

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

May 5, 2020

9:00 a.m.

Due to the Covid-19 crisis, the Board of License Commissioners of Queen Anne's County held a zoom meeting on Tuesday, May 5, 2020 at 9:00 A.M. NOTE: The April 7, 2020 meeting was cancelled. 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, and Timothy G. Hibbard, Members; Jeffrey E. Thompson, Esq., Attorney for the Board; Tom Calmon, Liquor Inspector; Megan Del Gaudio, IT Manager; Bruce Grove and Chris Bartlett, Producers/Hosts of QAC Television; Michael Wisnosky, Director of Planning & Zoning.

Ms. Jones asked Mr. Grove if he had ground rules before the meeting started. He said it appears there isn't anyone that wasn't invited to join in.

The Minutes from the March 3, 2020 Liquor Board meeting were approved.

The Board approved the April, 2020 Liquor Inspector's Report from Mr. Calmon.

The Board discussed the MALA conference call. Queen Anne's Co. has the hardship statute which allows refunds. No one has asked for a refund to date.

The Board discussed the Licensee Attestation Sheet which are being tracked by Mr. Calmon. Mr. Calmon said he has received back approx. 45 of them, about half-way complete. The licensees were notified that they will not receive their renewal license until the Attestation Sheet is returned. Ms. Jones asked Mr. Calmon to check to see who has had their fire marshal inspection, current Alcohol Awareness certificates, and who may have a tax hold prior to issuing renewals licenses. Mr Thompson said normally the Comptroller's Office notifies when to put a hold on a license and then notifies when it can be released.

The Board discussed the 2020-21 budget. Ms. Jones said at the Co. Commissioners' meeting and a motion was made and voted on that no departments will receive any excess funds. She said this Board had asked for an enhancement. Mr. Michael Wisnosky said he did not know what the status is at this point. He will check with John Shelton.

Mr. Beery asked if under the Governor's Order, is the Board prohibited from issuing new licenses that expired May 1. Ms. Jones said no, and a lot of jurisdictions are processing renewals. Mr. Thompson said concerning refunds, he spoke to Mr. Todd Mohn, County Administrator, and he told Mr. Mohn that the Board does have that authority. Mr. Thompson said the liquor stores are doing well and the restaurants are not. This should be factored in. He suggested that certain licenses for the coming year could be pro-rated. Ms. Jones said it was decided to handle this on a case-by-case basis. She contacted Heather Tinnelli, Economic

Development Director, to see how she is handling her economic recovery plan. Ms. Tinnelli said she hadn't developed a plan yet. Ms. Jones suggested that the Board wait and see if anyone applies for a refund. She said once the emergency is lifted, then the licensees have 30 days before their 2019 license expires and 20 days to get their renewal application in. One question is what date will go on the renewal license. The statute says that May 1 shall be the date on the renewal license. Ms. Jones said §4-114 normally applies to new applications but does it also apply to a renewal. Mr. Thompson said he hopes they stay with the May 1 date. He thinks the Governor just extended the period for the renewal, which extends last year's license.

The Board discussed future meetings. Ms. Jones said she is not sure the Board will be able to process any new licenses under the current format because the people have to go through fingerprinting and a background check. Mr. Hibbard said under the current environment, he does not see too many people opening a new business. There is a pending transfer application, however, and that person has had their background check so this could be processed. Mr. Beery said the one-day applications will be resuming for events in September and October. Ms. Jones said one-day applications do not require a background check so that is not a problem. She said one of the jurisdictions said they processed an application for someone and gave them the license and then a month later they discovered they had a felony. Mr. Thompson said he feels that the facilities that do the background checks will probably be open within the next 30 days. He said the one-day applications will have to be looked at more closely due to the "no more than 10 people" rule. Ms. Jones said she had an inquiry about someone adding another person to the current license. She told them she was not sure this can be done right now if they are not doing background checks. At the same time she does not want to delay a business from opening. Mr. Thompson said the business on Banjo Lane that does background checks could be contacted to see what the status is. He or Mr. Calmon will follow up on this.

At this point there was a short lapse while Chris Bartlett from QACTV joined Mr. Jody Schulz to the zoom meeting. Mr. Schulz did not have any comments.

The Board was discussing violations when the recording continued. The Board's discussion during the lapse time cannot be heard. Mr. McQueeney said the Animal Control Board did a couple violations on zoom and it worked out OK. He would prefer to hear the entire case. Ms. Jones said there are at least two violations that occurred at the beginning of the pandemic and they will be coming up for a hearing and should the Board give them the option of addressing it now or after businesses reopen. Mr. Thompson said the license holder has a right to a hearing and maybe the Board should handle it on a case-by-case basis. Or the Board could give them the option of waiving a hearing and instead pay a fine if they are a first-time offender. Also they could put in writing to the Board if they wanted to provide mitigation.

The Board discussed regulations and statutes. Ms. Jones asked Mr. Calmon if he had drafted changes to §27-205 regarding time frames for inspections. Mr. Calmon said he has not drafted it yet. The proposal is to change it from every 60 days to either 120 or 180 days. He will send the changes to Mr. Thompson upon completion.

The Board discussed a recovery plan from the pandemic. Mr. Beery had proposed a payment plan for the licensees. Ms. Megan Del Gaudio, IT Manager, said the system is not set up for payment plans but can possibly take a partial payment. Payments on line are not available at this time. They can use a credit card in-house. Ms. Jones said the application and renewal process should be available on line. Ms. Del Gaudio said things are moving in this direction. It will be the same system, just upgraded. She said it takes time but there could be something in place by next March or May, the next renewal time for licenses. Mr. Thompson said we need to do a whole new application once we find out what legislation passed and what didn't pass. Ms. Jones said the statutes that affects Queen Anne's Co. has passed. Mr. Thompson said he was not sure when the effective dates of the Bills will be now. They are generally effective July 1 or October 1 and he doesn't know if they will be pushed back under the current situation. Ms. Jones said it is her understanding that the legislature is not coming back in session in May. Mr. Thompson said as he understood, the Governor's Order simply allowed the agencies to extend if they wanted to extend. So absent the legislature extending those dates, those dates are solid. Mr. Thompson asked Ms. Del Gaudio if an application could be a fill-in-the blank PDF form, this would be the easiest way. Plus what is required as part of the application, such as Operating Agreements, Bylaws, etc. She said yes, this could be put on the website.

Mr. Calmon said he had a complaint about one restaurant that may have been serving alcohol while people were sitting and waiting for their food. He checked into this and found this was not the case.

The Board continued discussing a recovery plan. Ms. Jones referred to the CDC guidelines for reopening. These include reduced people in the restaurants; changing the food/beverage receipt ratio; and working with the Health Dept. on guidance. Mr. Calmon will be working with the Health Dept. for their comments on the CDC guidelines. These can then be sent to the licensees. Mr. Wisnosky said every Tuesday at 2:00 there is a command meeting with Dr. Ciotola from the Health Dept. Dr. Ciotola has been updating all County personnel on the status of where we are. They do have a plan in place that when we reach the point to reopen, there will be guidelines that will be established, if they haven't been already. He suggested that Dr. Ciotola be involved because he is going to guide us on how to reopen. Mr. Thompson said he thinks this Board's role should be more on enforcement and help support Dr. Ciotola. Not deciding about glassware, etc. Samantha Hiner of the Health Dept. is assigned to review all restaurants and licenses. Concerning growlers or anything that has a lid, Ms. Jones said Mr. Calmon sent information to the Health Dept. which they reviewed and signed off on it. Mr. Beery said the Health Dept. may need the Board's help on description. He read Phase 3 from the Governor which talks about opening restaurants to a certain percentage and not opening bars. If the State comes out with that distinction, this Board may have to help with different classes of licenses such as Class "D", which some are thought of as a bar and a restaurant.

Mr. Beery spoke for the Drug Free Coalition. He spoke to Mr. Warren Wright who said Kathy Wright is working on a grant for next year. The numbers of opioid deaths are down significantly. The Dept. of Social Services referrals for negligent and abuses are way down also. Some bars in Cecil Co. are open and selling to regular customers but these have been since

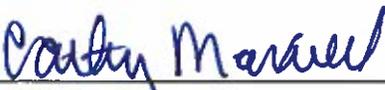
closed. Mr. Beery spoke to Ms. Maggie Thomas, Director of Addiction and Prevention Services, at the Health Dept. They are doing some extra support and preparing social marketing. They do have some concerns about the aftermath of the pandemic. She also indicated that it appears that drinking at home is up substantially which is a concern.

Concerning old business, Ms. Jones said she had asked Commissioner Corchiarino for a comparison of fees throughout the State.

Ms. Jones said she will continue participating in the MALA calls but there should not be a need for further Board telephonic calls at this time unless the Governor issues another Executive Order.

There being no further business the meeting was adjourned, to meet again on Tuesday, June 2, 2020.

Respectfully Submitted,



Cathy Maxwell, Clerk

/s/ Joyce E. Jones

Joyce E. Jones, Esq., Chairman