

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their monthly meeting on Thursday, December 8, 2022. The meeting was conducted at 9:00 AM in the Garrett County Commissioners Conference Room 207. Present for the meeting was Chairperson Michael Fratz, Commissioner Lisa Herman, Commissioner David Moe, Administrator to the Board Deborah Owston, Attorney to the Board, M. Elizabeth Georg and ATC Field Enforcement Agent, David Marple.

Chairperson Fratz called the meeting to order. The Board signed mileage sheets.

The Board approved the November 10, 2022 Minutes. Commissioner Herman made the motion to approve the Minutes. The motion was second by Commissioner Moe made unanimous by Chairperson Fratz.

There was general discussion before the hearings. Shrimp On The Barbie's 14-day suspension began on November 3, 2022 and ended at 6:00 AM on November 17, 2022. The fine was submitted on November 3, 2022. The 2023 Garrett County Delegation Legislative meeting was held November 22, 2022. Legislative requests include the following. Create AB § 21-2202 Expiration of License (Period for which license may be considered unexpired). Amend AB § 21-1309 Multiple Day License (add - Holding another license allowed. – The license holder may hold another license of a different class or nature). Amend AB § 21-1310 Multiple Event License (add - Holding another license allowed. – The license holder may hold another license of a different class or nature). Amend AB § 21-1001.3 (f) Gift Basket Permit (the alcoholic beverages are to be purchased from a licensed wholesaler or retail license holder). Amend AB § 21-902 Class B BWL License (For hotels and motels. – has at least ~~25~~ 10 rooms). Amend AB § 21-2006 (c)(3) Sunday Sales (Sunday sales authorized under this subsection are from ~~4~~ 6 AM to midnight). There were no updates on the Red Barn Events, LLC renovations from the Permits Office or Fire Marshal. Short Story Brewing expanded their license premise. They are to send a document to formalize the premise increase. Deep Creek Wine Tastings offered by the Traveling Vineyard were discussed and will be followed up with the ATC. John's Corner LLC closed on November 18, 2022. He requested the license be placed on hold while seeking new owners. The Board approved their request. Commissioner Moe made the motion that was seconded by Commissioner Herman and unanimously approved by Chairperson Fratz. Ms. Owston informed the Board that Oakland Shop N Save Express is expected to begin construction on the new store in 2023.

A new license hearing was held at 9:20 AM for a Class B Beer & Wine On-Sale 7-Day License with the Off-Premise Wine 2-Bottle Option in accordance with the Alcoholic Beverages Article § 21-803 and 1.6 Off-Premise Wine Sales Option of the local regulations. Applicants for the license are Kristy L. Ashby and Beth A. Ashby. The legal entity name is Hav-A-Lot, LLC. The trade name is Hav-A Lot. The applicants have equal ownership. The business is located at 17 Hamill Avenue in Bloomington, Maryland. Kristy Ashby was present for the hearing as well as Tom Ashby. A discussion took place about the license privileges and the Fire Marshal inspection. Ms. Owston reviewed the license issuance procedures and regulations. Commissioner Moe made a motion to approve the Class B

Beer & Wine On-Sale 7-Day License with Off-Premise Wine 2-Bottle Option. The motion was second by Commissioner Herman and unanimously approved by Chairperson Fratz. The license was issued upon receiving the applicable fees.

A violation hearing was held at 9:40 AM as a result of violations AB Article § 6-311 – Restrictions on purchases and sales by retail dealer and AB Article § 1-408 – Record keeping and reporting requirements. The business entity name is Deep Creek Bar & Grill, LLC dba Deep Creek Bar & Grill. Licensees are Drew Algeo and Jason Cayer. The business is located at 17869 Garrett Highway, Oakland, Maryland. The hearing is a result of a failed inspection on October 3, 2022. A routine liquor dealer inspection was conducted at the licensed establishment. The inspection was conducted by Alcohol Tobacco Commission (ATC) Field Enforcement Agent David Marple and Deborah Owston of the LCB Office. Receipts for some alcoholic beverages that were on the premise were not available for inspection. This practice is a violation of the AB Article § 6-311 - Restrictions on purchases and sales by retail dealer and AB Article § 1-408 - Record keeping and reporting requirements. As well as TG 5-302 – Possession of an alcoholic beverage upon which the tax has not been paid. Mr. Algeo was present for the hearing and acknowledged the facts of the report. Agent Dave Marple was also present for the hearing. A discussion took place about the matter. Mr. Algeo stated that have made some policy changes as a result. Commissioner Moe made a motion for a \$150 fine, letter of reprimand and two-year probation for the infractions. The motion was seconded by Commissioner Herman and unanimously approved by Chairperson Fratz. The license holder agreed with the facts as presented and the Board’s decision on the matter and waived his right to appeal the Board’s decision to Circuit Court. The violation fine is due within 30-days from the hearing. In addition, the alcohol seized will be forfeited to the ATC.

The next regular meeting of the Board of License Commissioners is scheduled for January 5, 2023. In the event no applications are received, the meeting will not be conducted.

There being no further business to discuss, Commissioner Moe made a motion to adjourn. The motion was seconded by Commissioner Herman and unanimously approved by Chairperson Fratz.

Michael Fratz
Chairperson

January 5, 2023
Date