

## MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held a special meeting on December 30, 2009 at 9:00 AM. Present for the meeting was Chairperson Tom Gearhart (via telephone), Commissioner Bea Crosco, Commissioner Mike Fratz (via telephone), Administrator to the Board Deborah R. Owston and Administrative Assistant, Rebecca Glotfelty.

Commissioner Crosco called the meeting to order.

There was general discussion. Ms. Owston informed the Board of the following: The Comptroller's Office conducted an inspection on November 6, 2009 at My Place @ Silver Tree and a violation was documented. A violation letter was sent to My Place @ Silver Tree from the Comptroller's Office. It was referenced in the letter that it is in the hands of the Board on how to proceed. Mr. Fike is scheduled for a violation hearing with the Board on January 7, 2010. Ms. Owston also advised that a duplicate license was issued to My Place @ Silver Tree due to the original being lost behind the bar. The Board was informed that the Dove Center notified the office on November 23, 2009 for the Festival of Trees event that took place on November 25, 2009. Another incident report was received from the Sheriff's Office on November 26, 2009 in reference to a licensed establishment. This was reviewed with the Board and it was decided to call in the licensee of this establishment to the February meeting to discuss this issue. The license for the Table Rock Inn was transferred to Matt Lucas and Brittney Friend on November 19, 2009. Ms. Owston also reported that the Avilton Community Association used their license on November 14, 2009 for a Cash Bash benefit fundraiser. An inquiry was made by a gentleman that is opening a restaurant on Alder Street in Oakland as to whether it was legal for him to allow the practice BYOB at his establishment instead of getting a liquor license. He was informed that this office does not regulate the practice of BYOB and also advised that he would need to employ individuals over the age of 21 to serve or they may be charged with possession. The Deer Park Inn had inquired as to whether or not a two-day permit was available for Sunday sales in general. The inquiry was posed due to the fact that Valentine's Day is on a Sunday this year. They were notified that this could only be done through legislation. An individual who had accused an establishment of selling alcohol to her underage son was asked to provide info as to whether she would be providing written or oral testimony on the matter for the hearing scheduled for January 7, 2010. Commissioner Crosco indicated that if this individual refuses to come forward with testimony then the issue will be dropped. The other Board members agreed with this as recommended by Craig Ingram. A motion was made by Chairperson Gearhart to allow St. Moritz Boardwalk 90 days to meet the residency requirements for the license following the untimely passing of licensee, Gary Yoder, on November 29, 2009. This motion was seconded by Commissioner Crosco and made unanimous by Commissioner Fratz. Ms. Owston informed the Board that the pending transfer application approval deadline for Cornish Manor is December 31, 2009. Commissioner Fratz made a motion to rescind the transfer approval if not satisfied. This motion was seconded by Chairperson Gearhart and made unanimous by Commissioner Crosco. A letter will be sent to all involved stating that the approval is terminated due to the closing not being held by the December 31, 2009 deadline. Ms. Owston also informed the Board that it is anticipated that an application for a Class "B" BDR Deluxe Restaurant License for the property located at 567 Glendale Road

will be submitted for the March or April meeting. She also reported that the Black Bear Tavern submitted their food/alcohol sales reports for the 12 month period from December 2008 to December 2009 as requested by the Planning & Land Development Office. They have met the requirements of food sales exceeding alcohol sales ratio. Ms. Owston reported that the signature section on the transfer application for El Canelo's is not complete, however it will be in time for the February 4, 2010 hearing. The Board agreed unanimously to send a letter stating that there is to be no alcohol consumption on the licensed premise on a Sunday to the Deer Park V.F.W. in reference to the report of a party being held at that establishment on Sunday, December 13, 2009 where alcohol was served. Ms. Owston reported to the Board that she had received a call in reference to the possibility of a non-profit organization being able to apply for the Wine Festival permit without being sponsored by a licensed establishment. This possibility was discussed by the Board in great detail and it was decided to continue the discussions at the next scheduled meeting on January 7, 2010 since legislation would be necessary.

After the general discussion, the next meeting was set for January 7, 2010. There being no further business, Chairperson Gearhart motioned the meeting be adjourned, seconded by Commissioner Fratz.

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Thomas A. Gearhart  
Chairperson

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January 7, 2010  
Date