

**QUEEN ANNE’S COUNTY BOARD OF LICENSE COMMISSIONERS
TUESDAY, JULY 5, 2022
9:00 A.M.**

The Board of License Commissioners of Queen Anne’s County met on Tuesday, July 5, 2022. The meeting was called to order by Chairman Gene M. Ransom, III, Esq. Those present were: Gene M. Ransom, III, Esq., Chairman; Thomas E. Beery, Vice Chairman; John T. McQueeney, Timothy G. Hibbard and Charles W. Ferrar, Members; Jeffrey E. Thompson, Esq., Attorney for the Board; Mandy Calvert, Liquor Inspector; Cathy Maxwell, Clerk to the Board; Vivian Swinson, Zoning Administrator; and Rob Tracey, Long Range Senior Planner.

SPECIAL/TEMPORARY LICENSES:

The Board approved the following Special/Temporary Licenses pending any required approvals from the Dept. of Planning & Zoning:

Jacob Sloan Foundation - date of event – September 9

Our Mother of Sorrows Catholic Church – date of event – September 24

APPROVAL OF MINUTES AND REPORTS:

The Board approved the June 10, 2022 Minutes and June, 2022 Liquor Inspector’s Report.

LIQUOR INSPECTOR:

Ms. Calvert followed up regarding the new driver’s licenses that are on phones. A friend of hers has one and tried to take a screen shot and all of the information went blank. She said it would be hard to duplicate. These are being used at airports so she feels it is acceptable to use the digital licenses for identification.

LONG RANGE SENIOR PLANNER, DEPT. OF PLANNING & ZONING:

Mr. Rob Tracey appeared before the Board. He gave the Board an update of the legislation that was before the General Assembly this year. In a previous meeting he had explained that SB 340 and HB 555 did not pass the legislator. However, it turns out that HB 555 went to a House conference committee but did not pass. Senate Bill SB 340 passed the Senate and also passed the House. The Governor did not sign it but it did go into law under Article 2 of the Constitution. He said this took effect July 1, 2022. Mr. Ransom said this adds the extra four chain store establishments outside the municipalities. The Kent Narrows area is excluded

specifically. Mr. Tracey said the description is the premises located within the Kent Narrows Commercial Management and Waterfront Improvement District. That includes everyone who has to pay the special tax. Mr. Ransom said four chain restaurants can now get licenses in the County with the exception of the Kent Narrows. In the municipalities there is no limitation. He said there is now no reason for any chain restaurant not to come to Queen Anne's County. Mr. Thompson said this applies to company owned chains because you can have a chain and have franchise.

HUNTER'S SEAFOOD, GRASONVILLE, MD:

The owner of Hunter's Seafood had requested to be on today's Agenda but was not in attendance. Mr. Ransom said if he requests to be on a future Agenda, that will be fine.

REVIEW FOR ADVERTISING:

There were no applications for review.

DRUG FREE COALITION:

Mr. Warren Wright appeared before the Board. He continues to work on the booklet from the Drug & Alcohol Services. September 20, 2022 is the date for the Queen Anne's Co. Goes Purple. It will once again be in Centreville. The position paper on marijuana in the County is 9 pages. He will send this out to everyone next week. He will also be meeting with the School of Law and the topic will be "Zoning". He is very concerned Delta 8, Delta 10 THC's, substances that mimic marijuana. He said these are all over Queen Anne's County and are not regulated.

ROUNDTABLE:

The Board continued the discussion for the proposed Beer Festival planned for October 30, 2022 at Kent Manor Inn and reviewed the draft application. At the June 10, 2022 monthly meeting Mr. Rohry Flood from Cult Classic Brewing and Mr. Jake Heimbuch from Bull & Goat Brewery appeared before the Board about the proposed Festival. Mr. Beery said this license falls under § 27-1304, Beer & Wine Festival License, of the Alcoholic Beverages Code. It will involve four local breweries and some of the proceeds will go to charities. § 27-1304 allows on and off premises consumption. Mr. Beery said he feels a \$50 fee per license is appropriate. Mr. Thompson will revise the application to meet the requirements of § 27-1304. Mr. Beery said the breweries are planning to hold this event at Kent

Manor Inn who already has a liquor license and this could be problematic. He said they could hold it at that location if they all agreed to have one charity apply for a special/temporary license. But the responsible party would then become the charity and Kent Manor Inn. Mr. Beery said the law did change a couple years ago to allow two licenses on one premises, providing it is a one day temporary license and the charity is applying. Mr. Ransom requested Ms. Calvert contact Mr. Flood and/or Mr. Heimbuch regarding this. Mr. Flood is scheduled to appear before the Board at the August 2, 2022 monthly meeting and this discussion will continue at that time.

The Board continued the discussion regarding Class "A" license 75% residency requirement and the Attorney General's Opinion dated 5/4/2021. This was discussed at the June 10, 2022 meeting with Ms. Richard. Mr. Beery said at present, this County is not in compliance with this Opinion. He asked if this Board should take action today and set aside the Board's Rule or stay with the law as it is today and change it during the next legislative session. Mr. Thompson said even though the Attorney General has opined that it is his opinion that the Supreme Court would overrule Maryland law, they have not done so. He said an Attorney General Opinion does not override the statute. Mr. Ransom said if an issue came before this Board, they would have the ability to decide whether they thought the Supreme Court's decision applied or not. Mr. Thompson said he thinks that is for a Court, not for this Board. Mr. Ransom suggested that the Board propose legislation and change it to add the resident agent requirement. He said this should be done under Title 27 (Queen Anne's County) because the Board can add the resident agent requirement where the State might not be comfortable doing that for everyone. In summary, the change is to remove the residency requirement for Class "A" licenses and add a requirement for a resident agent for non-residents. This would make it identical to Class "B" licenses. Mr. Ransom said this Board can hold a public hearing on this subject in September, 2022 and then the Co. Commissioners will have plenty of time to have their hearing. Mr. Thompson said this should actually be for every class of license. He will review this for the August 2, 2022 meeting.

The Board discussed and email from Jeff Hann, Esq., Alcohol Tobacco Commission, regarding Legislative Manual 2022 and SB340. The Board had no additional comments or changes.

There being no further business, the meeting was adjourned to meet again on Tuesday, August 2, 2022.

Respectfully Submitted,

Cathy Maxwell
Clerk

/s/ Gene M. Ransom, III, Esq.
Chairman