

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

**July 7, 2020
9:00 a.m.**

The Board of License Commissioners of Queen Anne's County met on Tuesday, July 7, 2020 at 9:00 A.M. at 110 Vincit St., Centreville, MD. 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; and Cathy Maxwell, Clerk to the Board.

The Minutes from the June 2, 2020 Liquor Board meeting and closed session were approved.

The Liquor Inspector Report presented by Tom Calmon was approved.

The following Special/Temporary license was reviewed and approved, conditioned on receiving Queen Anne's Co. Health Dept. approval and that all their requirements are adhered to.

Kent Island Vol Fire Dept. – Date of Event – September `12 (Cash Bash)

The Board held a hearing for the transfer of a Class "C" beer, wine and liquor license from Michael Meisel and Jeffrey Cohen, Kent Narrows Yacht Club, to Curtis Hoover, for the benefit of Pool Bar, LLC, trading as Lazy Mermaid, located at 428 Kent Narrows Way North, Grasonville, MD 21638. Mr. Hoover along with his Attorney, Joseph McQueeney, Esq., appeared before the Board. Member John McQueeney recused himself from participating in this hearing as he is the father of Joseph McQueeney, Esq. Mr. Thompson administered the oath to all who were to testify and all advertising requirements have been met. The application and all submitted paperwork were in order. Mr. Thompson asked who are the members of the Yacht Club. Mr. McQueeney said the restricted Yacht Club members Safe Harbor. Exhibit I is the membership list. Mr. Hoover said he has lived at his current address for eight years. He is a US citizen. He has never had or applied for liquor license before. He will comply with all the laws governing sale of alcohol. He has no financial interest in any other license in the County. He is a 15% member of the Pool Bar, LLC and is the only person authorized to hold a license. It is a private entity reserved for the private use of the slip holders at the marina. There are at least 50 members who pay dues for the club. There are facilities at the pool where food is prepared for members and guests. Mr. McQueeney reviewed §4-210 of the Alcoholic Beverages Title I. Mr. Hoover believes there is a public need for this license. There are no other Class "C" licenses in the immediate area and he does not feel this license will have an adverse or negative impact on any existing licensees or the health, safety and welfare of the community. There is adequate parking Mr. Hoover is alcohol trained and certified. He said there will always be someone on premise who is trained and certified.

Ms. Jones asked Mr. Hoover where he had his alcohol awareness training and he said it was at Red Eyes. Ms. Jones said there is a question about the provider that allegedly provided the alcohol awareness training to Mr. Hoover. She does not want fraud committed against the State or against this Board. Mr. Hoover testified that he did complete the training course on March 11, 2020. Mr. Ransom said he has known Mr. Hoover for years and is an honorable person. But he is also concerned if a course being given is fraudulent. Ms. Jones said even though this is a members only club, the Liquor Inspector still is allowed access and Mr. Hoover said yes. A motion was made by Mr. Ransom, seconded by Mr. Beery, to approve this transfer of license, pending receipt of the Trader's License, Sales Tax ID Certificate and Fire Marshal approval. All members voted in favor.

The Board reviewed an application for advertising the transfer of a Class "A" beer and wine license from Meekal Asad, trading as Xtra Fuel Mart, to Sheikh Asadullah, for the Benefit of Badsah, Inc., trading as Queenstown Mart, located at 4638 Ocean Gateway, Queenstown, MD 21658. Joseph McQueeney, Esq., Attorney for the applicant, appeared before the Board. This location previously had a beer, wine and liquor license but presently it is just beer and wine. There was a problem at this location with a previous license holder but not the current one. Mr. McQueeney requested that this application be advertised "at their own risk" and he will provide the necessary paperwork prior to the public hearing. This application will be advertised for a public hearing to be held on Tuesday, August 4, 2020.

The Board reviewed an application for advertising the expansion of existing premises of a Class "D" beer license for Jacob Heimbuch and Jeffrey Putman, for the Benefit of Bull & Goat Brewery, LLC, trading as Bull & Goat Brewery, located at 204 Banjo Lane, Centreville, MD 21617. Mr. Thompson reviewed the application and said everything was in order. Mr. Heimbuch said they wish to expand their outdoor seating that they are currently using with the Executive Orders by the Governor. He does not want to lose the permission he has now. Mr. Heimbuch said he has a letter from the Town of Centreville granting them temporary permission and he will seek to obtain a similar letter for the permanent expansion. They wish to expand the premises to the outdoors grassy area completely separated from the parking area. There is a fence on the back side of the property and two buildings that run parallel with each other that create another barrier. Upon entering the actual brewery, there is a small section where the grassy area connects to the parking lot. You could walk into the brewery, order a beer and then exit out of the brewery and have a seat. Mr. Heimbuch said there is personnel on the premises for monitoring. He has signed documentation from his landlord to allow them to do the expansion. Mr. Thompson said the landlord needs to sign the new application to give consent for access. Mr. Heimbuch said they may in the future change to a Class "D" beer wine & liquor license. This application will be advertised for a public hearing to be held on Tuesday, August 4, 2020.

Mr. Warren Wright from the Drug Free Coalition appeared before the Board. He said if the current pace is maintained the opioid deaths in the County will be down by a third. According to a survey, the number of kids who have been riding with other people who have been

drinking is down. All numbers are down in Queen Anne's Co. as compared to previous years. But compared to Md. averages, it's 25% higher. The kids who say they have driven after being under the influence of alcohol is still 60% higher than the Md. average but it's down for Queen Anne's Co. Binge drinking is up about 30%. For high school kids it's over 100% higher than the national average. The Health Dept. is going to continue to do compliance checks, they are checking for vaping.

Ms. Jones discussed the weekly MALA workgroup call. She said other counties are required to have a resident for all their liquor licenses and Queen Anne's is the only county that does not. They discussed the RFF (Responsible Retailing Forum) and they are doing a "mystery shopper". They go out with someone who is has aged out of the compliance check program, usually 21 years of age. They enter an establishment, ID is given and the establishment will get a green card if they do it correctly or a red card if they do not. The violation does not go on their record. They also get feedback so they know they are doing something right. One county has a grant so if the mystery shopper goes out and the employee does everything right, they get a gift card from the grant. Ms. Jones said different counties are modeling their program after this. Mr. Beery said he thinks this is an excellent idea. He said there is grant money available through the Drug Free Coalition and others and he feels this Board should consider doing this.

MALA also discussed violations. They have been in the education node as of July 1. Everyone was of the belief that as of July 1 there would no longer be the education node. It got to enforcement and violations occurred. Concerning license fee renewals, some don't have the option that this county has for the special hardship refund so they contacted the Comptroller's Office to try to get permission and they now have permission. Ms. Jones said MALA asked if this county decides to address legislation, they would appreciate us sharing a copy with them as well. Current proposed legislation is for reducing the liquor inspector's schedule for doing inspections. The requirement currently is every 60 days and it is proposed to increase this to every 120 days. This should be submitted by August. Also to consider legislation to have everyone who works at an establishment to have alcohol awareness training within a certain period of time, following the Talbot Co. model. Ms. Jones was asked if the class could be taught in house and she said, yes, but we have to have the training. Jeff Kelly and Lou Berman from the Comptroller's Office have said they will review what is proposed and will approve it. She said we should model it after Talbot Co. and Frederick Co. who have it in place because it gives them a certain amount of time to get it done and have someone in house who can do it. The general law is the training can be done on-line but the testing has to be done in person. Frederick Co. has permission teach in house on-line but they can only test one person at a time. Mr. Ransom suggested that these items should be put on the agenda for the next meeting and have a work session and invite Commissioner Corchiarino to attend. Mr. Thompson said the Delegation wants legislation to be vetted by this Board and the Commissioners when it goes to Annapolis. Mr. Ransom said perhaps the Licensed Beverages Association could be invited to the workshop.

NEW BUSINESS:

The Board discussed alcohol awareness certifications. One question was can one person be the alcohol awareness designee for more than one establishment. Ms. Jones said the law does not prohibit this but it is not in the spirit of the law. Currently at renewal or a new license, one person, either the licensee or their designee has to have the alcohol awareness training.

Concerning submitted legislation, Ms. Jones said the residency change went into effect July 1, 2020. She has not seen the one concerning places of worship but she said he did pass.

Ms. Jones said she thinks a spreadsheet is a good idea to track and approve renewals. Mr. Calmon has a copy of a spreadsheet and thinks it will work fine. This will cut down on going through individual files for information.

Mr. Calmon discussed adding a rule to the current Rules and Regulations. He said a few places he has visited are rectifying alcohol. It would be good to have something in writing that tells them that they have 3 days maximum before disposing of the alcohol and show on the bottle itself what it contains, how much alcohol and a logbook. Without a logbook he only has their word of when the mixture was made and the ingredients of the alcohol. This can be an item for the work session. Mr. Calmon will also pursue obtaining updated information for all licensees, phone numbers, email addresses, etc.

The Board will schedule work sessions for renewals, applications, legislation, etc.

OLD BUSINESS:

Concerning a fee comparison, Ms. Jones said now is probably not the time to be changing fees but at some point this should be done to make sure our fees are in line with other counties.

Concerning scanning files and documents, Ms. Jones said possibly looking into an intern to help with this. Mr. Calmon has been scanning in the renewal applications.

Concerning window clings, Mr. Calmon said when he has gone to do an inspection or has a complaint, he has given these out to the licensees. When he resumes inspections regularly, he will be handing them out to everyone.

Ms. Jones said the licensees need to be reminded about keeping their delivery logs up to date.

Concerning two offers of compromise, Mr. Thompson will pursue this and these will tentatively be on the August Agenda.

ROUNDTABLE DISCUSSION:

Ms. Jones said she has been to three establishments and two were going by the rules with distancing, etc. If she receives complaints about a certain establishment she refers them to the Health Dept. Mr. Beery said from what he hears, 98% of the patrons are following the rules and there are no issues.

Ms. Jennifer DiDonato, The Winery, appeared before the Board with some questions concerning alcohol awareness training. Ms. Jones gave her information concerning receiving training for her employees.

Mr. Hibbard said Kent County's liquor inspector teaches the alcohol awareness class and could Mr. Calmon do the same for this county. Ms. Jones said Mr. Calmon would have to take the provider training program.

Ms. Jones said there needs to be an application so licensees can apply on line. Mr. Thompson said he will work on the application and then contact the IT Dept. about putting it on line.

A motion was made by Mr. McQueeney, seconded by Mr. Ransom, to go into executive session to discuss a public safety matter and obtain legal advice. All members voted in favor. The Board went into Executive Session from 10: 20 a.m.

The Board returned to open session at 11:55 a.m. No decisions were made in the Executive Session.

There being no further business the meeting was adjourned, to meet again on Tuesday, August 4, 2020.

Respectfully Submitted,



Cathy Maxwell, Clerk

/s/ Joyce E. Jones

Joyce E. Jones, Esq., Chairman