current owners, the Griffins, have done, being a reputable, solid business. He plans to be on premises as much as possible. Ms. Jones reviewed § 4-210, approval or denial of license application, of the Alcohol Beverages Code. Mr. Marberger said there is a public need for this license as evidenced by the continued success of

Thompson Creek Liquors. There will be no negative impact to other licensees in the area. There is ample parking. Mr. Calmon has met with both applicants and everything is in order. Mr. Marberger understands that there must be someone on premises at all times with current alcohol awareness certification. Mr. Drummond said there will be a new lease signed if this transfer is approved. Mr. Dean Griffin appeared before the Board. His wife, Cinthya Griffin, is the current license holder for Thompson Creek Liquors. Mr. Griffin said Mr. Marberger and Ms. Ferrar are great applicants and are very successful. He said he could not have found a better buyer for his business. No one appeared in opposition to the transfer of this license. A motion was made by Mr. McQueeney, seconded by Mr. Hibbard, to approve the transfer of the license. All members voted in favor.

A Special/Temporary license was discussed for Jeff Davis American Legion Post No. 18 for an event to be held on May 23, 2021. This license was previously approved by the Board last year but the event was canceled due to COVID. A motion was made by Mr. Hibbard, seconded by Mr. Beery, to approve this license. All members voted in favor. The license fee has been paid.

Mr. Tom Calmon, Liquor Inspector, was next on the Agenda. A motion was made by Mr. Beery, seconded by Mr. Hibbard, to accept Mr. Calmon's monthly report. All members voted in favor. Mr. Calmon said he has two volunteers to assist with compliance checks. He will continue to do these checks at any given time. He said any business that does not pass a compliance check will be re-checked within 90 days. He mailed to all licensees the 2021 ID Checking Guidebooks, which were courtesy of the QA Co. Health Dept. Mr. Calmon has an expansion request from Smoke, Rattle Roll in Centreville, MD. They wish to expand the exterior to include some tables. Mr. Calmon went to the premises and said this will be very secure and safe. He said it appears this will be temporary at this time but may become permanent in the future. Approval from the Town of Centreville will be required. Mr. Calmon said he had an inquiry about the current status of delivery permits. Ms. Jones said temporary deliveries are still allowed until the State of Emergency/Executive Order expires. If any business wants to do permanent deliveries, they should hold off to see what the outcome of the legislation is, which says restaurants cannot be charged but liquor stores can. Mr. Calmon said most of the Attestation Sheets for the Rules and Regulations have been received. Mr. Calmon reiterated for any licensees attending via zoom to be sure to have the proper log for deliveries which must be done by someone 21 years of age or older.

The Board discussed the license for Draper Brothers, Centreville, MD. Joey McQueeney, Esq., attended via zoom and said he was sitting in for Donald Braden, Esq. in this matter. Draper Brothers is requesting a Personal Representative Continuation Certificate under Alcoholic Beverages Article § 4-803 due to the death of current licensee, Elizabeth Draper Brice. Mr. Thompson said there was a previous amendment prior to Mrs. Brice passing, that was from Mrs. Brice to one son and that was approved by the Board. There is now another Affidavit to substitute a different son. Mr. Thompson said the new Affidavit meets the requirements of § 4-306. Mr. Ransom made a motion, seconded by Mr. Beery, clarifying that the Board approved this at a prior meeting and that resolved the issue. All members voted in favor. Mr. Thompson

said that motion was to acknowledge the former substitution. Now the Board needs a motion to permit the second substitution. Mr. Thompson said § 4-306 states that once the Board accepts the Affidavit and approves it, "the licensing board shall amend its records and issue a corrected license". A motion was made by Mr. Ransom, seconded by Mr. Beery, to amend the license to the second son. All members voted in favor.

The Board reviewed for advertising a new Class "A" beer, wine & liquor license for Sheikh Asadullah, for the benefit of Badsah, Inc., trading as Queenstown Mart, located at 4638 Ocean Highway, Queenstown, MD 21658. Joseph McQueeney, Esq., attended via zoom representing the applicant. Mr. McQueeney said Mr. Asadullah is the current licensee for Queenstown Mart and currently has a Class "A" beer and wine license. Mr. Thompson reviewed the application and amended it as necessary. He said everything was now in order for advertising. A public hearing will be held on this application on Tuesday, May 4, 2021.

The Board reviewed for advertising the transfer of a Class "A" beer, wine & liquor license from Troy D. Lee to Vipul Davra and Troy D. Lee, for the benefit of Davra Enterprises, Inc., trading as L&L Liquors, located at 226 Shopping Center Rd., Stevensville, MD 21666. Joseph McQueeney, Esq., attended via zoom representing the applicant. Mr. Thompson reviewed the application and amended it as necessary. He advised Mr. McQueeney that clarification will be needed as to Mr. Lee's role in the company. He said the application is complete for advertising. A public hearing will be held on this application on Tuesday, May 11, 2021.

The Board reviewed for advertising the transfer of a Class "B" beer & wine license from Cheri Wittman and Robert Wittman to John Ferrari, Jr., for the benefit of JMF Crab Shack, LLC, trading as Stevensville Crab Shack, located at 116 Pier One Rd., Stevensville, MD 21666. Joseph McQueeney, Esq., attended via zoom representing the applicant. Mr. Thompson reviewed the application and said the application is complete for advertising. A public hearing will be held on this application on Tuesday, May 11, 2021.

The Board reviewed for advertising a new Class B-D" beer, wine & liquor license for Curtis C. Hoover, Jr., for the benefit of Pool Bar, LLC, trading as Lazy Mermaid, located at 428 Kent Narrows Way North, Grasonville, MD 21638. Joseph McQueeney, Esq., attended via zoom representing the applicant. Mr. Thompson reviewed the application and said the application is complete for advertising. Mr. Beery said there are hurdles that the applicant will have to overcome at the public hearing. One is his certification of alcohol awareness, past and current. Another is the operation of a business all last year without a license. Mr. McQueeney said if the licenses were extended under the Governor's Order, why does Mr. Hoover have to pay for the 2020 license that he never had because it was never issued. Mr. Ransom said the Executive Order does not waive the fees, it just delayed the requirement that the fees be paid. Mr. Ransom asked Mr. Calmon if he has met with the licensee and Mr. Calmon said, no, he has not re-interviewed him. Mr. Thompson said after the Executive Order was in place, the Board granted a new license since they were no longer a non-profit organization. A public hearing will

be held on this application on Tuesday, May 11, 2021. **NOTE:** This application was since amended to change the licensee.

The Board reviewed an application for a new/reclassification Class "A" beer, wine & liquor license for Yelana Skalinskaya and Kyle Ritter, for the benefit of Clearview 321, LLC, trading as Kent Island Depot, located at 320 Romancoke Rd., Stevensville, MD 21666. This application was previously denied by the Board at the March 2, 2021 meeting for lack of public need. Thomas Fleckenstein, Esq. appeared via zoom representing April Dannenberg, licensee for Vape Bird, Stevensville, MD. He said under § 4-214 of the Alcoholic Beverages Code, location is also an issue. The language states that if a license is denied, another license application may not be considered for the same applicant or for the same location for 6 months after the denial. He said the only exception that would apply to location is if the license was denied because the Board determined that the applicant was not a proper person to be issued the license. Therefore, he does not think it is appropriate for advertising. Mr. Thompson said he does not feel that location is relevant. The Board did not find the applicant was not a proper person. He said if the Board denied the application for lack of public need, then the applicant may refile without waiting 6 months. Mr. Beery said there was more than one reason that he denied the previous application. Mr. Thompson said the Board needs to include all the reasons in their motion. But the Board was all in agreement that there was lack of public need and that is why the application was denied. Mr. Thompson said the application is complete for advertising. A public hearing will be held on this application on Tuesday, May 4, 2021.

**Pursuant to § 6-304 of the Alcoholic Beverages Article I of the Annotated Code of MD a hearing was held on the following businesses regarding a compliance check completed by Tom Calmon, Liquor Inspector.**

**One Stop Gasoline, LLC, t/a One Stop**

It is alleged that a violation of Alcoholic Beverages Article, §6-304 of the Annotated Code of Maryland occurred, in that on February 6, 2021 at approximately 3:40 p.m. at the licensed premise, an employee sold alcohol to a minor. The minor was working with the Queen Anne's County Liquor Inspector. Mr. Thompson administered the oath to all who were to testify. Mr. Mohammed Chaudhry, Licensee, appeared via zoom. A motion was made by Mr. Ransom, seconded by Mr. Beery, to enter as Board's Exhibit No. 1 the letter with attachments dated 3/9/21 from Mr. Calmon to Mr. Chaudhry notifying him of today's hearing. All members voted in favor. Mr. Calmon read his Incident Report into the record. A motion was made by Mr. Ransom, seconded by Mr. Beery, that a violation did occur. All members voted in favor. Mr. Chaudhry said he was not contesting the charges. He was not present when the violation occurred. He said customers do not like to remove their masks and get upset when asked to see their face. Mr. Beery said Mr. Chaudhry can require customers to stand 6 ft. back and remove their mask briefly so he can check their ID. In this incident, the employee did not ask for identification. Mr. Chaudhry said his employee had a medical problem that day. He has high blood pressure and Mr. Chaudhry told him to go home and rest. His employee had Covid a couple months ago and since then he has had a problem with high blood pressure. Mr.

Calmon said this establishment is on the highway to Ocean City and probably has a very large group of young people trying to come in to buy alcohol. So the employees must be sure to take the time to do the right thing. In this instance the employee did not even ask for identification. Mr. Calmon said he has had no negative issues with the employee or Mr. Chaudhry. A motion was made by Mr. McQueeney, seconded by Mr. Hibbard, that since it's been eight years since there was a violation, to impose a fine of \$500 and a 3-day suspension, with the suspension in abeyance for two years from today's date. All members voted in favor. Ms. Jones explained to Mr. Chaudhry that he will have a \$500 fine to be paid within 30 days of today's date. And a 3-day suspension, which is held in abeyance for two years, which means if Mr. Chaudhry does not have another violation in two years, he will never have to serve the 3-day suspension. If, however, he were to have another violation in two years, he would have to serve the 3-day suspension, as well as any other sanction for any future violations. Mr. Chaudhry said he understood.

**Hillside Liquors & Deli, LLC, t/a Hillside Liquors & Deli**

It is alleged that a violation of Alcoholic Beverages Article, §6-304 of the Annotated Code of Maryland occurred, in that on February 6, 2021 at approximately 1:20 p.m. at the licensed premise, the licensee sold alcohol to a minor. The minor was working with the Queen Anne's County Liquor Inspector. Mr. Thompson administered the oath to all who were to testify. Mr. Adarshdeep Khalar, licensee, and his attorney, Steven Brown, Esq., appeared before the Board. Mr. Brown said Mr. Khalar is not contesting the charges. A motion was made by Mr. Ransom, seconded by Mr. Beery, to enter as Board's Exhibit No. 1 the letter with attachments dated 3/9/21 from Mr. Calmon to Mr. Khalar notifying him of today's hearing. All members voted in favor. Mr. Calmon read his Incident Report into the record. A motion was made by Mr. Ransom, seconded by Mr. Beery, that a violation did occur. All members voted in favor. Referring to prior violations, Mr. Brown said the only violation involving Mr. Khalar was the one that occurred July 2020, which was in the middle of the Covid pandemic. The mask situation has presented no alternative except to check everyone. Mr. Brown said all the employees are going to take alcohol awareness training. Mr. Khalar said the person he waited on right before the minor volunteer was 40+ years old as was the one immediately following her and he checked their ID. He does not know how it happened that he did not card the volunteer, it just happened. Mr. Khalar said he has reduced his grocery products in his store to reduce the foot traffic of anyone under 21. He now cards everyone who makes a purchase, whether it is alcohol or not. Mr. Khalar said he has done things to help the community, he bought lunch for the Sheriff's Office. He also donated money to the Fire Dept. Mr. Brown said suspensions are especially hard on liquor stores vs. restaurants as there is not another option for them. He asked the Board for leniency given the pro-active steps the licensee has taken. A motion was made by Mr. McQueeney, seconded by Mr. Hibbard, to impose a fine of \$1,000 and a 3-day suspension; and due to the steps they have taken, to put \$500 of the fine in abeyance and the 3-day suspension in abeyance for two years from today's date. Mr. Ransom said he felt this is a little harsh compared to what the Board just imposed in the previous case who had 4 violations. Mr. Ransom suggested the 3-day suspension be in abeyance for one year instead of two. Mr. McQueeney agreed and amended his motion. seconded by Mr. Hibbard, for the 3-day

suspension to be in abeyance for one year. The \$500 will be paid within 30 days from today's date. All members voted in favor. Ms. Jones explained that Mr. Calmon will be doing compliance checks at least once a year. If someone fails or if there are complaints, he is going to check again.

A motion was made by Ms. Jones, seconded by Mr. Ransom, to approve the following 2020 licenses: Back 50 Tavern, Café Sado, Chesapeake Outdoors, Commerce St. Creamery, Depot at Barclay Station, Don Tonios, Fisherman's Crab Deck, Fisherman's Inn, Jetty, KI American Legion #278, Marshy Creek Liquors, Silver Swan Bayside and Ten Eyck Brewing. All members voted in favor.

The Board discussed proposed legislation. Mr. Ransom said the Senate version of the "take-out" bill has language where the local authorities, i.e., the mayor or commissioners, would vote to decide whether you are opted in or out. The "worship bill" and the "inspector bill" have both passed both Houses exactly the same and have gone to the Governor for signature. The other bill that was put in for the Commissioners did not move. The chain store bills are good. Mr. Ransom will provide another summation at the May 4, 2021 meeting.

The Board discussed amending and finalizing the new liquor license application. There should be a signature line for the "transferor" to sign. There should also be an "effective date" of the application at the bottom to show which form is currently in use. At the top of the application it says, "New" or "Reclassification" which is not clear. Mr. Thompson will finalize the application to make sure everything that the Statute calls for is included.

The Board discussed Governor's Executive Order No. 21-03-09-93. The expiration date for the Executive Order is going to be June 30, 2021 unless it is ended earlier. If the Board opts out of this and says the 2020 license fees have to be paid by May 1, 2021 when they pick up their 2021 license, a letter can be sent to formally do this. Mr. Ransom suggested that this Board not opt out and push it forward a little longer. There are a number of 2020 licenses that still have not been paid for. There is a hardship statute if anyone wants to apply and to date no one has applied. The Executive Order gives an extension until June 30, 2021. Mr. Ransom said the question is does this Board want to stay under that Order or not. He feels we should stay under the Order and it gives more flexibility and more time, given stress on staff. Mr. Thompson said since we now know that the Executive Order is in effect until at least June 30, it does not matter if anyone gets the 2020 license, they still owe the money for that year. But they are not legally required to have the 2020 license on the wall, because by the time June 30 comes around, they are supposed to have the 2021 license on the wall. So in order for the licensee to pick up the 2021 license, they will also have to pay for the 2020 license also. Ms. Jones said a letter can be sent saying that unless something changes, those who have not paid for the 2020 license, they will be responsible for that payment and the 2021 payment. Mr. Thompson will draft a letter to the licensees stating the Governor's Order expires June 30, 2021 and will spell out the details for the renewal process.

At 11:30 a.m. a motion was made by Ms. Jones, seconded by Mr. McQueeney, to go into closed session to discuss a personnel issue and an administrative matter. All members voted in favor. No action was taken during the closed session which ended at 12:15 p.m.

There being no further business the meeting was adjourned, to meet again on Tuesday, May 4, 2021.

Respectfully Submitted,

Cathy Mawell  
Clerk

/s/ Joyce E. Jones  
Chairman