

MINUTES

The Garrett County Board of License Commissioners/Liquor Control Board held their regular meeting on December 4, 2003 at 9:00 A.M. Present for the meeting were Commissioner Mike Fratz; Chairperson Thomas Gearhart; Administrator to the Board, F. Gary Mullich and Deborah Owston, Administrative Assistant.

Chairperson Gearhart called the meeting to order. A motion was made by Commissioner Fratz to approve the October 2, 2003 meeting minutes and seconded by Chairperson Gearhart and approved as written. The November 6, 2003 scheduled meeting was canceled due to lack of an agenda. The Board signed mileage sheets.

Chairperson Gearhart made a motion to approve the travel expense report for Commissioner Fratz, and the motion was seconded by Commissioner Fratz and approved. Commissioner Fratz made a motion to approve the travel expense reports for Chairperson Gearhart and Commissioner Crosco, and the motion was seconded by Chairperson Gearhart and approved.

There was general discussion before the hearings in which Debbe Owston informed the Board that Commissioner Crosco had stopped in the office on December 1, 2003 to excuse herself from the upcoming meeting. She gave her approval on the Wisp upgrade to a resort license for Fantasy Valley with the exception of the listed premise size of 71.47 acres. She felt the premise needed to be more specific to the establishment. The age of an employee stocking alcohol was discussed and it was decided that a request to delete Article 2B, § 12-212 (b), which conflicts with Article 2B, § 12-302 should be made legislatively to Delegate Edwards and Senator Hafer for the upcoming legislative session.

A hearing was held at 9:30 AM to upgrade the current license for the Wisp Resort to become a Class "B" Resort BWL On-Sale license and Draft Beer License with an additional licensed facility for Fantasy Valley Saloon located at 232 Fantasy Valley Lane in McHenry. Applicant, Karen Myers, was present for the hearing as well as Hank Teets, General Manager. Ms. Myers said she expects to have the remodel construction of the town hall building to be complete by the end of December and be renamed the Fantasy Valley Saloon. Ms. Myers described the new restaurant as being an informal restaurant where you grill your own chicken, fish or steak. They intend on being open Thursday thru Saturday. The restaurant hours are scheduled from 11:00 AM to 9:00 PM with additional bar hours. Ms. Myers said there were houses / cottages on the property that would be used as residential and not part of the premise. Mr. Mullich explained that the licensed premise would include places where alcohol would be served as well as stored. The catering option on the Wisp license could be used for private scheduled events elsewhere on the property if needed. Debbe Owston requested copies of the floor plan as well as a copy of the Trader's License and a signed Health Permit be submitted prior to the licenses being issued. Commissioner Fratz made a motion the licenses be approved pending administrative requests and seconded by Chairperson Gearhart and approved.

A discussion session was held at 9:55 AM with Cathy Murphy representing Old Pike 2, LLC. She along with Duane Patton will be submitting a transfer application for the existing license issued to On The Rox's. They currently own and operate the Old Pike Inn in Addison, Pennsylvania. She said that they are in good standing with the Pennsylvania Liquor Control Board and have been subjected to several random inspections. They are also both trained in TIPS alcohol awareness course offered for Pennsylvania. They intend to open for business in January with alcohol sales. In the meantime they may open for business without alcohol sales and sell pizza, sub, wings, etc. She is scheduled to meet with Tina Buckle of the Health Department to transfer the existing Health Permit. Ms. Murphy explained to the Board that she would like to be open on Sundays to have activities for the teens under 18 with possible dances with bands and karaoke. Commissioner Fratz questioned whether Cathy or Duane would work there and she responded that the two of them would rotate where they work each weekend. Chairperson Gearhart told Ms. Murphy that they would have a big challenge in changing the place around and Ms. Murphy said that she is 150 % sure that her and Duane could change it. Ms. Murphy explained that the water problem that Ms. Kasik was experiencing was discovered by the town to be a faulty meter and that the water would be turned back on

soon. Ms. Murphy submitted her application and a transfer hearing will be scheduled for January 8, 2004.

There was general discussion after the hearings and Commissioner Fratz made a motion to approve the meeting dates for 2004 to continue on the first Thursday of the month with the exception of the January meeting being held on the second Thursday and the motion was seconded by Chairperson Gearhart and approved. Chairperson Gearhart mentioned that Josie's Restaurant had closed on November 30, 2003 as a result of Leonard Kushner filing bankruptcy. Debbe Owston noted that the Bulk Transfer Permit for to the transfer of stock from Deep Creek Liquors to McHenry Beverage was received on December 1, 2003 and mailed out on December 2, 2003. Also, she mentioned that the Friendsville Volunteer Fire Department had responded to her request for a breakdown of dates in which the Special Class "C" BWL Multi-Event license would be used. The Board decided on October 25, 2003 to extend the hours of operation on New Year's Day until 4:00 AM for On-Premise licensed establishments.

After the general discussion, the next meeting date was scheduled for January 8, 2004. There being no further business, Commissioner Fratz motioned the meeting be adjourned, and seconded by Chairperson Gearhart.

Thomas A. Gearhart
Chairperson

January 8, 2004
Date