

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on September 7, 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 Fratz to approve the August 3, 2006 meeting minutes and seconded by Commissioner Crosco and approved.

Before the hearings there was general discussion concerning several topics. Debbe Owston and Gary Mullich attended the District Court hearing for George Brodak on August 8, 2006, which was rescheduled for October 11, 2006. Debbe mentioned she spoke with John Culp, administrator for the Estate of Roger Ruff of Midway Discount Liquors. Mr. Culp stated there was a change of officers for the corporation and he would forward a copy of the minutes reflecting the change. The Board reviewed an email from Stephanie Shaffer representing Brosis, LLC for the pending application for Emerald's. Ms. Shaffer mentioned in her email the possibility of changing the approved premise locations for Emeralds, Zip-Ez and Sorelles Pizza Shop. She questioned whether a separate license would be needed. In response to Ms. Shaffer's email, it was requested a copy of the proposed premise change be submitted by September 7, 2006 for the Board's review. As a result of no response, the Board advised Ms. Owston to send a letter to the applicants requesting a copy of the premise change and the anticipated opening date of the establishment. The Board would like all such documents by September 28, 2006 to determine whether the applicants need to resubmit the alcoholic beverage license application as a result of time frame and / or proposed licensed premise changes.

A license hearing was held at 9:30 AM for the issuance of a Class "D" BWL Off-Sale License for the Old Mill Restaurant & Convenience Store, 47 Steyer Gorman Road, Oakland. Lee P. Hebb as an individual applied for the license. Mr. Hebb was present for the hearing. Chairperson Gearhart presented a letter to Mr. Hebb that was received in the office from the adjoining property owners opposing the issuance of the alcoholic beverage license. They are concerned the right of way leading to their property may be blocked due to the public entering the establishment as well as trash thrown outside from the patrons leaving. Mr. Hebb explained the primary purpose of the business will be a convenience store unlike the last business which occupied the building whose primary purpose was a restaurant serving senior citizen lunch specials. Mr. Hebb said they intend on having quick lunch specials available for take-out with a limited seating area serving around ten customers. The hours of operation will be Monday through Saturday from 10:00 AM until 10:00 PM. They will have two or three employees to help operate the business. Debbe Owston informed Mr. Hebb of the alcohol awareness-training requirement. Mr. Hebb agreed he or one of the employees would attend the next training session offered in the area. Chairperson Gearhart emphasized to Mr. Hebb the right of way leading to the adjoining property owners needs to be maintained and open at all times. Commissioner Crosco made a motion to approve the license contingent on Health Department approval and the motion was second by Commissioner Fratz and unanimously approved.

A hearing was held at 9:45 AM for the issuance of a Special Class "C" 2-Day BWL License to be used on September 16, 2006 at the Saint Peter's Parish Hall by the Knights of Columbus #1771. Applicant, John Toston was present for the hearing. Mr. Toston told the Board they would be having a Beef & Shrimp Bash from 6:00 PM till 10:00 PM. The ticket cost for the event is \$20 and includes the buffet and draft beer. Also, they will have music and dancing at the event. Commissioner Fratz made a motion to approve the license and the motion was seconded by Commissioner Crosco and unanimously approved. After the appropriate license fees were paid, the license was issued.

There was general discussion after the hearings concerning several violation letters received from William DeVore of the Planning & Land Development office. Pizzeria Uno's received a violation letter for outside entertainment on Monday, July 3, 2006. Silver Tree Inn received a violation letter for outside entertainment on August 25, 2006. Black Bear Tavern received a violation letter for outside music entertainment after 10:00 PM on July 21, 2006. Letters will be sent from the Board of License Commissioners in reference to the violations. The Board advised a show cause continuance hearing be scheduled at 9:30 AM on October 5, 2006 for Black Bear Tavern as a result of the second noise violation. Several issues concerning the Silver Tree Inn were mentioned. Licensee, Sam Housley was contacted in reference to the Thirsty Crab, LLC. Mr. Housley stated they were in a Management Agreement with the members of the Thirsty Crab, LLC with a lease purchase option. Mr. Housley later told Gary Mullich he would submit a copy of the Management Agreement for the Boards review. A letter was received from the Department of Public Utilities advising Silver Tree Enterprises, LLC that additional ERUs are required as a result of the new management of the establishment utilizing both levels of the premise. The Board advised a show cause continuance hearing for The Silver Tree Inn be scheduled at 9:45 AM on October 5, 2006 to determine if the alcoholic beverage licenses should be transferred as a result of the new Management Agreement with the members of the Thirsty Crab, LLC, or any other such action as the Board may determine necessary. Debbe Owston updated the Board on the pending transfer for Pawn Run Tavern. The last administrative item to be submitted is the Sales & Use Tax Number. Jenny Foster was in the office on September 6, 2006 and expects completion by September 8, 2006.

After the general discussion, the next meeting date was set for October 5, 2006. There being no further business, Commissioner Fratz motioned the meeting be adjourned, and seconded by Commissioner Crosco.

Thomas A. Gearhart
Chairperson

September 7, 2006
Date