

**QUEEN ANNE’S COUNTY BOARD OF LICENSE COMMISSIONERS
TUESDAY, JUNE 7, 2022
9:00 A.M.**

The Board of License Commissioners of Queen Anne’s County met on Tuesday, June 7, 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; Crystal Richard, 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:

FCSI Educational Foundation – date of event – August 3

Sudlersville Vol. Fire Co. – Dates of event – August 5-6

Sudlersville Vol. fire co. – Date of event – August 27

Kent Island Vol. Fire Co. – date of event – September 17

APPROVAL OF MINUTES AND REPORTS:

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

LIQUOR INSPECTOR:

Ms. Calvert said she had a question from a business regarding the new driver’s licenses that are on phones and will this Board have any rules about these being acceptable or not. She said this is already in effect. Mr. Ransom asked Ms. Calvert to reach out to the Comptroller’s Office to inquire how they are handling this situation and if they have any guidance. This will be on the July 5, 2022 monthly meeting for further discussion.

LONG RANGE SENIOR PLANNER:

Mr. Tracey will have comments during Roundtable discussion.

CULT CLASSIC BREWING:

Mr. Rohry Flood from Cult Classic Brewing and Mr. Jake Heimbuch from Bull & Goat Brewery appeared before the Board. Mr. Flood said they are representing four breweries and a coalition that has worked on a number of projects this year. They hope to have a beer festival on November 5, 2022 from 11:00 a.m. to 4:00 p.m. They are narrowing down the final off-site location which should be determined within the next week. Mr. Flood asked the Board if they have a temporary license from one of their charity partners who will be benefiting from the event, will that cover the license for all four breweries. Mr. Beery said there is a beer & wine festival license under §27-1304 of the Alcoholic Beverages Code. Ms. Richard said the more appropriate section is §12-1304 which is a beer festival license. She said the beer & wine festival license under §27-1304 is for Queen Anne's County. This will be the first time that Queen Anne's Co. has issued this type of license. Mr. Flood said the proposed sites for the festival will be either Chesapeake College, the Court House in Centreville, MD. or the Edge on Kent Island. Ms. Richard said §12-1304 works very well for this proposal since it will be located off-site. Mr. Heimbuch said each brewery will choose a charity to donate the proceeds to. They anticipate 1,000 people to attend He thought the charity would apply for a temporary license. Ms. Richard said each brewery would have to obtain a license and the fee is \$50 each per day. Ms. Richard will update the current beer & wine festival application for this event. The updated beer festival application will be reviewed at the July 5, 2022 monthly meeting.

VIOLATION HEARING:

The Board held a hearing regarding a violation under § 6-304 of the Alcoholic Beverages Code for Bay Ridge Wine & Spirits, LLC, t/a Bay Ridge Wine & Spirits, 340 Thompson Creek Mall, Stevensville, MD 21666. The charge involves the sale of alcohol to a minor which occurred on May 5, 2022 at the licensed premises. Member Charles Ferrar recused himself from participating in this hearing and left the dais. Ms. Richard administered the oath to all who were to testify. Mr. David Marberger and Ms. Beverly Ferrar, Licensees, and Mr. James Vale III, employee, appeared before the Board. The Licensees are not contesting the charges. A motion was made by Mr. McQueeney, seconded by Mr. Beery, that a violation did occur. All members voted in favor. Ms. Calvert, Liquor Inspector, reviewed her Incident Report. The Incident Report and attachments were entered into the record as Board's Exhibit No. 1. On 5/5/22 Ms. Calvert sent an underage volunteer into Bay Ridge Wine & Spirits to purchase an alcoholic beverage. The

employee, Mr. Vale, asked the volunteer for her license and told her she needed to get it fixed because it was vertical. Mr. Vale then proceeded with the sale. The volunteer left the premises and Ms. Calvert entered the store and advised Mr. Vale that a violation had occurred. Ms. Calvert said Mr. Vale was upset that he had made the sale but was very cooperative. Mr. Marberger said there was a horrible mistake made and he said they are all embarrassed to be here. Mr. Vale said he is very sorry that this happened. He said there were a lot of people in the store at the time and he was very busy and made a mistake. Mr. McQueeney said some businesses in the County will not accept a vertical license regardless of the person's age. Mr. Marberger said he has an employee manual which states that vertical licenses are not accepted and Mr. Vale is aware of this but made a terrible mistake. Within three days of this violation Mr. Marberger had Mr. Vale signed up for TIPS certification even though his current card does not expire until 2024. Mr. Vale is now recertified after retaking the TIPS class. A motion was made by Mr. McQueeney, seconded by Mr. Beery, to impose a fine of \$500, with \$250 held in abeyance for one year from this date, which means as long as they do not have another sale to minor violation for one year, they only have to pay the \$250 fine within the next 30 days. If there is another violation within one year of this date, they will have to pay that \$250 plus whatever other fines occur with the new violation. All members voted in favor.

PUBLIC HEARINGS:

The Board held a hearing for a new Class "B" Beer, Wine & Liquor License for Jody Schulz, for the Benefit of Kent Narrows Enterprises, LLC, trading as Hyatt Place Kent Narrows, permitting the sale of the aforesaid beverages on the premises located at 3028 Kent Narrows Way South, Grasonville, MD 21638. Mr. Jody Schulz and Mr. Bill Dougherty appeared before the Board. Ms. Richard administered the oath to all who were to testify. No one else appeared before the Board in favor of or opposed to this application. Mr. Schulz said Mr. Dougherty is the General Manager of the Hyatt Place Hotel which is next to the Crab Deck. There are 120 rooms and they will have indoor and outdoor banquet facilities of 5,000 sq. ft. There will be a small bar downstairs in the lobby area and meeting room space for weddings, parties, etc. Mr. Ransom said there are still several documents necessary before the license can be issued. Ms. Richard said the background check that Mr. Schulz had done is not acceptable under the Alcoholic Beverages Code. Mr. Schulz said he called the Sheriff's Office and was advised they did not do background checks. So he used the company that is used

by the Fire Dept. The Sheriff's Office does do fingerprint tests. The application and all supporting documents were entered as Applicant's Exhibit No. 1. The document pertaining to ownership interest was entered as Applicant's Exhibit No. 2. Mr. Ransom reviewed § 4-210 of the Alcoholic Beverages Code, approval or denial of license. Mr. Schulz said there is a public need for the license. There are quite a few license holders in the area but none that are offering what Mr. Schulz is proposing, being weddings, etc. He does not feel this license will have any negative effect on current license holders. He hopes this license will enhance the area. There will be no negative impact on the health, safety and welfare of the community. All employees will be TIPS certified. Mr. Ransom said this proposal is consistent with the Kent Narrows Plan which he feels was one of the best planned documents ever passed. Mr. Schulz said he hopes to open this October. Ms. Richard reviewed § 27-902 of the Alcoholic Beverages Code, Hotel and restaurant requirements for Class B licenses. She said Mr. Schulz will need to provide an attestation that indicates the gross receipts from food exceeds the gross receipts for alcohol beverages. Mr. Schulz confirmed that this will be the ratio. Ms. Richard asked Mr. Schulz to submit something in writing to be attached to the application. Mr. Ransom said Mr. Schulz has met the requirements of §4-210. A motion was made by Mr. Hibbard, seconded by Mr. Ferrar, to approve this license, contingent upon the following conditions: That the applicant, prior to receipt of license, provides the Trader's License, Md. State Sales Tax License, Comptroller's sign off on taxes, Fire Marshal and Health Dept. approvals, and any Planning & Zoning approvals that are necessary. Mr. Schulz must also submit a background/fingerprint test that meets the Statute. All members voted in favor.

The Board tentatively approved for advertising at the May 10, 2022 meeting a new Class "A" Beer, Wine & Liquor License for Amandeep K. Hundal, for the Benefit of Ekonkar, LLC, trading as Wye Mills Beer, Wine & Spirits, permitting the sale of the aforesaid beverages on the premises located at 212 Grange Hall Rd., Queenstown, MD 21658. However, the required paperwork has not been submitted to date and the application has not been advertised. The application will not be advertised for a public hearing until the required paperwork is received.

DRUG FREE COALITION:

Mr. Warren Wright was not in attendance. Mr. Ransom said the opioid numbers are through the roof again. It appears this year will surpass last year in number of deaths.

ROUNDTABLE:

The Board discussed the virtual MALA Conference held on May 19, 2022. Mr. Rob Tracey appeared before the Board. Mr. Beery said the “ready to go” cocktails did not pass. Tobacco is still a big issue. Recreational cannabis was a big topic. The Commission on medical cannabis is moving forward. They believe the referendum will be positive. Mr. Warren Wright, DFC, had indicated the County surveys were not as positive as the State. At the Conference Mr. David Mister, Esq. discussed the Supreme Court Decision of Tennessee Wine Retailers Association which does have an impact on one of this County’s current regulations. Mr. Beery said Queen Anne’s Co. Class “A” licenses still require 75% residency. Mr. Ransom said he thinks the statute was changed but not the Board’s Rules and Regulations. He suggested the Board recognize the Tennessee Supreme Court decision and this Board intends to follow that and will try to get it corrected in the General Assembly at the next session. Mr. Beery said he will obtain a copy of the Tennessee Supreme Court’s opinion and send it to the Board. This discussion will be continued at the July 5, 2022 monthly meeting. Mr. Beery said Mr. Wright has a concern about CBD not being regulated. They mentioned at the State level that there is a study ongoing involving regulations about that product. There are licensees in this County that sell this product.

There being no further business, the meeting was adjourned to meet again on Tuesday, July 5, 2022.

Respectfully Submitted,

Cathy Maxwell
Clerk

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