

**QUEEN ANNE’S COUNTY BOARD OF LICENSE COMMISSIONERS
TUESDAY, AUGUST 1, 2023
9:00 A.M.**

The Board of License Commissioners of Queen Anne’s Co. met on Tuesday, August 1, 2023. The meeting was called to order by Chairman Gene M. Ransom, III, Esq. Those present were: Gene M. Ransom, III, Esq., Chairman; Members John T. McQueeney, Charles W. Ferrar and Lynn M. Mason; Jeffrey Thompson, Esq., Attorney for the Board; Mandy Calvert, Liquor Inspector; Cathy Maxwell, Clerk to the Board. Vice-Chairman Thomas E. Berry was not present.

SPECIAL/TEMPORARY LICENSES:

A motion was made by Mr. Ferrar, seconded by Ms. Mason, to approve the following Special/Temporary Licenses, pending approval from Planning & Zoning. By a vote of four in favor and none opposed, the motion passed:

Queenstown Vol. Fire Dept. – Dates of event – September 8-9

ShoreRivers – Date of event – September 17

APPROVAL OF JULY 6, 2023 MINUTES AND JULY, 2023 REPORTS:

A motion was made by Mr. McQueeney, seconded by Mr. Ferrar, to approve the July 6, 2023 Minutes and the July, 2023 Liquor Inspector Report. By a vote of four in favor and none opposed, the motion passed. Mr. Ransom said he appreciates Ms. Calvert’s reports.

LONG RANGE SENIOR PLANNER:

Mr. Rob Tracey had no comments.

PUBLIC HEARING:

The Board held a public hearing for the transfer of a Class “A” Beer, and Wine License, from Yelana Skalinskaya, for the Benefit of Clearview 321, LLC, trading as Kent Island Depot, transferred to Devin Walsh, for the Benefit of KID320, LLC, trading as Kent Island Depot, permitting the sale of the aforesaid beverages on the premises located at 320 Romancoke Rd., Stevensville, MD 21666. Mr. Devin Walsh, Licensee, 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. Ransom said the Board still needs to receive the background check before the license can be transferred. There was a question at the June 6, 2023 meeting about the signature of the property owner on the application. Mr. Thompson said the signature is a docu-signed signature and he is satisfied with it. All submitted documents were in order. Mr. Thompson administered the oath to all who were to testify. Mr. Joseph McQueeney entered as Applicant’s Exhibit No. 1 the submitted documents. Mr. Devin Walsh said he is in the process of moving to Chester, MD and will become a resident of the County within a couple weeks. He is a citizen of the United States. He has never had an alcoholic beverages license. He has never violated any laws or been convicted of any crime. He worked for six years at a gas station/convenience store and he hasn’t owned

one in the past. He did own a retail supplement business for 10 years, he and his brother were 50% owners. The submitted plat with the licensed premises highlighted in yellow is accurate as to where he plans to sell alcohol. He is the only member/officer of the company and the only person authorized to obtain a liquor license. Mr. McQueeney reviewed the standards in § 4-210 of the Alcoholic Beverages Code, approval or denial of a license. Kent Island Depot already exists and Mr. Walsh feels there is still a public need for the license. He does not feel this license will have any negative effect on nearby existing license holders. He plans to continue to operate the business similar to the way it is being operated now. He also requests that the Board approve the transfer of the current wine tasting license and he is also requesting a delivery permit. There will be no negative impact on the health, safety and welfare of the community. He has adequate parking. Mr. Walsh is alcohol awareness certified. There will be someone on premises at all times who is certified. He will require all employees to be alcohol awareness trained and certified. He will also have an internal training policy to assure no alcohol is sold to minors, etc. Concerning the lease, Mr. Thompson asked Mr. Walsh to affirm that both signatures on the application are his and Mr. Walsh said, yes. He said the reason they did docu-sign was that the property owner is a doctor in California and is in very poor health and was unable to do anything except the electronic signature. Mr. Thompson said there is no problem with that signature. No one else appeared in favor of or opposed to this application. A motion was made by Mr. Ferrar, seconded by Ms. Mason, to approve the transfer of the licenses, plus the delivery permit, pending receipt of a satisfactory background check. By a vote of three in favor and none opposed, with Member McQueeney recused, the motion passed.

VIOLATION HEARINGS:

The Board held a hearing regarding a violation under § 6-304 of the Alcoholic Beverages Code for Yo Java Bowl, LLC, trading as Yo Java Bowl, located at 800 Abruzzi Dr., B, Chester, MD 21619. The charge involves the sale of alcohol to a minor, which occurred on June 14, 2023 at the licensed premises. Mr. John Coulby, Sr., Licensee, appeared before the Board. Mr. Thompson administered the oath to all who were to testify. Mr. Coulby is not contesting the charges. Ms. Calvert's letter with attachments to the Licensee dated 7/17/23 and the Notice of Intention to Defend were entered as Board's Exhibit No. 1. A motion was made by Mr. McQueeney, seconded by Mr. Ferrar, that a violation occurred. By a vote of four in favor and none opposed, the motion passed. Mr. Coulby has had this license since February, 2023 as this is the first violation for the establishment. Mr. Coulby said he has no excuses for this occurring. He has made every effort to be in compliance. The sales clerk that had the violation was TIPS certified and has worked for the business since it opened a year ago. Mr. Coulby said alcohol sales are a small part of his business and they do not sell alcohol to anyone who does not buy food. There is no alcohol displayed in the restaurant. They are a small café that serves breakfast and lunch. Mr. Coulby said he over-stresses training. He has additional signage, they do role play training. The sales clerk was just TIPS recertified within the last 12 months. Mr. Ransom said people make mistakes and this Board does not encourage termination of an employee, but rather re-training. Mr. Coulby said the employee has carded people in the past and he does not know the circumstances why this violation occurred. Mr. Coulby said he or his wife are at the restaurant most of the time. Ms. Calvert said the employee was cooperative during the

compliance check. A motion was made by Mr. Ferrar, seconded by Ms. Mason, to impose a fine of \$500 to be paid within ten days of today's date, and also require the employee to be recertified for alcohol awareness training within the next sixty days. By a vote of four in favor and none opposed, the motion passed. Mr. Ransom told Mr. Coulby everybody makes mistakes and that he has a great business.

The Board held a hearing regarding a violation under § 6-304 of the Alcoholic Beverages Code for JMF Crab Shack, LLC, trading as Stevensville Crab Shack, located at 116 Pier One Rd., Stevensville, MD 21666. The charge involves the sale of alcohol to a minor, which occurred on June 14, 2023 at the licensed premises. Mr. John Ferrari, Licensee, and Ms. Janeese Waters, employee, appeared before the Board. Mr. Thompson administered the oath to all who were to testify. Mr. Ferrari is not contesting the charges. Ms. Calvert's letter with attachments to the Licensee dated 7/17/23 and the Notice of Intention to Defend were entered as Board's Exhibit No. 1. A motion was made by Mr. McQueeney, seconded by Ms. Mason, that a violation occurred. By a vote of four in favor and none opposed, the motion passed. Mr. Ferrari has had this license since May, 2021 as this is the first violation for the establishment. Mr. Ferrari said Ms. Waters made a mistake. She is TIPS certified and is his Manager. He has had a liquor license for approx. 15 years and this is his first violation. Ms. Calvert said this establishment has been compliance checked at least three times with no previous violations. She said everyone was cooperative when she did the compliance check. Ms. Waters apologized to the Board, it was a hectic day when the violation occurred. She said it was a lapse of judgement. She always tries to check their IDs regardless of their age. Mr. Ransom told Ms. Waters that everybody makes mistakes and this is the first violation in a three-year period. Ms. Calvert said Ms. Waters was working when the last compliance checks were done and she did check the ID. Mr. Ransom said if someone comes to the restaurant with a fake ID, Ms. Waters would not get in trouble for that. He said the Crab Shack is very busy in the summer and this happened in the height of their busy season. Mr. McQueeney said since this is the first offense, he made a motion to impose a fine of \$500 to be paid within ten days of today's date, and also require the employee to be recertified for alcohol awareness training within the next sixty days. Mr. Ransom said since they have passed two out of three compliance checks, he suggested abeying some of the fine. Ms. Mason made a motion, seconded by Mr. McQueeney, to place \$250 of the fine in abeyance for 18 months from today's date. Mr. Ransom said if there is no violation for 18 months, the \$250 goes away. However, if there is another violation in 18 months, Mr. Ferrari will automatically have to pay the \$250. Mr. Ransom said the reason he asked to be more favorable in this case is because they have passed the compliance check twice in the past. By a vote of four in favor and none opposed, the motion passed.

DRUG FREE COALITION:

Mr. Warren Wright appeared before the Board. He discussed a YRBS (Youth Risk Behavior Survey) from the Health Dept. The percentage of high school students who rode with someone who had been drinking went down 5% from last year. The number of middle school students who rode with someone in the last 30 days who had been drinking stayed the same, 21%. The ones who drove their car while drinking went down from 10% to 6%. The Maryland average is

4%. The first drink for a high school student was 13 and the State average for middle school, the percentage of kids who had their first drink is less than the State average. He said students in Queen Anne's Co. decide to use alcohol later than the State average. High school students who had at least one drink within the last 30 days went down from 40% to 32%. The Maryland average is 20%. Middle school students was 7%. Binge drinking, four or more drinks at a time in the last 30 days, went down from 27% to 19%. Mr. Wright said with the help of the Co. Commissioners, he was able to get the \$150,000 grant again for the third year. This means middle schools will still get life skills. He said DFC will be at the County Fair this year. Mr. Ransom said as part of the work he's been doing on safe disposal of medicine at the Queen Anne's Co. Medical Society, a video was just released on You Tube with Dr. Tom Walsh who is Chief Judge of Orphans Court for Queen Anne's Co. Mr. Ferrar asked Mr. Wright if he has seen a difference in alcohol consumption due to cannabis. Mr. Wright said cannabis went down a little bit and alcohol went down a little bit. People are using one with the other.

ROUNDTABLE:

The Board discussed the new Beer/Wine Festival application which was amended by Ms. Richard. A motion was made by Ms. Mason, seconded by Mr. Ferrar, to approve the revised application. By a vote of four in favor and none opposed, the motion passed. The application will be posted on the County website.

The Board discussed who will be attending the upcoming MALA Conference in Ocean City on October 15-17, 2023. Mr. Ransom, Mr. Beery, Mr. McQueeney and Mr. Ferrar plan to attend. Ms. Mason, Mr. Thompson and Ms. Richard will advise.

There being no further business, the meeting was adjourned to meet again on Tuesday, September 5, 2023.

Respectfully Submitted,

Cathy Maxwell

Clerk

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

Chairman