

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting in the Commissioner's Conference Meeting Room on Friday, February 6, 2015 at 9:00 AM. Present for the meeting was Chairperson Michael Fratz, Commissioner Bea Crosco and Administrator to the Board Deborah R. Owston.

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

The January 8, 2015 minutes were reviewed and approved by the Board. Commissioner Crosco made the motion to approve them as written. Chairperson Fratz unanimously approved the motion.

A discussion session was held at 9:10 AM with Greg Mortimer of Santa Fe Grille. Mr. Mortimer stated there was no change with the insurance claim other than a small-undisputed check was issued. He also mentioned that there was no change with the new investors purchasing the bank note and that everything is still on-hold. Ms. Owston expressed concern of the Board's current license hold and the upcoming renewal process even though the business is shut down. Mr. Mortimer respectfully requested that the Board allow him 30-days to have a definitive plan in reference to the insurance claim. Ms. Owston noted for the record that at the January 8, 2015 meeting, the Board made the following motion. The Board made a motion that they continue the license holds under the condition that Mr. Mortimer attends the February 6, 2015 meeting or an application is submitted from the new investors; otherwise, the licenses are null and void. Ms. Owston pointed out that a determination on the possibility of the licenses being transferred or issued new needs to happen soon if the new investors plan to be open by Memorial Day. Commissioner Crosco made a motion that by March 5, 2015 that the Board receives formal information on where the business venture is going with Mr. Mortimer or with the new investors and if the Board is not satisfied then licenses are null and void. Chairperson Fratz seconded the motion. Mr. Mortimer acknowledged the Board's motion. Ms. Owston discussed the two renewal holds on the business that need to be satisfied prior to May 1, 2015.

There was general discussion prior to the scheduled hearings. Ms. Owston updated the Board on the legislative session. She mentioned that the Board's Special Class "C" Multi-Event requests had not been assigned. Ms. Owston noted that if the request is not included this session it would not make a big difference since the Board could always include the training requirement in their motion. Ms. Owston referenced other alcohol bills that would have an impact on Garrett County. HB 0139 references repealing the Sunday meal requirement. SB 0213 would allow for active military between the ages of 18-21 to consume beer or wine on a licensed premise in Maryland. Ms. Owston informed the Board that Hilltop Restaurant upgraded their license on January 8, 2015 to include the Sunday Sales Option. The Board approved an additional serving area known as the Burrito Cantina at the Wisp Resort on January 9, 2015. This will be a seasonal operation near the A-Frame building at the bottom of chairlift #1. The Oakland Mt. Lake Lions Club will be holding a fundraiser on February 15, 2015 at the Oakland Community Center.

An upgrade license hearing was held at 9:45 AM. Good To Go, LLC dba Good to Go in Friendsville applied to upgrade their current Class "D" B&W On-Sale License to a Class "D" BWL Off-Sale License. The establishment is located at 8025 Friendsville Road. Applicants Debi Spear and Richard Beissel were present for the hearing. Mr. Beissel mentioned that they would like to expand their business and offer liquor sales to their customers. He mentioned that they would have a very limited stock of liquor that would be shelved behind the cashier's counter. Ms. Owston explained the differences in the two classes of licenses. She then questioned the average amount of on-premise sales for the business. The licensees said this rarely happens. Mr. Beissel said probably only about three times in the last six years has someone wanted to have a beer and food inside the store. Ms. Owston referenced the approved events held in the parking lot. Mr. Beissel commented that on Friday of the Memorial Day weekend they are a stopping location for the Rolling Thunder event that is held in Washington, D.C. During this event, they have food and entertainment outside in the parking lot. They mentioned that very little alcohol is sold. Ms. Owston then mentioned that the on-premise to off-premise ratios should not be an issue. Ms. Owston took the time to explain that Sunday sales are not authorized in their voting district. Ms. Owston informed the licensees that if they have any plan of an expansion in the future to contact the appropriate agencies. Chairperson Fratz made a motion to approve the license upgrade to a Class D BWL Off-Sale License. The motion was seconded by Commissioner Crosco and unanimously approved. Issuing and prorated annual fees totaling \$3,800.00 were paid and the license was upgraded. Ms. Owston explained that the license would renew for \$3,000 in July.

After the hearing, the Board meet with Ashley Kamp of Duffer's Golf to discuss the license options for the establishment including the consumption areas. Ms. Kamp provided pictures of the serving areas on the licensed premise and explained how the establishment is utilized. Ms. Owston noted that the Board approved the serve-thru window last year. Ms. Kamp explained that they would like customers to be able to consume canned beer inside the front area of the 12x70 building on occasion due to weather conditions. She said they would also like to be open in the evenings and in the off-season when the golf course is closed. Ms. Owston reviewed with the Board that the business has a Class D Beer On-Sale license that allows both on-premise sales and off-premise sales. Ms. Owston noted that the golf course was not part of the licensed premise, only the inside the building and the surrounding covered deck area. Ms. Owston also mentioned that when the license was initially approved it was mentioned that they would only sell beer during the golf season to golfers. Ms. Owston suggested that Ms. Kamp contact the Health Department about the possibility of on-premise consumption. The Board agreed that Ms. Kamp could allow customers that purchased beer from the establishment to consume the beer inside the building as well as on the deck. They also agreed that the business could remain open when the golf course is closed in the winter months. Ms. Owston mentioned the possibility of selling take-out and the Board agreed the license allows for off-premise sales. Commissioner Crosco questioned what can't they do. Ms. Owston said that BYOB is not permitted on the licensed premise. Ms. Owston then reviewed the Sunday alcohol regulations. Sunday take-out sales were recently approved in their election district. On-premise sales would not be permitted on Sunday since they do not meet the Class "D" full-service commercial kitchen requirements. Ms. Owston explained the Sunday sales fees.

The Board had additional general discussion. Ms. Owston continued a brief discussion in reference to the legislation. She noted that HB 0139 has a small housekeeping amendment in reference to categorizing Special Class "C" as a group rather than individually. Ms. Owston said she spoke with Andy Lantner from the Legislative Services Office about the recommendation. Ms. Owston updated the Board on the renewal holds. The Friendsville VFRD will team up with the Town of Friendsville for a dance on February 15, 2015. On February 28, 2015, the Friendsville VFRD will have a gun & cash bash. Terry Fram of Deep Creek Sweets informed the office that she will have no alcohol sales in 2015 until a new location is confirmed. The Board discussed the license hold and storage of alcohol and agreed for Ms. Owston to contact Ms. Fram about possibly attending an upcoming meeting. Ms. Owston presented the Board with information on a bakery inquiring about alcohol infused icing on cupcakes. They were informed to contact the Health Department about confectionary products with alcohol. A discussion on the Board vacancy took place and the "Green Bag" appointment day on February 22, 2015. Ms. Owston said she spoke with Mr. Shehan who is chairing the Republican Central Committee about her concerns. Commissioner Crosco questioned how other counties handled it. Ms. Owston mentioned that she thinks most counties have a five-member board so there would not be an issue. She said she would follow up and see if the vacancy should be re-advertised. Compliance checks were conducted on January 15, 2015. All establishments that were checked passed. Christopher Pauly of Arrowhead was approved to replace Daniel Hubert on January 22, 2015. Deer Park Sportsmen's Club upgraded their license to include the Sunday Sales Option on January 27, 2015. Jeff Simpson mentioned that they did not plan to be open every Sunday. Chairperson Fratz mentioned a possible event at Garrett College in June. Ms. Owston mentioned that if it was a Chamber event then the Chamber license could be used, otherwise Garrett College will need to submit an application.

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

The next regular meeting of the Board of License Commissioners is scheduled for Friday, March 5, 2015.

Michael J. Fratz
Chairperson

March 5, 2015

Date