

## MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on March 6, 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 Crosco to approve the minutes and seconded by Commissioner Fratz and unanimously approved. The Board signed mileage sheets.

Before the meeting there was general discussion. Ms. Owston informed the Board that Senate Bill 221, Class "B" Beer & Wine On-Sale License, passed the Senate and now goes to the House and House Bill 276, Sunday Sales Referendum, passed the House and is awaiting Senate action. Ms. Owston also advised the Board that compliance checks were conducted at 66 establishments, of the 66 establishments checked, 18 were closed or not serving alcohol at the time. Seven establishments sold to a minor during these checks. A motion was made by Chairperson Gearhart to schedule sales to minor hearings on April 3, 2008 seconded by Commissioner Fratz and unanimously approved.

A public hearing was held at 9:30 AM for the proposed changes to Rules and Regulations of the Board of License Commissioners of Garrett County to include regulations regarding the delivery of alcoholic beverages and the issuing and annual fees for the Beer & Wine Tasting Option. Present for the public hearing was Kendra Todd, Nancy Brady and Diane Lee from the Garrett County Health Department. Chairperson Gearhart began the meeting by reading the proposed Section 1.7 Beer & Wine Tasting Option as follows: "A Beer & Wine Tasting Option may be added to a beer and wine license or a beer, wine and liquor license. The annual license fee is \$100 in addition to the cost of the beer and wine license or the beer, wine and liquor license. The Board shall charge an issuing fee in an amount equal to the annual license fee. In accordance with Article 2B § 8-406.1 (b)." After reading, Chairperson Gearhart allowed the opportunity for questions. No questions were presented. Next Chairperson Gearhart read the proposed Section 1.8 Deliveries as follows: "Licensed establishments who have properly registered with the Board and have in their possession a Letter of Authorization approving off-premise deliveries may deliver alcoholic beverages in any quantity in a sealed package or container to a person of legal drinking age in Garrett County only. The delivery may only be made by a licensee or designated employee who is at least 21 years of age that is registered with the Board and has current certification in an approved alcohol awareness class. Deliveries may be made only during approved hours and may not be made to any other licensed premise or any property where alcohol is prohibited. Delivery forms must be used giving the establishments name and address, date and time the order was taken, the delivery address, phone number, customer's name, address, date of birth, the type and quantity of alcoholic beverages, certification that the person receiving the delivery of alcoholic beverages is over 21 years of age and that it is a criminal offense for the alcoholic beverages to be turned over to a person under 21 years of age and the customer's and the delivery person's signatures. The original Delivery Form must be turned in to the Board by the 10<sup>th</sup> of the following month. The annual cost for the Delivery Option is \$150 effective July 1<sup>st</sup>, 2008. The Board shall charge an issuing fee in an amount equal to the annual

fee. The first sales to minor violation in the course of an alcohol delivery transaction will result in the suspension of the delivery privilege for the remainder of the license year. Each year at license renewal, the Board must approve the delivery option for the upcoming license year. In accordance with Article 2B § 12-301 (4).” After reading the proposed changes, Chairperson Gearhart gave the opportunity for open discussion. Ms. Owston advised that after the public hearing, there is a 30-day waiting period prior to putting the proposed changes into effect if approved as written. The members of the Garrett Health Department / Combating Underage Drinking Committee provided commentary regarding the practice of delivering alcoholic beverages to a non-licensed premise more specifically to a private residence. They also mentioned appreciation to the Board for considering the committee’s request on regulation advisement for the proposed regulations and the Boards implementation of the suggested regulations. A motion was then made by Commissioner Crosco to accept the proposed Section 1.7 Beer & Wine Tasting Option as written seconded by Commissioner Fratz and unanimously approved. A motion was made by Commissioner Fratz to accept the proposed Section 1.8 Delivery Regulations as written, seconded by Commissioner Crosco and unanimously approved. As previously noted, there will be a 30-day waiting period before the motions become effective.

After the public hearing there was general discussion. Ms. Owston further discussed the compliance checks with the Board. Informing them of all details as necessary. Ms. Owston will send a letter to the licensees to schedule the Sales to Minor violation hearings on April 3, 2008. The Board was also informed that the Oakland Volunteer Fire Department will be having a Mega Bash on March 15, 2008 and they have followed proper procedure by notifying the office. Ms. Owston updated the Board on receiving the necessary information from the Hen House in reference to their misplaced alcoholic beverage license and a letter was sent to the North Lake Café regarding placing their alcoholic beverage licenses on hold until May 15, 2008. The Board was notified of the deadline to register for hotel stay for the MALA Conference to be held in Ocean City by March 15, 2008 and the registration deadline is April 4, 2008. The Department of Mental Health & Hygiene of the Garrett County Health Department is currently requesting seven alcoholic beverage license renewals be placed on hold due to failure to renew their food service facility permit in addition to the recommended tax holds from the Comptroller’s Office.

After general discussion, the next meeting date was set for April 3, 2008. There being no further business, Commissioner Fratz motioned the meeting be adjourned and seconded by Commissioner Crosco.

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Thomas A. Gearhart  
Chairperson

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April 3, 2008  
Date