

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

February 5, 2019

9:00 a.m.

The Board of License Commissioners of Queen Anne's County met on Tuesday, February 5, 2019 at 9:00 A.M. at 110 Vincit St., Centreville, MD. The meeting was called to order by Chairman John T. McQueeney. Those present were: John T. McQueeney, Chairman; Gene M. Ransom, Esq., Vice-Chairman; Maurice D. Dashiell; Joyce E. Jones, Esq.; and Thomas E. Beery, Members; Crystal Richard, Esq., Attorney for the Board; Cathy Maxwell, Clerk to the Board; and William J. Council, Liquor Inspector.

The Minutes from the January 4, 2019 Liquor Board meeting were approved as written.

The following Special/Temporary licenses were reviewed and approved:

Saving Future Feral Cats, Inc. – Date of event – February 9

Wicomico Hunt Club, Inc. – Date of event – March 2

Queen Anne-Hillsboro Vol. Fire Co. – Date of event – March 16

Mr. Michael Lechner, Director of Operations for Ramshead Shorehouse in Stevensville, appeared before the Board. Mr. Lechner is planning an event on March 16 & 17 for St. Patrick's Day. It will be held in a tent at the same location as Santa Con in December. A motion was made by Mr. Ransom, seconded by Mr. Dashiell, to approve the one day event on March 16 & 17. All members voted in favor.

Mr. Rohry Flood appeared before the Board to discuss a future event to be held at Cult Classic Brewing in Stevensville, MD. He said he wanted to find out the exact number of special event licenses they have through 2019 and if they have to be all outdoor events or if they can be indoors as well. Mr. Council said the licensed premises includes the outside front porch. Mr. Flood asked if they can serve wine and alcohol on special event license days. Ms. Richard said they cannot use their Class "D" beer license for the special events on the parking lot. Mr. Council said it was his understanding that they wanted to have different breweries attend. Mr. Council said first they would have to get permission from the State and then a festival license may cover it for this Board. Roger L'Heureux appeared before the Board. He said they are trying to create interest in the County at this location. They propose a festival type atmosphere with breweries and wineries. He has been to festivals in Annapolis and Baltimore where they bring together all types of different vendors who can do sampling of their alcohol, like an October Fest. Mr. Council said they have to get approval from the State and any other brewery who comes in has to get permission from the State also. Mr. McQueeney said they could have a festival on the property and the Board could allow this for a special occasion like they did for Ramshead but it would have to be only their product (beer). Mr. L'Heureux asked about

bringing in a charity. Mr. Ransom said the charity organization could apply for a temporary license to hold a festival on the parking lot. Mr. Council said at the wine festival in the past each vendor paid \$50 for the local license. Ms. Richard said Cult Classic Brewing could sell their product under the beer & wine festival license, but only on the parking lot.

The Board held a hearing for a new Class "B" beer license for Roger J. L'Heureux, for the benefit of SRR Holdings, LLC, trading as Smoke, Rattle and Roll, located at 422 Pennsylvania Ave., Centreville, MD 21617. Mr. L'Heureux appeared before the Board. Ms. Richard administered the oath to all who were to testify. All advertising requirements were met. Mr. L'Heureux said they plan to open a restaurant in Centreville. They also have restaurants in Stevensville, Chestertown and Annapolis. The new proposed location is in the medical building space on Pennsylvania Ave., directly across from Mamma Mia's. Ms. Richard reviewed the submitted paperwork and said Mr. L'Heureux needs to submit a resolution stating he is authorized to hold the license. Ms. Richard asked if he is financially involved in the other companies that he mentions and he said, yes. Ms. Richard said the Code is clear under §4-109 that the applicant or a person on behalf of whom the application is filed does not have a financial interest in the jurisdiction in any other place of business in the jurisdiction for which an alcoholic beverage license has been applied for or issued. Mr. L'Heureux has a financial interest in at least two other businesses that hold liquor licenses in this County. Mr. L'Heureux said this project was funded by the people of Queen Anne's Co. They have investors here in the County that shares were sold to. So they had to create a separate company because of the way they financed this project. Therefore, they ended up with two separate companies. Mr. L'Heureux asked if one of his business partners at SRR Holdings does not have any interest in the other company that owns the Stevensville location, could they apply for the liquor license instead. Ms. Richard said that person would have to file a new application with new signatures. Mr. L'Heureux asked if they could transfer the Stevensville license to the Centreville location. Ms. Richard said they would lose their Stevensville license. Mr. Ransom made a motion, seconded by Ms. Jones, to leave his hearing open and continue it at the March 5th monthly meeting. All members voted in favor.

(NOTE: Mr. L'Heureux appeared again before the Board following the hearing for Red Eyes Dock Bar, see below)

The Board held a hearing for the transfer of a Class "D" beer, wine & liquor license from Robert Wilson to Ivano Scotto Di Perta, for the benefit of Dock Bar, LLC, trading as Red Eyes Dock Bar 20, located at 428 Kent Narrows Way North, Grasonville, MD 21638. Mr. Di Perta and Mr. Billy Gordon appeared before the Board. Ms. Richard administered the oath to all who were to testify. All advertising requirements were met. Ms. Richard said the applicants need to supply an operating agreement to show membership interest. Ms. Richard said we have the same problem as the previous application heard today in that Mr. Di Perta has financial interests in other companies. Mr. Ransom said if you don't own a liquor license you can have financial interest in multiple companies but once you hold a liquor license you can only have an interest in the one. Mr. Di Perta said Mr. Gordon does not hold any interest in any other businesses in the County. He has owned property in Queen Anne's Co. for over ten years but has not continuously lived in the County for the last two years. Ms. Richard said under §27-1403 an

applicant for a Class "D" license does not have to be a resident of Queen Anne's Co., just the State of Md., and has to have 15% interest in the company. Mr. Di Perta said if a new application is filed, can the same people sign the signature page and the Board said, yes, as long as the people know the applicant. Mr. Ransom made a motion, seconded by Ms. Jones, to waive the normal "review for advertising" meeting for this applicant so that they can be on the March 5th meeting agenda. The applicants would be proceeding at their own risk. All members voted in favor. The new application would have to be submitted to the Board's clerk by this Friday, February 8 in order to meet the advertising deadline.

Mr. Roger L'Heureux from Smoke, Rattle and Roll again appeared before the Board. He asked if he removed his name from the LLC at the Stevensville location to show no financial interest at that location would that resolve the problem for the new Centreville location and Ms. Richard said, yes. She told him he would need to assign his membership interest and show the Board the assignment prior to coming back for the next hearing on March 5.

Mr. Council did 71 business checks for the month of January. He does have someone to accompany him for compliance checks on Sundays. He still needs additional volunteers for other times so he can complete them all by May.

Concerning pending and future legislation, with regard to our per diem licenses, Ms. Jones noted that several years ago Montgomery County legislators drafted legislation to do away with the school and church distance requirement for per diem licenses and then later did away with the distance requirement for all licenses. She asked if this was something the Board would want to entertain for next year. Mr. Council said the distance requirement for Class "B" licenses in Queen Anne's Co. was eliminated. Concerning the multi-license requirement, this is a State requirement. Mr. Beery and Mr. Ransom said they feel this is in the Code for a good reason.


Mr. McQueeney said he and Mr. Beery recently attended a TIPS class and said Mr. Terry Ober, the instructor, does a good job.

Brooks McNew from Cult Classic Brewing appeared before the Board. He has a Class "D" tavern license for beer with the County. He said the State has clamped down on the Class "5" breweries. For instance, no matter what the local Liquor Bd. tells you, you have to stop serving at 10:00 p.m. He said that makes it difficult when they want to do live music and events. There is a federal brewery license and a state brewery license. The state brewery license says if he is a Class "5" brewery, he is permitted to have a Class "D" tavern license and that is as far as he can go. Mr. McNew asked about the possibility of converting his State brewery license from a Class "5" to a Class "7". He said the wins would overcome the losses. He would not be able to have a Class "D" tavern license anymore, he would be required to get a Class "B" license, which means he would have to put in a kitchen. He is in the process of getting estimates for the kitchen and he has extra space set aside for this. He was wondering how the timeline would work to change his Class "D" license to a Class "B". Ms. Richard said perhaps he could apply for a transfer to a "B" license and the Board could condition the transfer on them becoming a Class "7" brewery. Mr. McNew would be required to complete a new application and then the Board

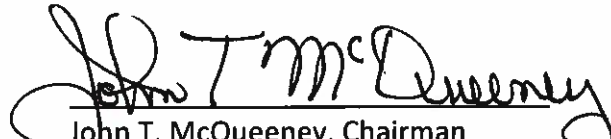
could condition it. Mr. McNew said currently the State only allows him to have a Class "D" tavern license for beer. If he decides to apply for a Class "B" license, he would like very much to have beer, wine and liquor. He would be required to give up his distribution license but that would not be a problem. Mr. McNew thanked the Board for the information.

There being no further business the meeting was adjourned to meet again on Tuesday, March 5, 2019.

Respectfully Submitted,



Cathy Maxwell, Clerk



John T. McQueeney, Chairman