

## MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on September 3, 2009 at 9:00 AM. Present for the meeting was Commissioner Bea Crosco, Commissioner Mike Fratz, Chairperson Thomas Gearhart, Administrator to the Board Deborah R. Owston and Administrative Assistant, Rebecca Glotfelty.

Commissioner Crosco called the meeting to order. The minutes from the August 6, 2009 meeting were in need of further review and will be approved at the next meeting. The Board signed mileage sheets.

Before the meeting there was general discussion. Ms. Owston informed the Board of the following: The Deep Creek Yacht Club was contacted about an event that may involve the sale of alcohol without a license and possible alternatives in order to be in compliance. However, no event took place, but the Club was sent an informational packet for potential future events. The Sheriff's Department sent a report of an incident at the B.P.O. Elks Lodge for the Board's review; no action was taken and the report will be placed in the license file. Background results were received and reviewed by the Board for the applicants of Cornish Manor. Ms. Owston also advised those members of the Board who will be participating as celebrity pourers at the Art & Wine Festival on the instructions for gaining access to the event. The Board was notified that Rob Skeweris of Table Rock Inn may be transferring his license to Matthew Lucas and Brittney Friend. Eastern Garrett VFRD was sent a letter for failure to notify the Board of an event that had taken place on August 22, 2009. They in turn responded with an apology letter and assurance of future notification.

A license hearing was held at 9:30 AM for the issuance of a Special Class "C" BWL 2-Day License to be issued to Garrett Mentors for use on September 19, 2009 at the Ridgeview Valley Barn. Representative, Ed Spur was present for the hearing. Mr. Spur presented the Board with a packet of information that explained the event and Garrett Mentors. This will be their first fundraiser. They plan to have the barn dance in a 20X20 tent with guest bartenders. The event will be held from 6:00 PM until 10:00 PM. The tickets are \$25 in advance or \$30 at the door. Mr. Spur provided the Board information on how the fundraiser proceeds will be used. Ms. Owston questioned where they plan to purchase the beer and wine. Mr. Spur indicated that they will be purchasing from McHenry Beverage. Ms. Owston also questioned if they plan to have anyone under the age of 21 at the event. Mr. Spur does not plan on any children being at the event. Ms. Owston then reminded Mr. Spur that they cannot serve to minors or any visibly intoxicated person. Commissioner Crosco questioned what the \$25 ticket would cover. Mr. Spur indicated that the ticket would cover a meal from Archie's BBQ and dessert. There will be an extra charge for beer and wine. Commissioner Crosco made a motion to approve the Special Class "C" BWL 2-Day License for September 18<sup>th</sup> and 19<sup>th</sup>, seconded by Chairperson Gearhart and unanimously approved. Appropriate fees were paid and the license was issued.

A license hearing was held at 9:45 AM for the issuance of a Class "B" BWL On-Sale License with Sunday Sales Option and a Draft Beer License to My Place @ Silver Tree located at 567 Glendale Road. Applicant Terry L. Fike was present for the hearing. The Board reviewed the background results received with Mr. Fike. Mr. Fike provided explanation and the Board had no further questions. Mr. Fike advised the Board that he planned to open the upstairs (main floor) dining room and bar this weekend. He is not currently planning to open the downstairs bar. He currently has issues with ERU's, but hopes to purchase them next spring. He is working with Railey Mountain Lake Weddings in hopes of holding receptions at his facility. Chairperson Gearhart questioned the number of employees. Mr. Fike indicated that he has 7 employees in the kitchen, 6 waiters, 2 bus boys and a bartender. He currently has two employees tips certified and would like to have his entire wait staff certified. Ms. Owston questioned if he had any employees under the age of 18. Mr. Fike indicated that he does have an employee under 18 on his wait staff. Ms. Owston questioned how he was going to handle a situation involving the sale of alcohol. Mr. Fike indicated that he will also have a person on the floor over 18 that will take those orders. Ms. Owston warned that this method is risky and that in a restaurant, the individual under 18 cannot serve alcohol, ring up the sale, etc. Mr. Fike feels that he has made it very clear the employee that he cannot handle alcohol. Ms. Owston

questioned the hours of operation. Mr. Fike indicated that they plan to be open from 9:00 AM until 10:00 PM for the restaurant, but the bar will remain open until 12:00 AM. As for Sunday, his plan is to require all food to be ordered prior to ordering their drink. Ms. Owston advised that any alcohol from the previous owners left on the premise needs to be disposed of. Mr. Fike then questioned if the alcohol could be used in the kitchen. Ms. Owston advised that even those items need to have an invoice and should be in a secure area. She also questioned an approved floor plan. One was submitted but pending approval by the Health Department and Public Utilities. The Harbor Bar portion was not approved, nor the downstairs. Ms. Owston mentioned that the total approved seating will be 168 for the upstairs only and that the Board could approve the other serving areas pending approval from the appropriate agencies for future use. She is also in need of a copy of his Sales & Use Tax Number certificate. Ms. Owston advised Mr. Fike of the zoning Special Exception for the establishment that he has to abide by and also that there are no alcohol sales or consumption from 2:00 AM until 6:00 AM Monday thru Saturday and Sunday sales of alcohol are allowed from 1:00 PM until 10:00 PM with a meal. Mr. Fike questioned if he indicated he was only planning to be open until 12:00 AM does he have to close at that time. Ms. Owston indicated, no. A motion was made by Commissioner Fratz to approve the Class "B" BWL On-Sale License with the Sunday Sales Option and Draft Beer License, seconded by Commissioner Crosco and unanimously approved. Chairperson Gearhart emphasized the need to have a good carding program in place and the need to have documents submitted in a timely manner when needed.

A license hearing was held at 10:00 AM for the issuance of a Special Class "C" BWL 2-Day License to be issued to Northern Garrett County Rescue Squad for September 18<sup>th</sup> and 19<sup>th</sup> at the Garrett County Fairgrounds. Applicants Dana Green and Nancy Savage were present for the hearing. Ms. Green informed the Board that they plan to have a Gun & Cash Bash on September 19<sup>th</sup>. Price Distributors would be supplying the beer. The event is being held to support the building of the new McHenry Station. They plan to use program information provided to them from the Health Department to avoid underage drinking. They will also be using bracelets again that indicate you are over the age of 21. The event hours will be 12:00 PM until 6:00 PM. Commissioners Crosco made a motion to approve the Special Class "C" BWL 2-Day License for September 18<sup>th</sup> and 19<sup>th</sup>, seconded by Commissioner Fratz and unanimously approved. Appropriate fees were paid and license was issued.

A discussion session was held at 10:15 AM in reference to the pending transfer of the alcoholic beverage licenses for Cornish Manor with applicants Edward Spak and Bryan Shaffer. The Board reviewed background results received with Mr. Shaffer. After review and Mr. Shaffer's explanation, the Board had no further questions. The Board remained with the motion that was presented at the previous month's meeting and the licenses are still pending settlement of the business purchase transaction.

After the meeting there was no general discussion.

The next meeting date was set for October 1, 2009. There being no further business, Commissioner Crosco motioned the meeting be adjourned, seconded by Commissioner Fratz.

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Thomas A. Gearhart  
Chairperson

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October 1, 2009  
Date