

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

**March 10, 2020
9:00 a.m.**

The Board of License Commissioners of Queen Anne’s County met on Tuesday, March 10, 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, and Timothy G. Hibbard, Members; Jeffrey E. Thompson, Esq., Attorney for the Board; Tom Calmon, Liquor Inspector; Cathy Maxwell, Clerk to the Board; Beverly Churchill, Human Resources Director; Mike Wisnosky, Planning Director; Vivian Swinson, Zoning Administrator; John Shelton, Planning Supervisor.

The Minutes from the February 4, 2020 Liquor Board meeting were approved.

The following Special/Temporary licenses were reviewed and approved:

- Kent Island Estates Community Assoc. – date of event – March 14 (event cancelled)
- Get Pumped for Pets – date of event – March 29
- American Legion Post #18 (Centreville) – date of event – May 17

Beverly Churchill, Director of Human Resources, appeared before the Board to discuss the process for engaging the services of a minor volunteer to assist with compliance checks. She said whoever the Board decides they are interested in, whatever application form the Board has will be satisfactory. The volunteers will be required to have a drug screen which is coordinated through the HR office. This is a consistent standard for all volunteers. Some Departments request a fingerprint and background test also, depending on that the volunteer will be doing. This would be part of the HR budget. Mr. McQueeney said it is very difficult to get volunteers for compliance checks and he thought the test was done in Easton. Ms. Churchill said the drug test is now done in Centreville and if the test is negative, the results are instantaneous. Mr. Beery asked what constitutes a failed test and Ms. Churchill said there is a level set for marijuana but she does not know what it is but it can be a failed test. Nothing is disclosed beforehand. They take the test and if there is anything that comes up that might potentially be a positive, the medical review officer will contact them and if they have a bona fide prescription they have to provide that. Otherwise the test will come back as a positive test. Ms. Jones said the Board would like to use an experienced person and reach out to Chesapeake College’s criminal justice program. Mr. McQueeney suggested the County could advertise for a volunteer and Ms. Churchill said that could be done. Mr. Beery said other counties have part-time employees that volunteer. Ms. Churchill said if the Board has someone in mind she would be glad to reach out to them. She said there is a “hold harmless agreement” that the Liquor Board drafted and Mr. Thompson sent to her. She had it reviewed by the HR attorney who made some corrections and it is now approved for use. Mr. Warren Wright, Drug Free Coalition, appeared before the Board. In the past compliance checks were done by State Police

cadets paid for by grants. They mainly checked liquor stores and not restaurants. Ms. Jones said she prefers not to use employees from the Sheriff's Office because that brings criminal charges against the licensee. Mr. Wright said having the Liquor Inspector do compliance checks saves a lot of money. Ms. Churchill said any volunteer should be a W-2 employee. Ms. Jones said they should be paid either an hourly or daily fee or per-check fee. Ms. Churchill said it should be either a true volunteer or paid as an actual employee. Mr. Wisnosky appeared before the Board. He said in January the Board requested \$2,500 for compliance checks and this is still in the budget. This will be presented to the Co. Commissioners on March 31. Mr. Beery said that was to also include purchases. A motion was made by Mr. McQueeney, seconded by Mr. Beery, to request HR to place an ad for 18-20 yr.-9 months old volunteers and the volunteers should submit to a drug screen. All members voted in favor.

Mr. Scott Haney from Ramshead Restaurant appeared before the Board. Mr. Thompson administered the oath. Mr. Haney requested a one-day expansion of premises for March 14, at tent at the same location as last year. He will have security at all points of entry to assure there is no underage drinking. Ms. Jones said since Mr. Haney is not the licensee, she had requested that he provide something in writing from the licensee which was presented to the Board. Ms. Swinson had no problem with the request and said the proper permit was obtained. A motion was made by Mr. McQueeney, seconded by Mr. Hibbard, to approve the one-day expansion. All members voted in favor.

The Board reviewed the application 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. Joseph McQueeney, Esq., representing the applicant, appeared before the Board. Ms. Jones said one of Mr. Calmon's duties is to investigate the applicant's fitness for a license so Mr. McQueeney's client should contact him. Mr. McQueeney requested that this application be advertised "at their own risk". This application was approved for advertising by the Board. A public hearing will be held on this application at the April 7, 2020 meeting.

Mr. Warren Wright, Drug Free Coalition, appeared before the Board. He thanked the Board for all they do. He said the Coalition had an evaluation done in 2018 to reduce the use of drugs and alcohol, retail availability and access. All the numbers are based on the 2014 YRBS (Youth Risk Behavioral Study) which is done in every high school and middle school in the country. These will be updated and a presentation will be going around to the Commissioners and groups. The numbers are down for a lot of things except marijuana. He also discussed CADCA "National Anti-Drug Community Coalitions of America" whose goal is to prevent substance misuse through community efforts. They produce national recommendations for the counties to consider. He recently distributed some strips to one of the high schools that will test for marijuana and amphetamines. For example, to test if a vape pin might have marijuana in it. Ms. Jones said the proposed Bill for mandatory server training is on hold in the House. She said requiring the 18 yr. olds to have the training is getting a lot of resistance he may want to draft legislation and come up with a way to assure compliance for everybody. She said an easy way

to accomplish this is to switch it to an on-line training class and that way everybody gets it. Mr. Beery said, for the record, that Maryland is not a dram shop state and may never be.

The Board discussed a budget item to upgrade the Liquor Inspector's mobile radio. Mr. Calmon, Liquor Inspector, and John Shelton from the Dept. of Planning & Zoning appeared before the Board. Mr. Calmon said there is spotty cell reception in certain parts of the County. He is going in and out of establishments all hours and having that direct response from himself to the Sheriff's Dept. or State Police would be helpful. It would be good if it were a borrowed radio so the County would not be spending money on it. Also he would be less worried if he had an underage volunteer with him because these may be done at night when the bars are crowded. He hopes if he does obtain this radio he never has to use it. Mr. Wisnosky said the radio is in the proposed budget which will be presented to the Co. Commissioners on March 31. Ms. Jones asked if this would be under Planning & Zoning's budget or would it just be allotted for an extra radio that would be assigned to Mr. Calmon. Mr. Shelton said he thinks that is how it would work. He said the zoning inspectors do not carry radios, the County provides cellphones. He has not had any complaints about the cellphone service. Mr. McQueeney said he is not in favor of the inspector carrying a radio since this has not been done in the past and there has never been an incident. Also some customers at restaurants get intimidated when someone walks in with a radio. Mr. Calmon said the radio would be only for emergency situations. Mr. Hibbard said he feels the inspector should have a radio for his own protection. Mr. Beery said the previous inspector did have a radio through the Sheriff's Dept., which was arranged by Mr. Jim Barton, and it is his understanding that the radio is still there. Mr. Shelton said he was not aware of this. Ms. Swinson said that radio was not through the Dept. of Planning & Zoning. Ms. Jones said the Sheriff may not want this radio on his channel. Mr. Wisnosky said if the Board has any supplemental information that they would like to provide this Dept. that can be shared with the Co. Commissioners at the March 31 meeting, please send it to John Shelton. Ms. Jones suggested also meeting with someone from DES concerning this. Mr. Shelton also has ordered the "window clings" that say you must be 21 to be served.

The Board reviewed the Liquor Inspector's report. A motion was made by Mr. McQueeney, seconded by Mr. Hibbard, to accept the report. All members voted in favor. Mr. Calmon discussed refracting alcohol which is supposed to be kept for only 3 days and he said some establishments are not aware of this. Mr. Thompson said this definition should probably be included in the Board's Rules and Regulations. Mr. Calmon said he plans to do some spot inspections for St. Patrick's Day events. Ms. Jones said Mr. Calmon should start checking restaurant's daily receipts as this helps determine whether an establishment has the appropriate class of license. Mr. McQueeney said Mr. Calmon went to two establishments who could not produce the required TIPS card and if he goes back and there is still no TIPS card presented, should he write them a violation notice. Ms. Jones said sometimes a person may truly not have the card on them so Mr. Calmon should give them a verbal warning. Mr. Beery said Mr. Calmon should not be as lenient on the second visit. Ms. Jones said Mr. Calmon should be checking on the kegs and ask the licensee to keep a log to track when they were cleaned. This should also be included in the Rules and Regulations. Ms. Jones said it is onerous for Mr. Calmon to check every licensed premises once every 60 days and this could be changed for next

year's legislative session. Quarterly inspections may be more reasonable. She said we should wait until the Alcohol and Tobacco Commission comes out with their best practices on June 1.

Concerning pending legislative changes, Ms. Jones said four Bills have made it out of Committee, the rest are on hold or have been withdrawn.

There being no further business the meeting was adjourned.

Respectfully Submitted,

Cath Maxwell, Clerk

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