

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on September 4, 2008 at 9:00 AM. Present for the meeting were Commissioners Bea Crosco and Mike Fratz, Chairperson Thomas Gearhart, Administrator to the Board, Deborah R. Owston and Administrative Assistant, Rebecca Glotfelty.

The meeting was called to order by Commissioner Crosco. Due to the lateness of receiving the August 7, 2008 minutes, the Board chose to further review them for approval at the next scheduled meeting. The Board signed mileage sheets.

Before the meeting there was general discussion. Ms. Owston reported that Swallow Falls General Store's alcoholic beverage licenses were transferred on August 8, 2008. The Board was informed that Ms. Elsey did call the office and left a message indicating that she was o.k. with the advertised upgrade of the license to a Class "D" B&W License with On-Sale privileges and Draft Beer License. The Board accepted the message to be put on file. Ms. Owston also stated she advised Mr. Sweda of the upcoming alcohol awareness class in Cumberland and recommended his attendance in order to meet Board requirements. Ms. Owston then updated the Board on Yough Mt. Lodge. The Lodge's alcoholic beverage license was issued on August 18, 2008 with Yough Mt. Lodge, LLC as the business entity. Both Mr. Boal and Mr. Ingram felt that the Lodge should be a separate business entity from Youghioghney Home Owner's Association, Inc. and therefore created Yough Mt. Lodge, LLC. The LLC has been accepted by the State of Maryland and the change has been made in the license file. Mt. State Brewing Company's alcoholic beverage licenses were issued on August 27, 2008 with a limited premise (occupancy) for the downstairs only. The Board was then updated on the upcoming MALA Fall Conference to be held Autumn Glory weekend at The Wisp Resort. No administrative workshop will be held on Friday as previously mentioned. Ms. Owston reviewed the list of guest speakers attending and the proposed Agenda. Ms. Owston then advised the Board that North Lake Café is closed during the possible sale or lease of the business. Ms. Owston spoke with licensee Barbara Marshall on August 18, 2008 and advised the license holders to send a letter indicating they were temporarily closed seeking new ownership/management and would like to request the licenses be placed on hold. She also mentioned to Ms. Marshall that Mr. Artice requested his name be removed from the licenses resulting in there not being a Garrett County resident licensee. No response has been received from the licensees to request a temporary license hold or a reply to the residency requirements not being satisfied. They are currently past the 10-day deadline of August 28th in reference to the closing notification of the business and have not responded to the letters sent from the office stating that the licenses are in jeopardy of being considered null and void. Chairperson Gearhart made a motion that the licenses are null and void immediately due to the non-response from the license holders seconded by Commissioner Crosco and unanimously approved.

A hearing was held at 9:30 AM for the issuance of a Special Class "C" BWL (5) Multi-Event License to be issued to HART for Animals, Inc. Applicant, Mercedes M. Pellet, Development Director for HART, was present for the hearing. Ms. Owston notified the Board HART had originally inquired about a license for the Fur-Ball fundraiser New Year's Eve and due to additional events taking place; they will be applying for a multi-event license. Ms. Pellet informed the Board of the fundraiser that will be held at the Cleveland Cottage on September 13, 2008. There will be three businesses providing the food for the fundraiser. According to Ms. Pellet, people attending are ones interested in donating to HART and for the new planned building. Their goal is to raise \$100,000. Ms. Owston informed Ms. Pellet that the Board requires seven days advance notice of each event, indicating the location and forms will need to be completed by the owner of each premise where the event will be held. Ms. Owston then advised that alcohol could be purchased from a licensed retailer or Maryland Wholesaler and provided Ms. Pellet with an ID checking guide. Commissioner Crosco made a motion to approve the Special Class "C" BWL (5) Multi-Event License seconded by Commissioner Fratz and unanimously approved. After appropriate fees were paid, the license was issued.

A hearing was held at 9:45 AM for issuance of a Special Class "C" BWL 2-Day License to be issued to Northern Garrett Rescue Squad. Applicant, Wendy Cardiff and Secretary, Nancy Savage were present for the hearing. Ms. Cardiff informed the Board that they

would be holding a gun and cash bash at the Garrett County Fairgrounds in the lower quonset hut. Ms. Savage indicated that they will be attending Concession TIPS training. She also mentioned that all people attending the event will have their ID's checked at the gate. ID wristbands will then be utilized to provide age identification for those of legal age to consume alcoholic beverages. There will only be one entrance gate located on Mosser Road. They feel that this will make it more controlled. Ms. Cardiff said, "No Wrist band, No Serve". The \$25.00 ticket cost includes a meal and the hours will be from 12 PM until 6 PM on September 20, 2008. Commissioner Crosco made a motion to approve the Special Class "C" BWL 2-Day License seconded by Commissioner Fratz and unanimously approved. After appropriate fees were paid, the license was issued.

A license hearing was held at 10:00 AM for a Special Class "C" BWL 2-Day License to be issued to Cindy's Fund. Applicant Sandy Bell along with Paula Thomas were present. Mrs. Thomas reported that Ridgeview Valley Estates would be having a benefit concert with Wolf Creek Session performing. All proceeds will go to Cindy's Fund and they will be asking for a \$10.00 donation. Commissioner Fratz questioned if food would be served. Mrs. Thomas replied that Jearbryo's would be providing food; selling crab cakes and a portion of the proceeds will also go to Cindy's Fund. The event will be held on September 27, 2008 and tickets will be \$10.00. Hours of the event are from 7 PM until 9 PM. Ms. Owston made the applicant aware that there can be no BYOB and questioned if they would have someone monitoring the event. Both Mrs. Thomas and Ms. Bell replied, yes. Mrs. Thomas responded that they would be mostly serving wine and the servers will be carding. Commissioner Fratz made a motion to approve the Special Class "C" BWL 2-Day License seconded by Commissioner Crosco and unanimously approved. After appropriate fees were paid, the license was issued.

After the hearing there was general discussion. Ms. Owston presented to the Board a copy of an e-mail received from the Planning and Land Development office expressing concern from a citizen of the noise level at Silver Tree. After review of this e-mail Commissioner Crosco made a motion to take no action at this time until further notice seconded by Commissioner Fratz and unanimously approved.

The next meeting date was set for October 2, 2008. There being no further business, Chairperson Gearhart motioned the meeting be adjourned and seconded by Commissioner Crosco.

Thomas A. Gearhart
Chairperson

October 2, 2008
Date