

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting in the Commissioner's Public Meeting Room on June 6, 2013 at 9:00 AM. Present for the meeting was Chairperson Thomas Gearhart, Commissioner Bea Crosco, Commissioner Michael Fratz and Administrator to the Board Deborah R. Owston.

Chairperson Gearhart called the meeting to order. The Board signed mileage sheets.

Travel expense reports for the period of January through June 2013 were reviewed and approved by the Board.

A violation hearing was held at 9:20 AM for the Wisp Resort, license # 12-61-RM, Class "B" BWL On-Sale, for the sale of alcohol to a minor during a compliance check conducted on May 10, 2013 by the Maryland State Police. Licensee, Victoria Buckel, was present at the hearing in addition to the resorts general manger, Jerry Geisler. Ms. Buckel told the Board that she was not on the premise during the compliance check. Ms. Buckel agreed with the report that the bartender did ask for the cadet's ID. She said the bartender took the ID and still gave the cadet the beer. Chairperson Gearhart questioned if it was a minor's license. Ms. Buckel said yes it was a vertical ID with red highlights. Ms. Buckel mentioned various ID resources the employees have available to them to help with carding. Ms. Buckel said the bartender made a mistake with the date. Ms. Buckel said she took the bartender off of the schedule for four days as a penalty. Ms. Buckel said she has posted additional ID information that Ms. Owston recently provided to her. Ms. Owston questioned if their POS register ask for the DOB. Ms. Buckel said she is looking into an upgrade to the register. She said she is also looking into additional training ideas for her staff. Mr. Geisler said the State has made it as easy as possible for them to check the ID and there is no excuse. Mr. Geisler said he feels there is an impact when the bartender has to go to court and pay the fine. He said this has an impact on the other bartenders as well. Ms. Owston spoke on the vertical format in more detail and offered a few suggestions on how to handle this type of ID when carding. Ms. Owston cautioned on the POS upgrade. The clerk still has to enter the information correctly. Ms. Buckel said the bartender is TIPS certified. Ms. Buckel said they have on-site training for their staff. Ms. Owston mentioned that the District Court hearing will be on July 9th. Ms. Owston reviewed the fine and suspension guidelines for the sale of alcohol to a minor. Ms. Buckel said she took an ID class at the college a few years ago and questioned if any police officers still teach the course. Ms. Owston mentioned that Marty Johnson conducted the ID training. She said she will forward information to Mr. Johnson in reference to a training opportunity. Ms. Owston mentioned that the Health Department sponsored the training at the college. She also mentioned that the Health Department is working on providing training in the future that will be conducted by Mike Wilburn from the Health Department. Commissioner Crosco made a motion that this being the first offense for sales to a minor, a letter of reprimand will be placed in the license file and a fine of \$100.00 is due within 30 days from the hearing. The motion was seconded by Commissioner Fratz and unanimously approved. Ms. Owston took the opportunity to mention the license upgrade to the Wisp Lodestone golf course license to a "Deluxe" license. The properties are no longer contiguous to the other Wisp properties. Mr. Geisler agreed.

A Special Class "C" 2-day BWL license hearing was held at 9:30 AM for the Western Maryland Truck Show. Mr. James McFarland is the applicant for the license. Representative, Logan Rebar was present for the hearing. Mr. Rebar stated that the Western Maryland Truck show is held during the last weekend of August at the Grantsville Town Park. In addition to the truck show activities, Chris Cagel will have a concert at the baseball field. Mr. Rebar said they would like to sell beer during the concerts which begin at 5:00 PM. He said that alcohol sales will cease around 8:00 PM. The ticket cost is \$15. Mr. Rebar said that food and alcohol sales will be separate from the entrance fee. Mr. Rebar said they will be selling the beer by the cup. Mr. Rebar said the alcohol consumption area is confined to inside of the baseball field. Ms. Owston and Mr. Rebar discussed the security at the event. Mr. Rebar mentioned that he believes there will be a couple of Sheriff's Deputies present at the event. The Board and Ms. Owston discussed the various rules and regulations for a licensed event. Mr. Rebar mentioned that the Soroptimist Women's Club in Frostburg would be receiving the proceeds from the event. Commissioner Fratz made a motion to approve the Special Class "C" license for use on August 24, 2013 at the Grantsville Town Park. The motion was seconded by Commissioner Crosco and unanimously approved. After the appropriate fees were paid the license was issued. Ms. Owston presented Mr. Rebar with samples of various ID's for the surrounding states.

There was general discussion after the hearings. The Class "D" Sunday sales requirements were discussed. Ms. Owston informed the Board that she went to the Boardwalk and to Zip-eez's / Sorelee's restaurant to do a seating count not including counter seating. Ms. Owston showed the Board sketches of the establishments. The Board agreed that the seating meets the requirements of the law at both locations. Ms. Owston said she spoke to Brian Fiscus of St. Moritz Boardwalk. She said Mr. Fiscus indicated that they probably would not be interested in the option due to the limited seasonal kitchen use. Mr. Fiscus said he would confirm that with Mr. St. Moritz. Ms. Owston reported that the Sand Trap Lounge / Oakland Country Club, Brenda's Pizzeria and The Crab Shack are now permitted for Sunday sales. The Board and Ms. Owston discussed the Sunday regulations in reference to the Oakland golf course as a result of Ms. Newcomb-Shay making an inquiry to Commissioner Crosco last month. Ms. Owston said she spoke to Ms. Newcomb-Shay about the concept and suggested the use of wristbands. Ms. Owston said otherwise you have no way of knowing who is golfing, who is eating or who bought food or beer for whom. Ms. Owston mentioned that the Crab Shack and Ace's Run also inquired about the meal requirement. Ms. Owston said she will contact the other qualifying licensees about the Sunday sales option and make them aware they may need to come before the Board. Ms. Owston mentioned that Fireside Deli and Good Timber B&B are going to add the Sunday Sales Option in July. She also said at this time the Elks Lodge is not planning on adding the option. JG's Pub is considering adding the option. Ms. Owston said that BJ's store failed the compliance checks on May 10, 2013 and will be scheduled for a violation hearing at the next meeting. The 2013-2014 alcoholic beverage licenses renewals were discussed and approved by the Board. Ms. Owston said The Local, Thousand Acres Golf Club and Ledo's Pizza Pasta & Pub will not be renewing their licenses. Ms. Owston said she expects a new license application for Ledo's at the July meeting. Ms. Owston noted that the Cornish Café and Fast Break are on the renewed license list since they are approved pending issuance of the license. Ms. Owston updated the Board on the Black Bear Tavern & Restaurant sales reports for April

and May. It was noted that their food sales are exceeding alcohol sales by a significant amount.

After the general discussion Mr. Charlie Yommer showed up to discuss the future of Ledo's Pizza, Pasta & Pub. Mr. Yommer said he and his wife will not be renewing the license. He mentioned that there will be new ownership of the business effective July 1, 2013. Ms. Owston advised Mr. Yommer on the license requirements and deadlines for submitting the application for the July 2, 2013 meeting. Ms. Owston stated that all alcohol will have to be depleted at the end of business on June 30, 2013. She said there is to be no alcohol at the business on July 1, 2013. She said the new owners must start with zero inventory of alcohol until the license is issued. Then once the license is approved they may have alcohol delivered. She said this is due to the license being issued new verses transferred.

There being no further business to discuss Commissioner Fratz made a motion to adjourn the meeting. The motion was seconded by Chairperson Gearhart and made unanimous by Commissioner Crosco.

The next meeting of the Board of License Commissioners is scheduled for Tuesday, July 2, 2013 in the Economic Development Meeting Room.

<hr/>	<hr/>
Thomas A. Gearhart Chairperson	July 2, 2013 Date