

MINUTES

The Garrett County Board of License Commissioners held their regular meeting on July 1, 2010 at 9:00 AM. Present for the meeting was Chairperson Thomas Gearhart, Commissioner Mike Fratz, Administrator to the Board Deborah R. Owston and Executive Assistant, Rebecca Glotfelty.

Chairperson Gearhart called the meeting to order at 9:03 AM. The June 3, 2010 minutes were approved with corrections. The motion to approve the minutes was made by Chairperson Gearhart and seconded by Commissioner Fratz.

There was general discussion before the hearings. Ms. Owston pointed out that all but two renewed licenses were picked up by the June 30th deadline. The two that have not been picked up were the B.P.O. Elks Lodge and Swallow Falls Store. All establishments being renewed secured Trader's Licenses. Ms. Owston said that the Avilton Inn did not renew their license, which was on hold due to the property sale after the fire damage. She also reported that the license for Bud's Package Liquor store was not picked up; therefore, the alcoholic beverage license is now null & void due to the closing of the establishment on June 30th 2010. The owners of the building are considering application for a new license in the future. Ms. Owston noted that Grantsville Volunteer Fire Department, Deep Creek Volunteer Fire Department, Deer Park Community Volunteer Fire Department and Northern Garrett Rescue Squad would be attending the August meeting to apply for Special Class C licenses. Ms. Owston reported that the license issued to Mooney's Pub was transferred to Robin Bittinger on June 28, 2010.

A license hearing was held at 9:30 AM for a Special Class "C" 2-Day BWL License for Garrett Mentors, Inc. Present for the hearing was applicant, Edward Spurr. The license is to be used on September 18, 2010 at the Ridgeview Valley Barn in McHenry for the second annual Barn Dance from 5:00 PM until 9:00 PM. Mr. Spurr indicated that they hope to sell 300 tickets. There will be a beverage tent where they will have bartenders to serve and collect money. This will be a cash bar with beer and wine only. Ms. Owston advised that "BYOB" is not allowed on a licensed premise. She also advised that Garrett Mentors could purchase the alcoholic beverages from a licensed retailer in Garrett County or Maryland wholesaler. However, the retailer cannot donate alcohol to the event. Ms. Owston advised that they purchase and invoice the alcohol and the retailer could in turn donate an amount to Garrett Mentors, Inc. should they choose to do so. Mr. Spurr does not anticipate anyone less than 21 years of age to attend the event. A motion to approve the Special Class "C" 2-Day BWL License to be used on September 17th and 18th, 2010 was made by Commissioner Fratz and seconded by Chairperson Gearhart. All fees were paid and the license issued.

Mr. Raymond Monk, Exalted Ruler of the B.P.O. Elks Lodge stopped to pick up their alcoholic beverage licenses. Chairperson Gearhart advised Mr. Monk that in the future the alcoholic beverage licenses need to be picked up in a timely fashion to avoid punitive measures taken by the Board, which could result in re-applying.

A license hearing was held at 9:45 AM for the issuance of the Wine Festival License to be used on September 11, 2010 at the Garrett County Fairgrounds in McHenry. The Wisp Resort will be the license holder with the applicants being Karen Myers, Stephen Richards

and Gary Daum. Present for the hearing was applicant, Karen Myers and Vianne Bell of the Deep Creek Art & Wine Festival Committee. The Potomac Chapter of the American Red Cross will be the beneficiary of the event. The Wine Festival will be from noon until 6:00 PM. The wine store will be open until 7:00 PM. The wine tasting cost is \$25.00 per person and a \$5.00 per person cost for entry only without the tasting is available. Tickets can be purchased online. The Celebrity Pourers for the event will have a TIPS training opportunity in late August. There is a limousine available to drive home intoxicated persons. The Maryland State Police will also be there. The State Police will administer breathalyzer tests for those who wish to participate. Ms. Owston reported that legislation was approved so that next year a qualifying non-profit can apply for the license in addition to a retail licensee. A motion to approve the Wine Festival License for the Wisp Resort to be used on September 11th, 2010 was made by Commissioner Fratz and seconded by Chairperson Gearhart. All fees were paid and the license issued.

A license hearing was held at 10:00 AM for a Class "B" BWL Resort – Facility # 2 On-Sale License & Draft Beer License with Sunday Sales Option for the Wisp Resort / Lodestone Golf Club to be used at 225 Lodestone Clubhouse Drive. Applicants for the license are Karen Myers, Stephen Richards and Gary Daum. Present for the hearing was applicant, Karen Myers. Ms. Myers presented maps indicating the proposed licensed premise. The clubhouse building is still under construction at the golf course. It is scheduled to be finished in four to six weeks. The building will be approximately 1800 square feet, including the Pro Shop, kitchen, bar area, dining area and porch. Vicki Buckel will be in charge of this facility and has TIPS trained individuals to work there as well. Ms. Owston advised that the persons working the beverage carts must be at least 21 years of age. Ms. Myers instructed that all eighteen holes of the golf course are now open. Upon Ms. Myers request, the Board has approved the beverage carts from the Wisp Resort to be used temporarily on this site until it becomes a licensed premise. This will be satisfied through the Wisp Resort's Catering Option. Ms. Myers conveyed that beverage carts would only sell alcohol on Sundays with a meal. Storage of the alcoholic beverages will be at the McHenry House. Ms. Myers submitted the floor plan, which did not include the tables. Ms. Myers advised that the golf course is part of the licensed premise. Ms. Owston cautioned that only alcohol purchased from the Clubhouse is permitted on the licensed premise. Ms. Owston mentioned that the Post Office assigned the mailing address as Oakland. The physical location for the premise is located in the Sang Run Election District 6 in McHenry. Ms. Myers stated that she still needed to provide the Use & Occupancy Permit and Health Department Permit to Ms. Owston. A motion to approve the Class "B" BWL Resort – Facility # 2 On-Sale License & Draft License with Sunday Sales Option for the Wisp Resort / Lodestone Golf Club contingent on meeting other agencies requirements and in the interim, catering is allowed from the Wisp, was made by Chairperson Gearhart and seconded by Commissioner Fratz.

Shawn Smith of Swallow Falls Store picked up their alcoholic beverage license. Chairperson Gearhart advised that in the future the alcoholic beverage license needs to be picked up in a timely fashion to avoid punitive measures taken by the Board, which could result in re-applying.

A license hearing was held at 10:15 AM for a Special Class "C" BWL Multi-Event License for Friends of Deep Creek Lake. The license would allow up to five events during the license year. Present for the hearing was applicant, Barbara Beeler. The first licensed

event is to be used on August 6th at the Deep Creek Crab facility located at 200 Quarry Road. This event will be a fundraising event with a catered reception dinner. The ticket cost is \$25 plus cash bar. The event is an invitation only event and there will be a RSVP check-in table for the attendees. In addition, persons who are not of age will have a red dot on their nametags. They plan to offer local accompaniments to the seafood buffet including items from Fire Fly Farms, Lakeside Creamery, Deep Creek Winery and Mt. State Brewing Co. The cash bar will be located in the building. Mountain State Brewing Company will provide the bartenders. Chairperson Gearhart advised that the bartenders must be at least 21 years of age. Ms. Beeler explained that Mr. Robert Link is renting the facility for his Deep Creek Crab catering business from Mr. Steve Richards. Ms. Beeler has been in contact with Tina Buckel and Linda Lindsey about the event. Ms. Owston reminded Ms. Beeler that no donations of alcoholic beverages could be received. They must have receipts for all alcohol. The Special Class "C" BWL License allows them to purchase from a licensed retailer in Garrett County or Maryland wholesaler. Ms. Owston also reminded her that because of the roving premise license, they must notify the Board at least seven days before each event. Ms. Beeler advised that the first event would be held on August 6th, 2010 from 6:30 PM to 9:30 PM. A motion to approve the Special Class "C" BWL (5) Multi-Event License was made by Commissioner Fratz and seconded by Chairperson Gearhart. All fees were paid and the license issued.

Following the hearing, several additional items of general discussion were reviewed by the Board. Ms. Owston stated that Gail Bosley of Zip-eez's has had many questions and concerns regarding her deliveries. Chairperson Gearhart stated that no deliveries are to be made on a licensed premise, to an area where alcohol is not permitted or to other locations where solicitation is prohibited. Ms. Owston said that she would make Gail Bosley aware of that she needs to be very clear on her address of delivery. Ms. Owston informed the Board that she spoke to the women who had anonymously informed her that underage individuals were drinking alcohol and bartending at the Table Rock Inn. The anonymous women said that she would supply pictures to Ms. Owston to prove such. No such documents were received into the office. Chairperson Gearhart stated that he did not believe that this was an issue. Ms. Owston informed the Board of a call received from Paul Everly of the V.F.W. # 10077 concerning a possible event in September on a Sunday where they would be hosting a statewide V.F.W. meeting. He was questioning the situation because when they held their membership Christmas party on a Sunday they were informed they could not conduct such a get together on a Sunday on the premise. He informed Ms. Owston that the Deer Park Sportsman's Club has an event for their members on a Sunday and he wants to know why he cannot. Ms. Owston explained that the pavilion at the Sportsman's Club is not part of the licensed premise. Ms. Owston is going to explain to Mr. Everly that he may have the event out in the back of the building, which is not part of the premise. Ms. Owston is going to remind them that there is to be no sale, or consumption of alcoholic beverages on a Sunday at establishments that are not approved for Sunday Sales.

There being no further business to discuss, Commissioner Fratz made a motion to adjourn the meeting. Chairperson Gearhart seconded the motion.

The next regular meeting of the Board of License Commissioners is scheduled for Tuesday, August 5, 2010.