

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on February 7, 2008 at 9:00 AM. Present for the meeting were Chairperson Thomas Gearhart, 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 discussed with the Board Legislative Requests/Changes for Senate Bill 221 for a new Class "B" Beer & Wine On-Sale License with available Catering Option, notifying them that the hearing will be held next week and letters have been sent on behalf of the Board to the subcommittee, Senator Edwards and Delegate Beitzel. Ms. Owston also discussed Legislative Requests/Change for House Bill 276 Sunday Sales Referendum, which has a companion bill SB 292. She notified the Board that the hearing on HB 276 is currently schedule to be held on February 18, 2008. The Board did not send a letter, since the Board did not initiate the request. The Board was then informed that the American Legion Post #71 changed their license to a Class "D" BWL On-Sale effective January 18, 2008. Ms. Owston presented to the Board draft copies of delivery forms for review and approval, along with the public hearing notice to be advertised. The public hearing notice will include Section 1.6 for the Tasting Option costs including the issuing and annual fees and Section 1.7 Deliveries to be considered for the Local Rules and Regulations Public Hearing held on March 6, 2008. Ms. Owston reviewed the Alcoholic Beverage Delivery Registration Form for completion by the licensee and pointed out that the licensee will have to designate specified delivery personnel. After submission of said form, the Liquor Control Board will then give a letter authorizing deliveries. She also reviewed the Delivery Form and noted that all deliveries will have to be recorded on a specified form. Chairperson Gearhart would like for licensees to be reminded of the time deadline and no deliveries can be made after hours on the way home. Commissioner Crosco made a motion to approve all Delivery Forms, add Section 1.7 Deliveries to the Local Rules and Regulations and to proceed with advertising the public notice, seconded by Commissioner Fratz and unanimously approved.

A hearing was held at 9:30 AM for the issuance of a Special 2-Day Class "C" BWL On-Sale License to the Friendsville Volunteer Fire and Rescue Department. Present for the meeting was applicant Edward B. Kelley, President. Ms. Owston informed the Board that there was a typo in the advertised notice stating that the event will be held in March and it will actually be held in February. Mr. Kelley then informed the Board that the event would be held on February 23, 2008 and they would be having a Gun Bash. They will be getting their beer from Lohr Distributors. Food will be served at the event and tickets will be sold for \$20 each. The event will be held from 12:00 PM until 6:00 PM. At 6:30 PM everything will be completely shut down. Chairperson Gearhart questioned what precautions would be taken to prevent underage drinking. Mr. Kelley reported that they will require wristbands to be worn when entering the event and they will have to be worn throughout the entire function. Firemen will also be carding at the door. Wristbands will be monitored and the cups containing the alcoholic and non-alcoholic beverages will be a different color. They do not allow pitchers to be served. Ms. Owston questioned approximately how many people will be attending and how many under the age of 21? Mr. Kelley estimated around 450-500 attending and about 15% maybe under the age of 21. Commissioner Crosco made a motion to issue the Special 2-Day Class "C" BWL On-Sale License to be used on February 23, 2008, seconded by Commissioner Fratz and unanimously approved. Ms. Owston advised Mr. Kelley that the license would need to be posted in plain view in the facility. Fees were paid and the license was issued.

After the hearing there was general discussion. The Board determined that in conjunction with the delivery form, fees would need to be set. Therefore, Commissioner Fratz made a motion to approve a fee for the Delivery Option of \$150.00 with issuing and annual fees effective July 1, 2008 and the Delivery Rules and Regulations to become effective 30 days after the public hearing if approved by the Board, seconded by Commissioner Crosco and unanimously approved. Ms. Owston then updated the Board on Keyser's Ridge Liquors. They have met all requirements as requested by the Board and their license was

transferred effective January 8, 2008. The Board was also informed of the Clean Indoor Air Act, which became effective February 1, 2008. This will be enforced by the local Health Department for public places and MOSHA for the work place. Ms. Owston informed the Board that during inspections she discovered that Get N' Go did not have their alcoholic beverage license on premise; therefore, a duplicate license was issued on January 25, 2008. At renewals, Ms. Owston would like to remind licensees that all alcoholic beverage licenses need to be displayed and under glass. She also informed the Board that she has yet to receive the old license back from Hen House per the requirements from their recent license upgrade to a Class "B" BWL On-Sale License with Off-Premise Wine Sale Option. Commissioner Fratz made a motion requiring something in writing from Hen House stating the disposition of their previous Class "B" BWL On-Sale License within 10 days of the date of the letter, seconded by Commissioner Crosco and unanimously approved. Ms. Owston also reminded the Board that Curt's Corner, licensee Joe DeMucci, had downgraded to a Class "D" B & W Off-Sale License at renewal last year and he may come back in to upgrade to a Class "D" BWL Off-Sale License. A motion was made by Commissioner Crosco that if Curt's Corner wanted to go back to Class "D" BWL Off-Sale License during this license year they can do so, but are required to pay additional fees prorated, seconded by Commissioner Fratz and unanimously approved. The Board was informed that Zip-eez's Convenience Store has received their Use & Occupancy Permit and was issued their alcoholic beverage license on February 4, 2008. A letter was presented to the Board from the Comptroller's Office notifying the Board of the current alcoholic beverage licensees that are allegedly delinquent in taxes and requested the Board to put a hold on them at renewal if not in compliance. Ms. Owston will put a notification in renewal packets advising that all tax issues need to be resolved by May 1, 2008 in order to renew license. The Board was advised that Eastern Garrett Fire Department would be having a gun bash to be held on March 1, 2008. Ms. Owston informed the Board that Alecia Knupp, from the Youghioghny Mountain Home Owner's Association called questioning a possible club license. Based on the current information provided by Ms. Knupp and a review of prior such requests, the Board feels that there is no need for a license. Ms. Owston informed the Board that compliance checks are currently being conducted. So far, there have been 14 licensed establishments checked and three have sold. Every licensee with the exception of one has contacted Ms. Owston. The Board then reviewed Police Incident Reports that were provided and determined that there was no need for any licensed establishments mentioned to appear before the Board for further discussion. Ms. Owston informed the Board that the McHenry Comfort Inn might possibly be interested in obtaining a Class "D" BWL On-Sale License. One goal would be to give their customers the option to have a drink at their establishment as opposed to having to drive to get one. A letter was then presented to the Board from North Lake Café stating that they are closed for the season and requesting their alcoholic beverage licenses be placed on hold. Commissioner Crosco made a motion to place the licenses on hold and to reopen by May 15, 2008, seconded by Chairperson Gearhart and unanimously approved. The Board then discussed the annual MALA Spring Conference to be held May 2-4, 2008. The deadline to register for your hotel stay is March 15, 2008. The fall meeting will be held October 10-12, 2008, which is Autumn Glory weekend in Garrett County. Speakers will be needed for this event and Ms. Owston would like the Board to provide any ideas or thoughts for guest speakers and entertainment. Ms. Owston also informed the Board of the retirement of Mr. Markroff who has now been replaced by Marshall Grier as the attorney for the Maryland Wholesalers.

After general discussion, the next meeting date was set for March 6, 2008. There being no further business, Commissioner Crosco motioned the next meeting be held at 9:00 AM in the Garrett County Commissioners Public Meeting Room and also motioned the meeting be adjourned and seconded by Commissioner Fratz.

Thomas A. Gearhart
Chairperson

March 6, 2008
Date