

TALBOT COUNTY, MARYLAND
BOARD OF LIQUOR LICENSE COMMISSIONERS

Minutes of Public Meeting
February 27, 2023

The meeting of the Talbot County Board of Liquor License Commissioners was called to order at 10:00 a.m. on Monday, February 27, 2023. Present were Chairman Jack M. Gottschalk, Commissioner Edward M. Bridges, Jr., Commissioner David A. Fike, and Board Secretary Victoria E. Bradley.

OLD BUSINESS

- Upon motion by Commissioner Fike, seconded by Commissioner Bridges, the minutes of the meeting of December 12, 2022, were unanimously approved, with two spelling corrections.

NEW BUSINESS

Tred Avon Yacht Club – Application for Substitute Licensee for a Class G liquor license (Club - on-sale beer, wine, and liquor)

All those in attendance to testify in the matter were sworn in, (applicant, Andrew Parish, and (Licensee) Michael Rust.

Mr. Rust and Mr. Parish gave opening statements with regard to the application. Mr. Rust explained that at the Yacht club every year they have a turnover of executive officers. The Commodore and Vice-Commodore are the licensees on their liquor license so licensees will change every year.

The Chairman stated the reason why they were asked to come in front of The Board for this application. The Board would like to make sure new applicants are aware of the responsibility, authority and accountability with a liquor license especially within the boating environment.

The Chairman asked if the applicant has read the Talbot County Liquor Ordinance. Mr. Parish testified he had. The Chairman stated everyone involved with the sale and distribution of alcohol and the licensees should always have a copy of the ordinance readily available. The Chairman stated the licensees should make themselves familiar with the portion of the ordinance that pertains to their license.

The Chairman asked the applicants take their role as licensees seriously. The Chairman stated the address of the club is the entire premises and they are responsible for it, not only in the serving area. The Chairman gave suggestions to contain the sale and consumption of alcohol to certain locations to help them with the control and sale of alcohol.

There being no further discussion, the following motion was made:

- Motion made by Commissioner Fike, seconded by Commissioner Bridges to approve the Substitute Licensee Application. Motion passed unanimously.

4 Dogs Brewing Company, LLC – Application for a Class F-A liquor license
(hotels/restaurants – on-sale, beer, wine and liquor)

All those in attendance to testify in the matter were sworn in, (applicants Jim Marvel (President), Patrick Ragan (General Manager) and their attorney Zachary Smith).

Mr. Smith gave opening statements with regard to the application. The applicants would like to manufacture and sell beer. They have applied for a State issued Class 7 microbrewery license to manufacture beer. They are not at this time looking to manufacture beer in Talbot County, but hopefully sometime in the future they will. They are currently contracted with an established brewery in the Baltimore area to begin making their beer. They are planning to take over the lease at the 219 Marlboro Ave. Easton, Maryland location currently known as Snifter's later this week. The applicants hope to complete their renovations in March and be open for business in early April.

Mr. Smith reiterated that the applicants would not be making beer at this location, only selling it along with a full menu of food and other alcoholic beverages. It will be a full service restaurant. With the State issued license they would like to be able to sell their beer that they brew for off-site consumption.

The Chairman went over the application checklist. Mr. Smith testified regarding the missing items; Mr. Marvel's fingerprint clearance, Mr. Marvel's Tips certification card, the Health department and Fire Marshalls approval. Mr. Smith explained Mr. Marvel's fingerprints have come back with an error message twice. He is scheduled for a third fingerprint appointment. They believe because of his previous work as a carpenter his fingerprints have worn down and is causing the error. Mr. Marvel's card from the Tips class was spelled incorrectly. The instructor provided an email confirming Mr. Marvel took the course and passed the test. We are waiting for the card to be corrected and when it is Mr. Smith will send it to the Board. When the renovations to the building are complete the Health Department and Fire Marshall will be able to do their review and hopefully issue their approvals.

The Chairman asked for clarification on the address. Mr. Smith testified 219 Marlboro Ave is the address for the shopping center and #52a is what is currently Snifter's. #52b is Hair o' the Dog and this will not change, the applicants are only buying the Snifter's location.

The Chairman asked the applicants to comment on the fact that Attachment #2 includes signatures from recent acquaintances. Mr. Marvel and Ragan testified that Mr. Ragan went door to door to get the signatures they needed for the Attachment #2. They wanted to get more than needed in case there were any issues with people's voter registration.

The Chairman spoke of one applicant's criminal background check. They were from many years ago and do not pertain to the application, therefore the board will not take it into account.

The Chairman asked for clarification regarding the State license. Mr. Smith testified that they have applied for the F-A license through Talbot County and have applied for the Class 7 State License but have not been granted approval yet. The Chairman stated that the Talbot County Ordinance for the F-A license is for on-sale only and for off-sale, they would need a B-R license.

Mr. Smith testified he believes the state license will allow the applicants to sell their beer at this location and/or at the brewing location. The Chairman stated he had read the law and it mentioned the sale could take place on the premises or it could be made or to a wholesaler. Mr. Smith and Mr. Ragan testified through conversations they have had with the state's office the "licensed premises" can include a retail location as a separate location that is covered under the license. Mr. Ragan testified he was told, by the state's office he could contract brew with the state license and then can distribute from the Marlboro Ave. location.

The Chairman stated the concern is in the law there is the issue of a separate location, there may be a distance perimeter for the brewery and the sale area of about 1 mile. Mr. Smith asked the board to consider approval for the F-A license today with the understanding the ability to sell off-site will be contingent on either him proving to the board this is authorized under the state class 7 license or coming back in front of the board applying for a class B-R license to supplement what they obtain today. The Board agreed this could be done. The Chairman asked that Mr. Smith receive something in writing that will allow them to use the state class 7 license to sell off premises at the 219 Marlboro Ave. location. The Chairman asked that we find clarification with the number of licenses permissible with the State license and the County license.

There being no further discussion, the following motion was made:

- Motion made by Commissioner Bridges, seconded by Commissioner Fike that the approval will be pending for the Class F-A. The Applicant must Pass the background check, submit

the Health Department Permit, proof of compliance with the State Fire Marshall as well as pay all fees due. Motion passed unanimously.

Rude Bodega, LLC – Application for a Class F-A liquor license (hotels/restaurants – on-sale, beer, wine and liquor) & Application for a Class B-R (hotels/restaurants – off-sale, beer & wine)

All those in attendance to testify in the matter were sworn in, (applicants Giancarlo Di Vanna Zachary Smith, Attorney and owner Timothy Cureton).

Mr. Smith gave opening statements with regard to the applications. Mr. Smith testified that the owner Mr. Cureton is also the owner of Rude BBQ, Rude Burger and Rise Up Coffee. Mr. Di Vanna is the manager for all of the Rude restaurants and will be the manager for the Rude Bodega as well. The location for this application was once the Geneses Restaurant; they are currently doing renovations to the building. The business will be a full service restaurant with a small market space, which could be compared to Popes in Oxford.

Commissioner Bridges asked about the missing Health Department permit. Mr. Smith testified that the location is going through some renovations; after they are complete, they will be able to get the Health Department permit and the proof of compliance with the State Fire Marshall. They plan to open the restaurant in late May.

Commissioner Fike asked for clarification on the layout of the business; would it be 50/50 restaurant and bodega market? Mr. Cureton testified that it would focus more on the restaurant aspect with a small market area selling sauces, wines and dried goods.

There being no further discussion, the following motion was made:

- Motion made by Commissioner Fike, seconded by Commissioner Bridges that the approval will be pending for the Class F-A & B-R. The Applicant must submit the Health Department Permit, proof of compliance with the State Fire Marshall as well as pay all fees due. Motion passed unanimously.

Old Business

The Chairman discussed the upcoming liquor license renewal for the 2023-2024 year. Two ads have been placed in the Star Democrat and all applications must be filed before March 31st. He requested that two additional advertisements be placed with the newspaper as soon as possible.

The Chairman discussed the budget for this fiscal year; no request for salary increase for the board members was made. Secretary Bradley will send all of the budget information to the board members to review and for their records.

Liquor Inspector's Report

Inspector Gottschalk briefed the Board as to ongoing County liquor inspections. There is no new information to report; no major violations occurred.

Inspector Gottschalk wanted to discuss briefly the 360Training delays. They are now having more technical difficulties with their machines for grading the test. Terry Ober who teaches many of the Tips classes has been working diligently to help with the issue. COMAR states they have 30 days to issue the certification cards and this is not being met with 360Training.

The Chairman suggested a temporary solution of giving receipts or form letter signed by the instructor with their alcohol instructor license number stating they have taken the class. Inspector Gottschalk agrees this would be a good temporary solution and said he will type the letter for the board to review and approve.

There being no further business to discuss, the Board moved to adjourn.

- Upon motion by Commissioner Bridges, seconded by Commissioner Fike, there being no further business to discuss, the Board voted unanimously to close the meeting at 11:06 a.m.