

## MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on March 4, 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.

Commissioner Fratz called the meeting to order. A motion was made by Commissioner Crosco to approve the January 8, 2004 meeting minutes as amended by Chairperson Gearhart and seconded by Commissioner Fratz and unanimously approved as corrected. The February 5, 2004 scheduled meeting was canceled due to lack of an agenda. The Board signed mileage sheets.

There was general discussion before the hearings in which, the Board approved the written request from Our Town Theatre to upgrade their current 5-Event license to a 12-Event license. The upcoming MALA Spring Conference held May 7-9, 2004 in Ocean City was discussed. Gary Mullich and Debbe Owston will be attending the conference to represent Garrett County. The updated section of the Garrett County handbook concerning Reimbursable Travel Expenses was given to the Board. The Board received a letter from Governor Schaefer announcing the consolidation of the Alcohol and Tobacco Tax Division and the Field Enforcement Division into a single unit, the Regulatory and Enforcement Division. Also, a list of key employees and their phone numbers was received for the new division. Debbe informed the Board of a request from Alice Adger of the Comptroller's Office to hold the renewal of four licensed establishments due to alleged delinquent tax issues. Gary discussed legislative items with the Board including HB 642 as it relates to Allegany & Garrett County and not allowing out of state licensees. Correspondence between Bob Lohr of Lohr Distributors, and the Garrett County Commissioners was presented. Mr. Lohr explained the hardship of the beer tax in Garrett County as it impacts pricing and setting a competitive price in addition to the loss of revenue from not having Sunday sales when surrounding counties allow this sale. The County Commissioners responded back to Mr. Lohr stating that it is too late for emergency legislation and that he should formerly present this matter in November or December 2004 so it can be included in the standard request forum for legislative changes.

A hearing was held at 9:30 AM for a Special Class "C" 2-Day BWL License for the Garrett County Lodge #99, Fraternal Order of Police. Applicant, John L. Williams, was present for the hearing as well as Carole Walker, Treasurer of the Lodge. Mr. Williams said they would be using the special license on April 3<sup>rd</sup>, 2004 at the Oakland Fire Hall for a gun bash fundraiser from 12:00 PM till 6:00 PM. Mr. Williams explained that the beer would be distributed from a beer keg trailer located at the entrance. Lohr's would provide the beer in a keg trailer. Mr. Williams said that they would have signs at the event saying, "Must be 21" and they will be encouraging the use of a designated driver. The ticket price will be \$25, which includes food, drink & the raffles. Commissioner Crosco made a motion to approve the Special Class "C" 2-Day BWL License and seconded by Commissioner Fratz and unanimously approved. After the appropriate fees were paid, the license was issued.

A hearing was held at 9:45 AM for a Special Class "C" BWL Multi-Event License (18) for the Friendsville Volunteer Fire Department Ladies Auxiliary. Applicant, Virginia Harding was present for the hearing as well as Ken Harding of the Fire Department. Ms. Harding said the Fire Department would be using the special event license on Fridays for Wing-Night at the fire hall as part of a fund raising activity for the Department. Debbe Owston informed Ms. Harding that they need to notify the office at least seven days prior to an event and if they do not have a scheduled event, they should call the office otherwise it will be assumed the event was held. Gary Mullich asked Ms. Harding if the Auxiliary was a structured organization. Ms. Harding responded that it was not. Mr. Mullich told her that she being the licensee would be held responsible should an infraction or violation happen. Commissioner Crosco made a motion to approve the Special Class "C" BWL Multi-Event License for eighteen events to be used by June 30<sup>th</sup>, 2004 and seconded by Commissioner Fratz and unanimously approved. After the appropriate fees were paid, the license was issued.

There was general discussion between the hearings in which Commissioners Crosco made a motion that a May 1<sup>st</sup> deadline be established for licensees alleged to be

delinquent in tax payments to the Comptroller's Office to have the matter resolved when remitting their renewal application and the motion was seconded by Commissioner Fratz and unanimously approved to commence immediately. The Board received a letter written by Monty Pagenhardt on behalf of the County Commissioners in response to Charlie Ross of the Garrett County Chamber of Commerce requesting an endorsement from the County Commissioners to introduce a bill to add Independence Day to the New Year's Eve section of Article 2B. The County Commissioners will not take a position on endorsing or opposing the legislative request and advised the Chamber that in the future earlier notification should be given prior to the public legislative meeting.

A show cause hearing was held at 10:00 AM for the continuance of the Class "D" BWL Off-Sale License issued to Bud' Package Liquor located at 2370 Hutton Road, Oakland, Maryland. Willard Reckart, current licensee; Grace Reckart, owner; and Thomas Hickey, store manager /operator were present for the hearing. The hearing was conducted so that the license be transferred into Mr. Hickey's name since he is in full operation of the business. Mr. Hickey currently holds the Health Permit and well as holding the Maryland Sales & Use Tax number for the premise. Mr. Reckart, however, holds the Trader's License. Chairperson Gearhart made a motion that Mr. Hickey and Mr. Reckart have 30 days to get the transfer application completed and returned to the office for processing and Commissioner Crosco seconded the motion with all in favor.

After the hearing, the next meeting day was set for April 1<sup>st</sup>, 2004. There being no further business, Commissioner Fratz motioned the meeting be adjourned, and seconded by Commissioner Crosco.

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Thomas A. Gearhart  
Chairperson

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April 1, 2004  
Date