

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on September 6, 2007 at 9:00 AM. Present for the meeting were Commissioners Bea Crosco and Mike Fratz, Administrator to the Board, Deborah R. Owston and Administrative Assistant, Rebecca Glotfelty.

The meeting was called to order by Commissioner Crosco. A motion was made by Commissioner Fratz to approve the minutes and seconded by Commissioner Crosco and unanimously approved. The Board signed mileage sheets.

Before the meeting there was general discussion. Ms. Owston informed the Board that the American Legion Post #71 would like to use their banquet hall for non-members. Their current license does not permit them to do so. They may be interested in changing their current Class "C" BWL to a Class "D" BWL License. Commissioner Crosco feels that the hall is needed for events.

A transfer hearing was held at 9:30 AM for the transfer of license #07-38 Class "D" BWL Off-Sale from Keyser's Ridge Trading Post, Inc. operating as Keyser's Ridge Trading Post, licensees Gerald Perry and Barbara Perry to Keyser's Ridge Liquors, LLC operating as Keyser's Ridge Liquors, applicants Paul Umstott and Gerald Perry. Present for the hearing was applicant Gerald Perry. Also present was Board Attorney, Craig Ingram. Mr. Perry informed the Board that he has owned the business for 26 years and now Mr. Woodford would like to buy the building and divide it. Mr. Perry also reported that Mr. Umstott is buying the liquor business and putting a 7-Eleven convenience store in next door. Mr. Perry explained the current floor plan/diagram showing the division of the building with a wall and explained that it would be the same as the Oakland Luke's Liquors store and 7-Eleven. Mr. Ingram questioned who owned the building and Mr. Perry responded Curt Woodford. Mr. Perry informed the Board that Linda Sherbin has submitted the paperwork for Luke's Liquors, Inc. to change to an LLC. Ms. Owston notified Mr. Perry that she has not received this paperwork as of yet. Mr. Ingram informed the Board that the minutes documenting the change in officers for Luke's Liquors, Inc. reflects an incorrect date. Ms. Owston reported that she did get Keyser's Ridge Liquors, LLC paperwork but not Luke's Liquors, LLC. Mr. Ingram then responded that they could move forward on Keyser's Ridge Liquors Alcoholic Beverage License, but the initial minutes for Luke's need to be destroyed and new minutes need to be submitted with the current date. Commissioner Crosco then questioned what does Luke's Liquors lack. Ms. Owston responded that the date on the minutes need corrected and they need an Affidavit of Officer Change to reflect the removal of Paul Umstott from the corporation. Mr. Perry then reported that the hours of operation for Keyser's Ridge Liquors would be 6:00 AM – 12:00 AM, Monday thru Saturday. He will remain on the license to fulfill the residency requirement as a 1% shareholder and will be involved with day-to-day operations. Mr. Perry reported that he will have a manager running the business and will have employees trained in alcohol awareness. He currently has one employee trained in alcohol awareness, but will be sending every employee. He will have two employees working on the liquor store side. Ms. Owston provided Mr. Perry with the dates of the next alcohol awareness training classes. She then informed Mr. Perry that she is still in need of their Sales and Use Tax License, Trader's License and a sign off from the Fire Marshall. After the said documentation, \$20.00 will then transfer the alcoholic beverage license upon approval. Commissioner Fratz made a motion to approve the transfer of license 07-38 Class "D" BWL Off-Sale License pending submission of final administrative paperwork to Paul Umstott and Gerald Perry of Keyser's Ridge Liquors, LLC and the motion was seconded by Commissioner Crosco and unanimously approved.

A special license hearing was held at 10:00 AM for the issuance of a Special Class "C" 2-day BWL License to Knights of Columbus #1771. Present for the hearing was applicant John R. Toston. Mr. Toston informed the Board that they would be having a pit beef/shrimp dinner, which would benefit a scholarship fund. He presented a flyer that provided the Board with all the necessary information of where the event will be held, price, etc. Mr. Toston also informed the Board that the Knights of Columbus will be preparing the food and that they will be serving beer only. Commissioner Crosco made a motion to approve the Special Class "C" 2-day BWL to be used on September 14, 2007

and September 15, 2007 and seconded by Commissioner Fratz and unanimously approved. After appropriate fees were paid, the license was issued.

A license hearing was scheduled for 9:45 AM, however was held at 10:30 AM for the issuance of a Class "B" BWL On-Sale License to Cisneros, LLC operating as El Canelo's. Applicant Mayra Cisneros was present for the hearing. Commissioner Crosco asked for information on the business. Ms. Cisneros informed the Board that the hours of operation will be from 11:00 AM to 10:00 PM, closed on Sundays and they are not planning to sell or serve alcoholic beverages to go as the license allows brewed beverages for off-premise sale. Commissioner Crosco questioned how many employees they currently have. Ms. Cisneros responded they currently have three waitresses, one waiter and herself. She has been to the alcohol awareness class twice. Ms. Owston questioned if they have any employees under the age of 21 and Ms. Cisneros responded yes, two servers. Ms. Owston went over the Rules and Regulations for Garrett County and also informed Ms. Cisneros that once licensed, their establishment will not be able to allow customers to bring their own alcoholic beverages. Commissioner Crosco questioned who the other applicant on the license was. Ms. Cisneros informed the Board that Ms. DeVore was a friend and was on the application to meet the residency requirements. Ms. Owston informed Ms. Cisneros that once she has established her Garrett County residency, Ms. DeVore would no longer need to be on the license. Ms. Owston also informed Ms. Cisneros that her current premise does include the patio and then questioned if they planned to have the bar area set up. Ms. Cisneros responded that the bar would be set up. Ms. Owston then made the Board aware that she did have Town of Oakland approval and she was waiting on favorable background results and the necessary paperwork documenting the change in the LLC making Antonio Cisneros, her father, less than 1% shareholder. Mr. Cisneros currently is a licensee in Allegany County. Ms. Owston then gave Ms. Cisneros a copy of the local Rules and Regulations for Garrett County along with information on alcohol awareness classes being offered. Commissioner Crosco made a motion to approve the Class "B" BWL On-Sale License pending necessary administrative documents and the motion was seconded by Commissioner Fratz and unanimously approved.

There was general discussion after the hearings in reference to the American Legion Post # 71 possibly changing to a Class "D" BLW On-Sale License. Commissioner Crosco does not feel a need to re-advertise, but would like to schedule a meeting with them to go over the differences in the license class and allow them to decide if they would like to proceed with the change. The Board would also like to have more information from Mr. Damon as to what they plan to offer the public and comparisons as to how other counties handle a Class "C" BWL On-Sale License. Ms. Owston informed the Board that Mr. Paul Roberts of Deep Creek Cellars contacted the office in reference to the Wine Festival and the sale of his product through the wholesaler that represents his winery. Ms. Owston also informed the Board that North Lake Café expressed an interest in making deliveries of alcoholic beverages and that Victoria Buckel from Wisp Resort questioned the charging of a wine corking fee and the age of servers in various situations. Ms. Buckel also would like to have a self serve area at the café near the Adventure Sports Center for beer and wine where the customer would get their own beverage and then bring the item to the counter to pay. Ms. Owston advised Ms. Buckel that the cashier would have to be 21 years of age and they would have to submit a request to the Board for approval of an additional serving area. The Board would like to have guidelines set on the quantity of alcohol to be delivered for those licensees making deliveries.

After general discussion, the next meeting day was set for October 4, 2007. There being no further business, Commissioner Fratz motioned the meeting be adjourned and seconded by Commissioner Crosco.

Thomas A. Gearhart
Chairperson

October 4, 2007

Date