

MINUTES

The Garrett County Board of License Commissioners/Liquor Control Board held their regular meeting on June 6, 2002 at 9:00 AM. Present for the meeting were Commissioners Bea Crosco and Mike Fratz; Chairperson Thomas Gearhart; and Deborah Owston, Administrative Assistant

Chairperson Gearhart called the meeting to order. A motion was made by Chairperson Gearhart to approve the May 2, 2002 meeting minutes with the additional narrative included and seconded by Commissioner Crosco and unanimously approved. The Board signed mileage sheets. Michael J. Fratz was sworn in under oath by Circuit Court Clerk, Dave Martin to a six-year term beginning June 1, 2002 through May 31, 2008 to replace former Commissioner Bruce Opel whose term expired May 31, 2002.

Chairperson Gearhart made a motion to approve the expense report for Commissioner Crosco's travel expenses as reported for the MALA Spring Conference at White Marsh for May 3–5, 2002 and seconded by Commissioner Fratz and unanimously approved. Chairperson Gearhart made a motion to approve the expense report for Commissioner Opel's travel expenses as submitted by the Liquor Control Board Office totaling \$120.83 for the MALA Spring Conference at White Marsh for May 3–5, 2002 and seconded by Commissioner Crosco and unanimously approved. Commissioner Crosco made a motion to send a letter to Roger Ruff of Midway Discount Liquors based on Phyllis Inglese of Backbone Mountain Inn stating that Mr. Ruff was aware of her purchasing alcohol for her establishment and seconded by Chairperson Gearhart and unanimously approved.

There was general discussion before the scheduled hearings in which Debbe Owston told the Board of the upcoming wine tasting events to be held at McHenry Beverage and Deep Creek Liquors. In addition, she informed the Board that Pine Lodge Steakhouse had picked up their licenses on May 20, 2002. Also, Debbe told the Board that Phyllis Inglese of Backbone Mountain Inn submitted her fines on May 31, 2002 totaling \$2,100 as a result of the violation hearings on May 2, 2002 and that Deputy George Zimmerman picked up the licenses on June 3, 2002 to begin the sixty-day suspension of the license also resulting from the violation hearing.

A hearing was held at 9:30 AM for the transfer of license 01-64, Class "D" Beer, Wine & Liquor Off-Sale License with wine tasting option to be upgraded to include a Draft Beer License from Ruth Beitzel operating as Cheers Wine & Spirits to Deep Creek Liquors, Inc. operating as Deep Creek Liquors with Hugh Umbel and Debra Savage as the licensees. Both licensees were present for the hearing. Mr. Umbel explained that they planned to run the business the same with the exception of less gourmet candy sales. The hours of operation will be from 9:00 AM to 9:00 PM with summer hours to be extended to 10:00 PM. Chairperson Gearhart asked if it would be a burden to have at least one alcohol awareness trained employee on duty at all times and Mr. Umbel responded that he thinks having everyone trained is very good management and they

intend on having several employees trained at the upcoming classes. Debbe Owston questioned the premise size for the storage of alcohol and Mr. Umbel responded that it would be 20' x 26' building built on to the back of the store. Commissioner Crosco made a motion to accept the transfer of the Class "D" BWL Off-Sale license with wine tasting option from Cheers Wine & Spirits with an upgrade to include a Draft Beer License to Deep Creek Liquors contingent upon the receiving the Bulk Transfer Permit filed by Ruth Beitzel from the Comptroller's Office and also Debra Savage having at least one percent ownership in Deep Creek Liquors, Inc. and seconded by Commissioner Fratz and unanimously approved.

A hearing was held at 10:00 AM for the issuance of a Class "D" BWL On-Sale License with a Draft Beer to Teed, LLC operating as The Boardwalk with Teresa Hamilton and Dennis Savage as the licensees. Teresa Hamilton was present for the hearing. Ms. Hamilton explained to the Board that she has been running the bar for sometime and that she will be changing the entertainment in order to draw more business from older patrons. Ms. Hamilton said that Dennis Savage was unable to attend the hearing due to a back injury and that he had the necessary paperwork with him that was due at the hearing. Commissioner Crosco made a motion to approve the license pending that all administrative requests were made and seconded by Commissioner Fratz and unanimously approved.

After the hearings the Board of License Commissioners approved and signed the licenses for the 2002-2003 licenses year effective July 1st. Debbe Owston mentioned to the Board that Anchor Mart would be downgrading their license from a Class "D" BWL to a Class "D" Beer & Wine License. Also, the licenses for the following establishments are still to be held as requested by the Comptroller's Office due to delinquent taxes; Point View Inn, Shorty's Bar, Bud's Package and Skeweris Tavern. Chairperson Gearhart suggested that a letter be sent to Lynn Kasik of On The Rox's Pizza Pub, license 01-66 & 01-66D, stating that she needs to bring proof of her divestment in Deep Creek Brewing Company to the next meeting and prove she has completed her divestment. It was also discussed that since the transfer of the Red Run Lodge licenses were postponed due to changes in the LLC, then Kathy Gibson would have to prove financial interest in the license to be the local qualifying person on the license with William Byrne. It was recommended that a letter be sent to Mr. & Mrs. Rosenberger of Bernie's, license 01-26 & 01-26D stating that if an employee or licensee does not attend the upcoming alcohol awareness course, then the licensees would be called in for a show cause hearing concerning the matter.

After the hearings, the next meeting day was set for Wednesday, July 3, 2002. There being no further business, Chairperson Gearhart motioned the meeting be adjourned, and seconded by Commissioner Crosco.

Thomas A. Gearhart
Chairperson

July 3, 2002
Date