

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting in the Commissioner's Public Meeting Room on November 7, 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.

The October 3, 2013 Minutes were reviewed and approved by the Board. Commissioner Fratz made the motion seconded by Commissioner Crosco and unanimously approved by Chairperson Gearhart.

A license hearing was held at 9:20 AM for a Class "D" Beer & Wine On-Sale License with the Delivery Option for Deep Creek Sweets, LLC operating as Deep Creek Sweets. The business is located at 1550 Deep Creek Drive, Suite J in McHenry, Maryland. Present for the hearing was applicant, Terry Fram. Ms. Fram reviewed with the Board the changes to the operations of the business since the separation from the Cornish Café at Deep Creek last month. She said she will not be serving alcoholic beverages by the glass in the store since the café side is no longer part of the licensed premise. As a result of the update on the permitted use of the establishment, Ms. Owston recommended that a Class "A" Beer & Wine Off-Sale license be issued for now with the possibility of a change in the future. Ms. Owston reviewed the Delivery Option forms and regulations with Ms. Fram. Ms. Owston also stated that all employees ringing up the sale of alcohol must be at least twenty-one years of age. Ms. Fram mentioned that she is working on a new lease with the landlord. Ms. Owston said she will need a copy of the lease or agreement for the license file. Commissioner Crosco made a motion to approve the Class "A" Beer & Wine Off-Sale License with Delivery Option, seconded by Commissioner Fratz and made unanimous by Chairperson Gearhart. Upon payment of the issuing fees and prorated annual fees the license will be issued.

There was general discussion after the hearing. Ms. Owston briefly spoke on the partnership separation of the Cornish Café at Deep Creek and the request to place the license for the café on hold temporarily. Ms. Owston said she spoke with Ms. Berry on the Bulk Transfer Permit regulations. The Board is willing to keep the license on hold for a short amount of time as long as Ms. Berry complies with requests from the office. Ms. Owston noted that on October 10, 2013 Commissioner Fratz and Chairperson Gearhart approved adding the Off-Premise Wine Sales Option to the Cornish Manor Café license located in downtown Oakland. Commissioner Crosco was not able to be reached for her vote that afternoon. Ms. Owston said that the St. Moritz Boardwalk notified the office of an occurrence that took place on October 12, 2013 on the licensed premise. The establishment contacted the police and medics for assistance. No Incident Report was received. Ms. Owston said that it is likely this could take several months depending on whether or not any toxicology reports were taken. Commissioner Fratz made a motion to place the Oakland golf course licenses on hold until the springtime as requested by Autumn Newcomb Shay. Commissioner Crosco seconded the motion which was unanimously approved by Chairperson Gearhart. Ms. Owston mentioned to the Board that Dfc. Eric Parks will be at the December 5, 2013 meeting.

A discussion session was held with the Oakland – Mt. Lake Park Lions Club. Licensees Brian Boal, Josh Bosley and Mark Marucci were present as well as Ed Panther. The special session was a result of the Autumn Glory “Taking it to the Streets” event on October 11, 2013. Ms. Owston explained that the office was not notified of the event at least 7-days prior to the licensed venue as required by the regulations for Special Class “C” events. She said had she not contacted one of the members about another issue the event most likely would not have been known to the Board until after it occurred. Ms. Owston presented them with additional forms to be completed and submitted prior to each event. Mr. Boal took the opportunity to notify the Board of a Dodgeball Donnybrook event on November 23, 2013 at the Oakland Armory.

A discussion session was held with Sandy Branter of the B.P.O. Elks Lodge. The Board reviewed and discussed the legislative intent of the Sunday sales regulations in reference to the limited hours, meal requirements and pre-arranged events on the licensed premise. The Board advised Ms. Brantner to contact of them with any questions they may have in reference to Sunday events or to attend an upcoming meeting for further review of planned events on Sundays.

The Board discussed the pending approval for Fast Break in Bloomington and the delay in opening the business. The Board stayed with their motion that the business needs to be open within 60 days of the letter or Mr. Skipper will have to re-apply for the license. Ms. Owston reviewed with the Board the proposed legislative changes to Sunday sales and how they relate to current regulations in place Monday through Saturday. Ms. Owston presented the Board with additional letters of support for the proposed referendum vote on limited Sunday sales. Ms. Owston noted that the Board will take formal action on the retailer’s legislative request at the December 5, 2013 meeting. Ms. Owston presented the Board with the financial statements from the Deep Creek Lake Art & Wine Festival that occurred in September.

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

The next regular meeting of the Board of License Commissioners is scheduled for December 5, 2013 pending any public hearings.

Thomas A. Gearhart
Chairperson

December 5, 2013
Date