

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting on June 3, 2010 at 9:00 AM. Present for the meeting was Chairperson Thomas Gearhart, Commissioner Bea Crosco, Commissioner Mike Fratz, Administrator to the Board Deborah R. Owston and Administrative Assistant, Amy Baker.

The meeting was called to order by Chairperson Gearhart. A motion was made by Commissioner Crosco to approve the April 1, 2010 and May 6, 2010 minutes and seconded by Commissioner Fratz and unanimously approved. Travel expense reports for time period of January through June 2010 were reviewed and approved. Commissioner Fratz made a motion seconded by Chairperson Gearhart to approve the travel expense report for Commissioner Crosco. Chairperson Gearhart made a motion seconded by Commissioner Crosco to approve the travel expense report for Commissioner Fratz. Commissioner Crosco made a motion and seconded by Commissioner Fratz to approve the travel expense report for Chairperson Gearhart. Mileage sheets were signed by the Board.

There was a general discussion before the hearing to be held at 9:30 AM. Ms. Owston reviewed the license renewals. All renewals were approved with the exception of the Avilton Inn, who had decided not to renew their license because they sold the building after the fire damage. Also, the BPO Elks had officer changes. New Officers include: Ray Monk, Sue Saunders, and David Sweitzer. Mr. Monk has held a license in Baltimore City before. Background checks have been submitted for each new licensee applicant. Also, Mary Ellen Miller of Fireside Deli has been in contact with the office on the status of the Trader's License for the establishment. Commissioner Crosco made a motion to approve the renewals, which was seconded Commissioner Fratz and unanimously approved by Chairperson Gearhart. Ms. Owston reviewed the Maryland Alcohol Licensing Association (MALA) Spring Conference that she attended. Ms. Owston stated that the recent legislative session was reviewed. Effective June 1, 2010, the revised Class 4 Winery License issued by the Comptroller's Office will be implemented. One of the new privileges of the license will be the opportunity for the wineries to team up with a licensed retailer to participate in a Farmer's Market to sell full bottles of wine along with providing samples. Ms. Owston gave details that the CJIS audit team explained that any persons with access to the Liquor Control Board's record history database must be fingerprinted. Therefore, all Information Technology staff was recently fingerprinted. Ms. Owston stated that MALA went over suggested guidelines for non-licensed wine tasting events. Ms. Owston stated that Perry Kamp received an application for a Class "D" Beer License. Mr. Kamp might apply for a beer license to use at their future golf course. Josh Rush from the Garrett County Fairboard called to question Ms. Owston about obtaining a Special Class "C" BWL 2-day license for tractor pull events in July and August. Ms. Owston stated that she recently received an anonymous tip that there are possible underage servers at the BPO Elks. Ms. Owston spoke to Ray Monk and left a message for the bar manager about the issue. Mr. Monk stated that they were only going to hire servers 21 years old or older in the future. Attorney Charles Brooks contacted Ms. Owston about obtaining a license for the Thousand Acres golf course. At the current time, they are not zoned to have a clubhouse. Mr. Brooks was advised to contact Bill DeVore, Linda Lindsey and Tina Buckle prior to applying for a license.

A license hearing was held at 9:30 AM for the issuance of a Special Class "C" BWL two-day license for the Oakland / Mt. Lake Park Lions Club. Present for the hearing was applicant Mark Marucci. Mr. Marucci indicated that the license would be used for "Redneck Dayz" to be held at the Broadford Park on June 19, 2010. Mr. Marucci stated that all beer sales will be by the boat dock area. He said that this year the Lions Club will be handling their sales. There will be a fenced area for beer consumption. Mr. Paul Macy will be serving and is TIPS trained. There are others serving that have in the past been bartenders and formerly TIPS trained. Mr. Marucci described the event as the "Garrett County Fair meets Oktoberfest". Wristbands will be used for those old enough to purchase alcohol. However, if the person does not look of age, they will be carded again even if they are wearing a wristband. Chairperson Gearhart questioned if underage persons will be permitted in the beer consumption area. Mr. Marucci said that the underage persons will be allowed in all areas. Mr. Marucci has invited the Sheriff's Department and State Police. Also, Officer John Sines of the Oakland Police Department will be patrolling in uniform throughout the entire event. Mr. Marucci stated that he may wish to make this a two day event next year. Draft beer will be sold from beer trailers (Pabst Blue Ribbon \$2 and Coors Light \$3). The gates will open at 9:00 AM and close at 11:00 PM. Kitzmiller Lions Club will be serving BBQ Chicken dinners. The cost for event entry is \$4/person. Ms. Owston reminded Mr. Marucci that it is illegal to serve a visibly intoxicated person and all staff should be sober. Ms. Owston also mentioned to Mr. Marucci that for TIPS training in the future they should contact Ms. Kendra Todd at the Health Department. Ms. Todd may be able to help with grant-funded training. A motion to approve the license to be used on June 19, 2010 was made by Commissioner Crosco, seconded by Commissioner Fratz and made unanimous by Chairperson Gearhart. After appropriate fees were paid, the license was issued.

A hearing was held at 9:45 AM for the transfer of license # 09-70 Class "D" BWL On-Sale License & issuance of a new Draft Beer License from Jeff Kurilla operating as Mooney's Pub, LLC to Robin Bittinger operating as Mooney's Sports Pub, LLC. Chairperson Gearhart asked Ms. Bittinger if any changes had been made. Ms. Bittinger stated that she recently had her staff attend TIPS training. Ms. Bittinger is present in the pub 7 days a week. She also has a doorman. Ms. Bittinger has the doorman come in early on Fridays. She has a policy that all underage persons must be out by 9:00 PM. Ms. Bittinger stated that she would like to purchase a driver's license scanner. She has also made food available the entire time the bar is open. She offers specials everyday. Ms. Bittinger also has coolers with ice and water available, free to her patrons. Ms. Owston provided a resource to Ms. Bittinger on serving someone their last drink. Ms. Bittinger also holds weekly staff meetings and reviews precautionary measures with her staff. Chairperson Gearhart asked if Mr. Kurilla is involved in the business now. Ms. Bittinger noted that Mr. Kurilla is no longer involved at all. Ms. Bittinger asked if the Liquor Control Board meetings were open to the public. Chairperson Gearhart explained that the meetings were all open to the public. Ms. Owston stated that she is planning to start sending out reminders on laws periodically. Ms. Bittinger explained an issue with an individual wanting to bring his underage son into Mooney's Sports Pub around 1:00 AM this past winter. Ms. Bittinger also explained to the Board the various aspects of the establishment's surveillance. Ms. Owston noted that Ms. Bittinger is being very proactive. Chairperson Gearhart reminded Ms. Bittinger that her establishment is starting with a clean slate. Ms. Owston has not

received a Transfer Release from the Comptroller's Office for Mr. Kurilla's previous business. Ms. Owston reminded Ms. Bittinger that she needed a copy of her Sales & Use Tax certificate. The transfer of the Class "D" license and a new Draft Beer license was approved pending the Transfer Release from the Comptroller's Office by a motion made by Commissioner Fratz and seconded by Commissioner Crosco and unanimously approved. Fees for the licenses will be paid after pending issues are resolved and the licenses will be released at the time.

There was general discussion after the hearings concerning the Bulk Transfer Permit for inventory from the Oakland American Legion transferred to the Deer Park VFW. At that time Ed Spurr from Garrett Mentors entered the meeting with the application for a Special Class "C" BWL 2-day license. Ms. Owston accepted the application and informed him and the Board that his hearing would be on July 1st, 2010. After that, general discussion began again. The Board decided to give Ms. Miller of Fireside Deli until June 21st to resolve her pending Trader's License issues. A motion had been made to approve all renewals earlier, with Fireside Deli resolving all outstanding issues for approval. The 2010-2011 approved renewal list was signed by Chairperson Gearhart, Commissioner Crosco, and Commissioner Fratz. Ms. Owston reported that the BPO Elks now has new elected board members of which one is a current licensee. Sue Saunders, new and former licensee, was asking if she must be fingerprinted again. Ms. Owston recommended that Ms. Saunders be fingerprinted again since over a year had lapsed. The Board agreed with this recommendation. After background checks are returned, the Board will decide whether or not to approve the new licensees for the BPO Elks. Ms. Owston reported that the St. Moritz Boardwalk has changed the alcohol storage area because Point View Inn is being torn down. A police incident report was given involving Table Rock Inn for May 15th, 2010. Ms. Owston reported that Matt Lucas, co-owner of Table Rock Inn, had called and spoke with Ms. Owston regarding another incident that occurred recently. After discussion, Chairperson Gearhart agreed to have a discussion with Matt Lucas regarding repetitive incidents at the Table Rock Inn. Ms. Owston reported that Canoe on the Run would like to add an Off-Premise Wine Sales Option in order to sell wine to go. The regulations were reviewed by the Board. A Class "B" BWL licensee may sell up to two bottles of wine off-premise with the option. Therefore, it was determined by the Board that the Canoe on the Run, a Class "B" B&W licensee, should be allowed to add the option of off-premise wine sales. A motion was made by Commissioner Fratz and seconded by Commissioner Crosco and made unanimous by Chairperson Gearhart. Ms. Owston reported that Mr. Hickey renewed the liquor license for Bud's Package Store pending a possible transfer to Greg Cartrette. Ms. Owston reported that Mr. Fred Herath questioned the one year business requirement and requested that it be removed from legislation. Ms. Owston suggested that Mr. Herath approach the delegation. Ms. Owston also reported that North Glade Inn does not currently hold a Trader's License because of issues with the State. The Board agreed to give North Glade Inn until June 21st to secure their Trader's License for approval of their alcoholic beverage license. Ms. Owston reported that the Wisp will be handling off-premise catering at the fairgrounds this weekend for the Highland Festival. The Wisp will handle all alcohol sales.

After general discussion, the next meeting day was set for July 1st, 2010. There being no further business, Commissioner Crosco made a motion to adjourn the meeting which was seconded by Commissioner Fratz.