

MINUTES

The Garrett County Board of License Commissioners/Liquor Control Board held their regular meeting on October 2, 2003 at 9:00 AM. Present for the meeting were Commissioners Bea Crosco and Mike Fratz; and Debbe Owston, Administrative Assistant.

Commissioner Crosco called the meeting to order. Debbe Owston said that she had spoke to Chairperson Gearhart on several of the agenda items and hearing items previously in the week, in which he gave his approval. A motion was made by Commissioner Crosco to approve the September 4, 2003 minutes and seconded by Commissioner Fratz with all in favor. The Board signed mileage sheets.

There was general discussion prior to the hearings in which a letter received from the Community Action Committee on September 23, 2003 requested that the Board consider allowing them to have a credit on the license fee for the Special Class "C" BWL event scheduled for September 27, 2003 which was cancelled due to lack of ticket sales for the event. The Board unanimously decided to allow the agency to have a license fee credit towards a future Special Class "C" BWL license during the 03-04 license year. A letter was received from Brenda McDonnell on September 19, 2003 notifying the Board that Brenda's Pizzeria, license number 03-34, would be closed for renovation. They expect on reopening by December depending on the weather. Mr. Mullich spoke with Ms. McDonnell and explained to her that a floor plan would need to be submitted for the Boards approval to the change to the premise.

A hearing was held at 9:30 AM for a Special Class "C" 2-Day BWL License for the Oakland Volunteer Fire Department. Applicant, Bryan "Fred" Callis, was present for the hearing. Mr. Callis said the Fire Department would be using the special license on October 9th, 2003 at the Oakland Fire Hall for the 26th Annual Oktoberfest from 4:00 PM till 12:00 AM. Mr. Callis explained that the beer would be distributed from central locations in and around the fire hall. Lohr's would provide the beer in a keg tractor-trailer as well as other areas for distribution. The premise would be between the Town Hall and Fire Department. Mr. Callis stated that members of the department as well as barricades and signs designating the premise areas would enforce the premise area. Mr. Callis said that several members of the fire department had recently taken the TIPS alcohol awareness course. They plan on using wristbands to be given and worn by people attending who were twenty-one years of age whose age had been verified by the staff. Commissioner Crosco asked Mr. Callis if he had ever seen anyone at the event beyond intoxication and MR. Callis responded that he had not and that the department is available for anyone who would like a designated driver. Commissioner Crosco made a motion to approve the Special Class "C" 2-Day BWL License and Chairperson Gearhart seconded the motion previously and the license was approved. After the appropriate fees were paid, the license was issued.

A hearing was held at 9:45 AM for a Special Class "C" 2-Day BWL License for St. Peter's Catholic Church with the Knights of Columbus sponsoring the event. Applicant, John Toston, was present for the hearing. Mr. Toston said the license would be used at the Shrimp & Bull Roast on November 1st, 2003 at the Saint Peter's Parish Hall from 1:00 PM till 6:00 PM. Mr. Toston said the cost was \$20, which includes beer, and that they intend on selling 250 tickets to the event. DJ Johnny Rock would perform for the dance afterwards. Commissioner Crosco questioned about minors, and Mr. Toston said that

there would be people there to monitor the event. He also stated that, no one under twenty-one would be buying tickets. Commissioner Crosco made a motion to approve the Special Class "C" 2-Day BWL License and Chairperson Gearhart seconded the motion previously and the license was approved. After the appropriate fees were paid, the license was issued.

A transfer hearing was held at 10:00 AM for the transfer of license 03-47, Class "D" BWL On-Sale and license 03-47D Draft Beer, for Trackside Restaurant from Sam Storey to JoAnn Connell and Sam Storey of Trackside, LLC. Applicants, JoAnn Connell and Sam Storey were present for the hearing. Ms. Connell said the hours of operation would be 10:30 AM till 8:00 PM Monday through Friday and kitchen hours on Saturday 8:00 AM till 8:00 PM with the bar closing at midnight. Mr. Storey will remain on the license until Ms. Connell establishes two-year residency in Garrett County. Ms. Connell said that she had been previously trained in the TAM alcohol awareness program, which has since expired. Currently, Louise Storey is trained and Ms. Connell will take an upcoming class. Commissioner Crosco made a motion to approve the transfer of the Class "D" BWL On-Sale license and Draft Beer license and Chairperson Gearhart seconded the motion previously and the licenses were approved. After the appropriate fees were paid, the licenses were issued.

A transfer hearing was held at 10:15 AM for the transfer of license 03-45, Class "D" BWL Off-Sale, for Anchor Mart from Karl and Barbara Rath of K R Enterprises, Inc. to Joseph DeMucci, Laura DiBerardinis and Elaine McDonald of Vinelli Management, Inc. Applicants, Joseph DeMucci and Elaine McDonald were present for the hearing. Ms. McDonald will remain on the license until Mr. DeMucci establishes two-year residency in Garrett County. Mr. DeMucci said that he would be changing the hours of operation from the previous owners sometime in the future and that there would be no lottery sales. Commissioner Fratz made a motion to approve the transfer of license 03-45 Class "D" BWL Off-Sale with the upgrade to add the beer and wine tasting option in the future pending receiving the background checks on all applicants, the health permit and trader's license and the motion was seconded by Commissioner Crosco and unanimously approved.

There was general discussion after the hearings concerning the Election Board Office moving out of the Courthouse to the Public Service Center on Maryland Highway. The Board members favored whatever way is easiest for checking on signatures on new and transfer applications. The business status of open or closed for On The Rox's was mentioned and it was decided that Gary Mullich would send a letter to Ms. Kasik. Also, Debbe informed the Board that Federal Criminal Background checks would be conducted on all applicants in the future. The cost would be \$42 to cover the cost of the Maryland Criminal History check as well as the FBI check.

After the general discussion, the next meeting date was scheduled for November 6, 2003. There being no further business, Commissioner Fratz motioned the meeting be adjourned, and seconded by Commissioner Crosco.

Thomas A. Gearhart
Chairperson

November 6, 2003
Date