

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

**June 2, 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, June 2, 2020 at 9:00 a.m. 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; Jeffrey E. Thompson, Esq., Attorney for the Board; Tom Calmon, Liquor Inspector; Cathy Maxwell, Clerk to the Board; Michael Wisnosky, Director of Planning & Zoning; Vivian Swinson, Zoning Administrator.

A motion was made by Mr. McQueeney, seconded by Mr. Beery, to go into executive session to obtain legal advice regarding a public safety matter and an administrative function. All members voted in favor.

The Board resumed the meeting. Mr. Ransom said the Board went into executive session to obtain legal advice and discuss administration. Two actions were taken. A motion passed unanimously to give the Board's Attorney the authority to make an offer and compromise with regards to a pending charge. A second motion was made and approved unanimously to give the Board's Attorney the authority to make an offer and compromise with regards to a pending charge.

The May 10, 2020 Minutes were approved and Mr. Calmon's Monthly Report was approved.

The following Special/Temporary Licenses were approved:

Abate of Maryland – Date of event - June 19-20 (Event was cancelled)  
Mother of Sorrows Catholic Church – Date of event - September 19  
Rotary of Kent Island – Date of event - September 26

Ms. Jones said that effective July 1, 2020 the distance requirement from a place of worship will no longer be in effect so the Catholic Church event will fall under the new statute.

The Board discussed Cult Classic Brewing's request for an expansion of premises. Mr. Rohry Flood and Mr. Brooks McNew were present. Mr. Flood said they would like to open the west parking lot for outdoor seating and have a sufficient barrier that works for all parties. They would be serving alcohol outside. Ms. Jones asked Mr. Flood if he is requesting full time permission or a temporary expansion of premises that is being offered right now. Mr. Brooks McNew said they would certainly want to expand under the Executive Order for the duration of the Covid crisis. Moving into the future they would like to make it permanent. Mr. Thompson said the only thing under consideration today would be under the Executive Order. In order to

do a permanent expansion, a new application and public hearing would be necessary. Under the current Executive Order the Board can consider the expansion of the existing license during the effect of that Order. Mr. McNew said they want to follow the Executive Order at this time and eventually work on the new application for permanent expansion. Mr. Flood said he was advised that this Board would have to first approve the request and then they could move forward with permission from Planning & Zoning, Health Dept. and the Fire Marshal. Once those approvals were given, they could move forward with the expansion. Ms. Jones said the Board can give conditional approval provided that they satisfy the requirements of Planning & Zoning, the Health Dept. and the Fire Marshal. Ms. Jones made a motion, seconded by Mr. Ransom, to conditionally approve the temporary expansion of the licensed premises, provided that there are barriers surrounding and protecting anyone in the area and that it is first approved by Planning & Zoning, the Health Dept. and Fire Marshal. All members voted in favor. This temporary approval will be effective until the Governor's Executive Order for a catastrophic emergency and public health emergency are rescinded. In the meantime, Mr. McNew will work on the application for permanent expansion.

The Board discussed the temporary expansion of premises for reopening all restaurants. Ms. Jones said any licensee who already had licensed premises outside, they do not need to come before this Board for reopening. They need to be signed off by the Health Dept., Fire Marshal and Planning & Zoning. Anyone that wants to reopen should start the process with Ms. Vivian Swinson, Zoning Administrator. This Board only needs to sign off on new expansion of licensed premises or enlarged expansion of licensed premises. Ms. Jones said she requested a list from Planning & Zoning of people that would be new or expanded premises and she received a large list. Ms. Swinson was present and she said she sent a revised list that contained only three applications, being Bull & Goat Brewery, Big Owl's and the Narrows Restaurant. These three businesses have obtained permission from the Health Dept., Fire Marshal and Planning & Zoning. The original larger list were licensees that were approved without any issues. Mr. Ransom made a motion, seconded by Mr. Beery, to approve the three temporary applications four outdoor seating. All members voted in favor. Ms. Swinson said Parkside Deli in Sudlersville is in the process of filing their paperwork and she sees no problem with this. They will also need permission from the Town of Sudlersville since that is an incorporated town. A motion was made by Mr. Ransom, seconded by Mr. Beery. to approve Parkside Deli for outside seating provided that they obtain the necessary paperwork from the Town of Sudlersville and Planning & Zoning. All members voted in favor. Ms. Jones said there was a question about whether one establishment could reopen, even though they already have outside premises, because they are only a bar. She said the way she reads the Executive Order, it says bars and restaurants. Ms. Swinson said this was resolved and this establishment was approved to open. Mr. Beery said the Kent Island Yacht Club is not on the list and they already have outside premises. Ms. Swinson said the Economic Development Office reached out to them but to date they have not submitted any paperwork. Ms. Jones made a motion, seconded by Mr. Ransom, that to the extent that any licensee who wants a new expansion or an enlarged expansion can be conditionally temporarily approved once they have approval from the Health Dept., Fire Marshal and Planning & Zoning, and then hold a formal approval at the next meeting that occurs afterwards. All members voted in favor. Mr. Ransom said this essentially means that

anyone who wants to open can do so as long as Planning & Zoning is in agreement. All members voted in favor. Ms. Jones said she was on a MALA call last Thursday and the general consensus was that as long as there were two walls in an establishment that could open, the MALA group was satisfied with that. Mr. Thompson said he was on a conference call last week with Dr. Ciotola from the Health Dept. and Dr. Ciotola wanted three sides open. Mike Wisnosky, Director of Planning & Zoning, was present and he said he received an email from Dr. Ciotola this morning who wants to discuss this issue further today with him, Ms. Swinson and Todd Mohn, County Administrator. Mr. Beery said Dr. Ciotola, in previous conference calls, had required a prohibition against using the physical bar itself in a restaurant. Ms. Swinson said he had not changed his position as of last Friday so there is still no seating at the bars. Ms. Swinson there was a request from Adam's Ribs to expand to the parking lot. A motion was made by Ms. Jones, seconded by Mr. McQueeney, to approve the temporary outside expansion for Adams' Ribs. All members voted in favor.

The Board discussed a request from Chesapeake Bay Beach Club since the current license holder, John Wilson, has passed away. They request to get a certificate of permission for a continuation of business and a transfer. Ms. Jones said she thinks the request for a transfer is premature at this time for the continuation of business under §4.802 would be ripe for a decision in this matter. A motion was made by Mr. Beery, seconded by Mr. Ransom, to grant a certificate of permission for a continuation of business for Chesapeake Bay Beach Club to be held by Diedre Wilson as the personal representative for the estate of John Wilson. All members voted in favor. Mr. Thompson said they are interested in having the CEO be ultimately the license holder but a full hearing would be necessary for that. So the certificate of permission allows them to continue for up to 18 months.

Ms. Jones said MALA chose two representatives from each area plus Jeff Kelly from the Comptroller's office to establish a work group for reopening guidelines. These guidelines were distributed to all liquor boards. One set of guidelines was to open restaurants and bars completely at a reduced capacity and expand outdoors. Each jurisdiction will handle this differently. She said MALA said Covid may prompt a lot of legislation. For instance, the ability to have emergency hearings, etc. Mr. Beery said he sat in on a MALA call and he feels Queen Anne's Co. is ahead of most of the counties on the call.

The Board discussed a County Liquor Bd. fee comparison received from the Co. Commissioners' office. Ms. Jones said she feels any increase in current license fees should be put on hold in view of the current situation. Mr. Beery said he agreed.

The Board discussed the updated license application and on-line application process. Ms. Jones said there are two statutes to go into effect on June 1 that are not necessarily in alignment. Once these statutes are final, then the current application can be finalized.

The Board discussed the Open Meetings Act designee. Ms. Jones made a motion, seconded by Mr. Beery, that Mr. Ransom be nominated as the Open Meetings Act designee for the Board. All members voted in favor. Mr. Ransom already has the training so is well versed.

The Board called for public comment. Mr. Jody Schulz was present but had no comment.

Mr. Warren Wright, Drug Free Coalition, was present. He thanked the Board for all they do in the community. He said the Coalition is willing to do anything they can to support the Board. He said the adolescent survey is done.

Ms. Jones said there is a proposed regulation regarding "offer and compromise". A motion was made by Mr. McQueeney, seconded by Mr. Beery, to approve this proposed regulation to go into effect immediately. All members voted in favor. This regulation will be assigned a number and included in the Board's Rules and Regulations.

Mr. Calmon said he has received approx. 60 Licensee Attestation Sheets from the licensees.

The Board received a letter from the Town of Centreville regarding reopening. Mr. Steve Walls, Town Manager, and Ms. Carolyn Brinkley, Town Clerk, were present. Mr. Walls said Ms. Brinkley works with the Main Street program and all the restaurants and businesses. The Town Council is interested in helping businesses by possibly closing Lawyers Row to increase seating capacity for the local restaurants. Council Member Jeff Morgan said before they consider that request they wanted to make sure the Liquor Bd. was OK with that concept and were there any restrictions the Town needed to know. Mr. Walls said they are not sure at this time how they would handle the logistics. Mr. Beery said he thinks it is a good idea. Mr. Thompson said the expanded premises provision does not help in this case but delivery is what would work although the Board would have to be liberal on the interpretation of "delivery". He said he thinks the licensee would have to identify the area they want licensed. There is also the grassy courtyard right next to Lawyers Row which could be another option. Ms. Jones said she was concerned if just Lawyers Row was closed but having the entire courtyard square being used, that is a much better option. She does have concerns with customers walking back and forth and drinks. If it's necessary, the Board could possibly offer a temporary license for that entire area. Mr. Thompson said there is an open container law in the Town but they can stay that. He said the licensees would just be delivering to their own clientele across the street so this Board could choose to allow that. Then when the Executive Order is over, the authority is over. Mr. Ransom said he strongly supports this and Mr. Walls is a very competent manager. Mr. Thompson said the Board could not just limit this to the locations mentioned, but also include Millstream, Doc's is close to the water, etc. Ms. Jones said the Executive Order allows delivery so she does not feel this Board needs to do anything more. Mr. Walls said he appreciates the Board's support. Ms. Jones said the licensees still need to be reminded of the Board's delivery rules, keeping a log, etc. Mr. Thompson advised Mr. Walls to contact Dr. Ciotola at the Health Dept. to keep him aware of the plans.


Concerning new applications and transfers, Ms. Jones said once they have Health Dept., Fire Marshal and Planning & Zoning, the Board will make a conditional approval. Then Mr. Calmon would check the licensed area and make sure it meets the Liquor Board's requirements and

then he would give that conditional approval to Ms. Swinson and she would handle it from there.

Concerning 2020 renewal applications, Mr. Thompson suggested these could be approved in phases, rather than waiting to approve them all at once after the current emergency is declared over. Ms. Jones said if a licensee is prepared to pay the new fee, allow them to do so but if they are not prepared to pay, then they will not be required until the Order is rescinded.

There being no further business the meeting was adjourned, to meet again on Tuesday, July 7, 2020.

Respectfully Submitted,

  
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Cath Maxwell, Clerk

/s/ Joyce E. Jones  
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Joyce E. Jones, Esq., Chairman