

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on November 4, 2004 at 9:00 AM. Present for the meeting were Commissioners Bea Crosco and Mike Fratz, Chairperson Thomas Gearhart; Administrator to the Board, F. Gary Mullich and Deborah Owston, Coordinator of Support Services.

Chairperson Gearhart called the meeting to order. A motion was made by Commissioner Crosco to approve the October 7, 2004 meeting minutes and the motion was second by Commissioner Fratz and unanimously approved. The Board signed mileage sheets.

There was general discussion before the hearings in which Gary Mullich informed the Board that inquiries were made by William Ingram of Pizzeria Uno's in reference to the Garrett County Wine Festival that they would like to sponsor in the fall of 2005. The event would be held at The Wisp Resort, but not on the licensed premise. The Board reviewed a copy of the minutes for H&M Castle Rock, Inc. t/a, The Pop Shoppe. The special meeting was conducted to transfer the stock of shareholders. As a result, John Robert Markwood transferred all of his shares to Sharon J. Markwood. She will be the sole shareholder and licensee. Commissioner Fratz made a motion to approve the membership change for H&M Castle Rock, Inc. t/a The Pop Shoppe at Markwood Citgo to reflect Sharon Markwood as the licensee on the licenses and the motion was seconded by Commissioner Crosco and unanimously approved. The corrected licenses will be given to Sharon Markwood. An advertisement for a card game at the Friendsville Volunteer Fire & Rescue Department was discussed concerning a "Texas Hold'em" card game held on October 30, 2004. An inquiry will be made to verify that there was no alcohol served on the licensed premise.

A hearing was held at 9:30 AM for the transfer of license # 04-59 Class "B" BWL On-Sale License and the issuance of a new Draft Beer License from Christine Bergheim operating as Cornish Manor to Cornish Manor, LLC operating as Cornish Manor with John Robert Markwood and Jacques Hourtal as the licensees. Both licensees were present for the hearing in addition to Sharon Markwood. Mr. Markwood explained that they had recently completed extensive redecorating and some structural remodeling of the building including replacing the existing bar. They plan to continue the operation as a restaurant with lounge. Mr. Markwood said that he will be running the bar / alcohol end of the business and that Jacques will be in charge of the food end of the business. The hours of operation will be from 11:00 AM till 2:00 PM for lunch Monday through Saturday and dinner hours would be 5:00 PM till 9:30 PM weekdays and till 10:00 PM on Friday and Saturday. For now they will be closed on Sunday but are considering opening in the future with a Sunday brunch buffet during the hours of 11:00 AM till 3:00 PM. Mr. Hourtal informed the Board that prior to his move to Garrett County he held four alcoholic beverage licenses in Georgia. Chairperson Gearhart asked the licensees about alcohol awareness training for the staff. Mr. Markwood responded that Marge and Heidi would be trained at the next course offered for Garrett County. Mr. Mullich questioned as to who owned the land and building and Mrs. Markwood responded that her and John Robert Markwood were listed as owners on the property deed. Mr. Mullich then asked about a lease for the operations of the restaurant and Mrs. Markwood said that they had a verbal 30-day lease. In addition, Mr. Mullich informed the Board that the Bulk Transfer Permit had not been received as of the day of the hearing and that it must be received in order to transfer the license. Commissioner Crosco made a motion to approve the transfer of the Class "B" BWL On-Sale License and for the issuance of a Draft Beer License as applied for contingent of receiving all administrative requirements and the motion was seconded by Commissioner Fratz and unanimously approved.

A hearing was held at 9:45 AM for the transfer of license # 04- 61-R1 Class "B" BWL On-Sale Resort Additional Facility License and # 04-61D-R1 Draft Beer License from Recreational Industries, Inc. operating as Fantasy Valley to Beitzel Enterprises, Inc. operating as The Chalet Restaurant with Ruth Beitzel as the licensee. Mrs. Beitzel was present for the hearing and explained to the Board that she would be leasing the building from The Wisp Resort. The hours of operation will be Wednesday through Saturday from 4:00 PM until 11:30 PM. The restaurant seats approximately 40 and there are 20 bar seats. Eventually she would like to have a small village with shops. Mrs. Beitzel will be the operations manager and Sandy Breeding will be the bartender. Chairperson Gearhart asked whether or not she was trained in an alcohol awareness course and Mrs. Beitzel

responded that she believes so. Debbe Owston will look at her previous employers list. The license premise will be the restaurant only and The Wisp will have to contract through The Chalet Restaurant for any wedding receptions or banquets. Mr. Mullich explained to Mrs. Beitzel that she would need to submit the attachment that is referred to in the lease agreement that was not attached. In addition, copies of the Sales & Use Tax number for Beitzel Enterprises needs to be submitted so that it can be determined to be a corporation or LLC along with the business entity paperwork in its entirety showing the membership or shareholders for review prior to the licenses being transferred. Also, the Bulk Transfer Permit has not been received for the transfer of stock and must be received as part of the transfer. Commissioner Fratz made a motion to approve the transfer for the Class "B" BWL On-Sale License and Draft Beer License contingent upon submitting all required administrative documents requested and the motion was seconded by Commissioner Crosco and unanimously approved.

There was general discussion after the hearings concerning Deep Creek Brewing Company's letter submitted from Stacy Godwin in reference to the McHenry Highland Festival and the Comptrollers' investigation. A show cause hearing will be scheduled for December 2, 2004. Debbe Owston informed the Board of a letter from Silver Tree Inn stating that they will reopen as soon as feasible. She also informed the Board that Dwayne Patton of Old Pike 2 has advised the office that there may be a membership change to the license effective January 2005. Gary Mullich informed the Board that the license for The Grantsville Inn might have some upcoming changes as a result of the local licensees possibly no longer residing in the County.

The Board reviewed George Brodak's request for possibly having his son as a licensee however, according to Article 2B, § 9-106 (a) this is not allowed without a special order from a Judge.

After general discussion, the next meeting day was set for December 2, 2004. There being no further business, Commissioner Fratz motioned the meeting be adjourned, and seconded by Commissioner Crosco.

Thomas A. Gearhart
Chairperson

December 2, 2004
Date