

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on May 4, 2006 at 9:00 AM. Present for the meeting were Commissioners Bea Crosco and Mike Fratz, Chairperson Thomas Gearhart, Administrator to the Board, Deborah Owston, Administrative Assistant, Rebecca Glotfelty and Advisor to the Board, F. Gary Mullich.

Chairperson Gearhart called the meeting to order. A motion was made by Commissioner Crosco to approve the February 2, 2006 meeting minutes and seconded by Commissioner Fratz and unanimously approved. The Board signed their mileage sheets.

Before the general discussion, Gary Mullich announced to the Board that Debbe Owston would be now be the Administrator to the Liquor Control Board and his role would now be that of an advisory position to her and to the Board. In addition, Rebecca Glotfelty will assist Debbe Owston as necessary. During the general discussion before the hearings the Board was updated on several license changes. The license transfer for Swallow Falls Store was complete on February 24, 2006 to Robin Bittinger and Michael McCann. Arrowhead's license upgrade from a Class "A" B&W Off-Sale to a Class "D" BWL Off-Sale License took place on March 3, 2006. The licenses were transferred for Red Run Lodge on April 4, 2006 to Lou Strosnider, III. A letter was sent to the Oakland Volunteer Fire Department for failure to notify an event involving their Special Class "C" Multi-Event license. The Oakland VFD sent a letter of apology and notification of future events for the upcoming license year. The license renewal deadline was May 1, 2006; two applications were received late, each resulting in a late fee of \$50. A letter was received from Hen House, Inc. requesting permission from the Board to allow the serving of beer and wine at the dinner theater from July 7th until August 26th on Fridays and Saturdays from 6:30 PM to 10:30PM. Commissioner Crosco made a motion to approve the request and the motion was second by Commissioner Fratz and unanimously approved. A compliance check report was received from the Maryland State Police. Compliance checks were conducted from January 19, 2006 through April 11, 2006. The report referenced that fourteen out of sixty-one licensed premises checked were noncompliant. The violation hearings will be held May 4th, 11th and June 1st, 2006. Three of the establishments, which failed, will have second offense hearings for their violations. Robert Sines of the Sugar Shack Tavern submitted a premise change request to include the surrounding outside area of the tavern to be licensed. Commissioner Fratz made a motion to approve this request pending the Town of Friendsville authorizing written approval of the premise change and the motion was seconded by Commissioner Crosco and unanimously approved. The MALA Spring Conference will be held in Ocean City, Maryland on May 5th, 6th & 7th, 2006 at the Carousel Hotel. Commissioner Crosco, Gary Mullich, Debbe Owston and Becky Glotfelty will attend the conference.

A hearing was held at 9:30 AM for the issuance of a Special Class "C" 2-Day BWL License to be used on May 12th & 13th, 2006 by Saint Peter's Church at the parish hall. Applicant, Patrick Kelly was present for the hearing. Mr. Kelly explained to the Board that they would be having a benefit dance from 8:00 PM till 11:00 PM with the Remedy band performing. The ticket cost for the event is \$15 and includes draft beer, soft drinks and snacks. They are planning on selling 300 tickets and the Garrett Memorial Hospital Foundation will receive the proceeds after all expenses are paid. Commissioner Crosco made a motion to approve the license and the motion was seconded by Commissioner Fratz and unanimously approved. After the appropriate license fees were paid, the license was issued.

A violation hearing was held at 9:45 AM for Wildwater Inn, license # 05-33, Class "D" BWL On-Sale License for the sale of alcohol to a minor during a compliance check conducted on January 19, 2006 by the Maryland State Police. Licensee, Judy Broadwater, was present for the hearing. Ms. Broadwater explained to the Board that she was not present at the time of the compliance check but the employee working at the time said that she did not card the cadet and served him the beer. Chairperson Gearhart questioned as to whether the employee was trained in an alcohol awareness-training course. Ms. Broadwater stated that she was trained. Debbe gave Ms. Broadwater information

regarding upcoming alcohol awareness training, WeCard literature and a copy of the Board of License Commissioners of Garrett County Rules & Regulations. Commissioner Crosco made a motion that this being the first offense for the sale of alcohol to a minor, the Board will impose a letter of reprimand in the license file of Wildwater Inn, along with a \$100 fine, seconded by Commissioner Fratz and unanimously approved. Ms. Broadwater paid the \$100 fine.

A violation hearing was held at 10:00 AM for the Santa Fe Grille, license # 05-79, Class "B" BWL On-Sale License with Catering Option and license # 05-79D, Draft Beer License for the sale of alcohol to a minor during a compliance check conducted on January 26, 2006 by the Maryland State Police. Licensee, Greg Mortimer, was present for the hearing along with Melissa Nazelrod, General Manager and Andrea Campbell, Bar Manager. Ms. Nazelrod explained to the Board that she was present at the time of the compliance check. She was at the entrance of the establishment where the cadet entered. She thought just by looking at him that a compliance check was occurring. The bartender working at the time did not card the cadet and served him the beer. Ms. Nazelrod told the Board that the employee was written up and placed on employment probation and later let go. Debbe gave Mr. Mortimer information regarding upcoming alcohol awareness training, WeCard literature and a copy of the Board of License Commissioners of Garrett County Rules & Regulations. Commissioner Crosco made a motion that this being the first offense for the sale of alcohol to a minor, the Board will impose a letter of reprimand in the license file of the Santa Fe Grille, along with a \$100 fine, seconded by Commissioner Fratz and unanimously approved. Mr. Mortimer paid the \$100 fine.

A violation hearing was held at 10:15 AM for the Silver Tree Inn, license # 05-11, Class "B" BWL On-Sale License and license # 05-11D, Draft Beer License for the sale of alcohol to a minor during a compliance check conducted on February 16, 2006 by the Maryland State Police. Licensee, Sam Housley, III, was present for the hearing along with Chris Day, General Manager. Mr. Day explained to the Board that he was the bartender working at the time and did card the cadet and questioned the year on the license as "86" and the cadet responded, "no, 85". Mr. Day then misread the month as "01" instead of "10" and served him the beer. Mr. Day told the Board that he is trained in an alcohol awareness training course. Debbe gave Mr. Day information regarding upcoming alcohol awareness training, WeCard literature and a copy of the Board of License Commissioners of Garrett County Rules & Regulations and suggested that Mr. Day make sure that his staff is aware of how to card. Commissioner Fratz made a motion that this being the first offense for the sale of alcohol to a minor, the Board will impose a letter of reprimand in the license file of the Silver Tree Inn, along with a \$100 fine, seconded by Commissioner Crosco and unanimously approved.

There was general discussion after the hearings concerning a recent inquiry from Price Beer Distributors about the Deep Creek Yacht Club (DCYC). Price Beer informed the office that a representative of the DCYC wanted to place an order for beer. Later the same day Lohr Distributors called to verify DCYC having a license. As a result of these inquiries, a letter may need to be sent to DCYC explaining the licensing procedures and what constitutes the sale of alcohol as they relate to DCYC's operations.

After the general discussion, the next meeting date was set for May 11, 2006 for additional violation hearings. There being no further business, Commissioner Fratz motioned the meeting be adjourned, and the motion was seconded by Commissioner Crosco.

Thomas A. Gearhart
Chairperson

May 11, 2006
Date