

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on February 1, 2007 at 9:00 AM. Present for the meeting were Commissioners Bea Crosco and Mike Fratz, Deborah R. Owston, Board Administrator, Rebecca Glotfelty, Administrative Assistant and F. Gary Mullich, Board Advisor.

The meeting was called to order by Commissioner Crosco. A motion was made by Commissioner Fratz to approve the December 2006 minutes as revised and the January 2007 minutes as written and seconded by Commissioner Crosco and unanimously approved. The Board signed mileage sheets.

A discussion was held with Sam Housley, DCL Properties/Silvertree Enterprises, LLC updating the Board on the status of the Thirsty Crab. Mr. Housley informed the Board that due to certain situations reported by Mr. Ferrell, the keys to the Thirsty Crab establishment were returned and the lease was not extended. Mr. Housley then called the Liquor Control Board office and spoke to Debbe Owston with question of what to do. Silver Tree wrote a letter of request for Thirsty Crab's alcoholic beverage licenses to be transferred back to the Silver Tree Restaurant, which was presented to the Board. Mr. Housley informed the Board that he along with another person would possibly be running the Silver Tree Restaurant in combination with the Silver Tree Suites. They are looking for the alcoholic beverage licenses to be in a state of hold until they determine what they are going to do. Mr. Housley reported that he is not sure what Thirsty Crabs intentions were. Ms. Owston read a letter received from Thirsty Crab and explained to the Board and Mr. Housley, Mr. Ferrell's intention of possibly opening a new establishment. Ms. Owston informed the Board that Lisa Ferrell did call and request information. Ms. Owston questioned if Mr. Housley has a timeline for the reopening of Silver Tree Restaurant. Mr. Housley responded that they have a point of sale system that needs to be up and running, cleaning, etc. to be done. As long as the building is vacant it hurts their other entities. He would like to see the new establishment up and running in 45 days; however, he cannot speak for his partners. Commissioner Crosco asked if there is a timeline for transfer of a liquor license. Ms. Owston responded that in accordance with article 2B § 10-504(a) they are null and void after 10 days unless application for approval of a transfer to another location or person has been approved or is then pending. Mr. Mullich advised the Board that since Thirsty Crab is closed; if Mr. Ferrell is actively seeking/looking at a new establishment before renewal he needs to provide evidence of such. Ms. Owston advised Mr. Housley to go ahead and move forward with the application process regardless of transfer or new issue of alcoholic beverage license if indeed they intend on re-opening. Commissioner Fratz made a motion and seconded by Commissioner Crosco to send a letter to Thirsty Crab giving 30 days from January 24, 2007 to provide evidence of actively seeking a new establishment or transferring the licenses back to Silver Tree Enterprises, LLC. Mr. Housley requested to receive a copy of this letter. Ms. Owston gave Mr. Housley a new alcoholic beverage license application packet and informed him that they would need to do a bulk transfer permit and an inventory list if the licenses were being transferred. Ms. Owston also informed Mr. Housley that their Health Permit expires on February 28, 2007 and they would need to get that back into their name along with their Traders license. She also informed him that she would need a statement that their entity has remained the same and that someone would need to be certified in alcohol awareness.

There was general discussion after the meeting concerning several topics. Mr. Mullich presented to the Board the legislative request on a Class "B" BLX or Luxury License. Ms. Owston informed the Board that Brenda Strosnider contacted her questioning a bulk transfer for Red Run. Ms. Owston stated that she has not officially been notified if Red Run is closed, sold, etc. and would like to send a letter to be notified of intent. Commissioner Fratz made a motion seconded by Commissioner Crosco to send a letter giving 30 days to provide evidence of intent to transfer or the license is null and void and they will have to reapply for an alcoholic beverage license in the future if needed. Ms. Owston updated the Board that Our Town Theatre has upgraded their multi-event license from 5 events to 12 events, Gas Lite Restaurant closed on January 20, 2007 and the licenses and were returned via mail, Mooney's Pub transfer is still pending and Thirsty Crab received a zoning violation. The violation was around the same time of Thirsty Crabs closing; their sign has since been removed there is no longer a violation. Ms. Owston also informed the Board that two Class "B" BWL On-Sale applications were sent to potential

applicants for new alcoholic beverage licenses. Ms. Owston informed the Board of a request from Tammy Schulz of the Comptroller's Office to hold the renewal of four licensed establishments due to alleged delinquent tax issues. In conclusion the Board was advised of a special exception permit for Uno's Pizzeria and live outdoor entertainment hours.

The next meeting day was set for March 1, 2007. There being no further business, Commissioner Fratz motioned the meeting be adjourned, and seconded by Commissioner Crocco.

Thomas A. Gearhart
Chairperson

March 1, 2007
Date