

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on January 8, 2004 at 9:00 A.M. Present for the meeting were Commissioners Bea Crosco and 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 Crosco to approve the December 4, 2003 meeting minutes and seconded by Commissioner Fratz and unanimously approved as written. The Board signed mileage sheets.

The Board went into Executive Session prior to the transfer license hearing for On The Rox's located at 110 Main Street, Accident, Maryland. The Board discussed confidential information pertaining to the new applicants applying to transfer the license to Old Pike 2.

A transfer hearing was held at 9:30 AM for the transfer of license 03-36, Class "D" BWL On-Sale, for On The Rox's from Lynn Kasik and Mark Duckworth of Deep Creek Rox's, LLC, Inc. to Duane Patton, Sr. and Cathy Murphy of Old Pike 2, LLC. Both applicants were present for the hearing. In addition, Matt Gibellino and his attorney Tom Dabney were in attendance to request that the Board deny the transfer as a result of a pending Civil Court suit concerning the ownership of the building. Mr. Patton explained to the Board that he and Cathy intend to clean up the establishment and change its reputation to a family orientated dining place with entertainment Thursday thru Saturday. The hours for food sales would be from 11:00 AM till 9:00 PM. Closing would be at 10:00 PM Sunday through Wednesday and 2:00 AM Thursday through Saturday. They intend to be open on Sunday for teens to have dances, karaoke, etc. All alcohol will be locked up out of site. They are planning a \$1.00 cover charge upon each entrance to keep the teens from going in and out of the building. There will be no one under 21 years of age allowed in the establishment after 9:00 PM Thursday thru Saturday. Cathy said that they invited the Town to come in at anytime. They want to bring some good back to the community. Duane said they have posted no under 21 publicity / ads and that there will be no alcohol ads in the area where the teens will be. Chairperson Gearhart asked the licensees if they had met the Deputy assigned to the Town of Accident and they responded that they had met Deputy Dan Dugan. Gary Mullich discussed Cathy Murphy having a Pennsylvania driver's license and that Duane would have to qualify as the resident licensee until Cathy establishes her two-year residency. Debbe informed the licensees that there is a noise restriction on the licensed premise. Commissioner Crosco made a motion to approve the transfer license 03-36 from a Class "D" BWL Off-Sale to a Class "B" BWL On-Sale and the motion was seconded by Commissioner Fratz and unanimously approved pending receiving all necessary paperwork and favorable responses from all agencies.

After the hearing there was general discussion in which Debbe informed the Board that Fantasy Valley picked up their license on December 26, 2003. The Board discussed the upcoming legislative session and decided that they want to delete Article 2B, § 12-212 (b) which conflicts with Article 2B, §12-302. The Board was informed that there are new owners for the property at 200 Quarry Road. Joe and Karen Walsh stopped by the office to inform that they may not lease to Mighty Oaks Pub and will inform the office if this takes place. Debbe Owston and Commissioner Crosco will attend the retirement reception for Dr. Charles Ehart of the Comptroller's Office on behalf of the Garrett County Liquor Control Board.

After general discussion, the next meeting day was set for February 5th if needed otherwise March 4, 2004. There being no further business, Commissioner Fratz motioned the meeting be adjourned, and seconded by Chairperson Gearhart.

Thomas A. Gearhart
Chairperson

March 4, 2004
Date