

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting in the Commissioner's Public Meeting Room on Wednesday June 3, 2015 at 9:00 AM. Present for the meeting was Chairperson Michael Fratz, Commissioner DeCorsey Bolden, Commissioner David Moe, Administrator to the Board Deborah R. Owston and Attorney to the Board Elizabeth Georg.

Commissioner Bolden called the meeting to order. Chairperson Fratz was delayed in getting to the meeting. The Board signed mileage sheets. The expense reports for January thru June 2015 were approved for mileage reimbursement.

The May 1, 2015 minutes were reviewed and approved by the Board. Commissioner Moe made the motion. The motion was seconded by Commissioner Bolden and approved.

A license hearing was scheduled for 9:20 AM on the application submitted by Fun Unlimited, LLC operating as Fun Unlimited. Rick McClanahan and Barry Sharpless are the applicants for the license. The applicants were not in attendance for the hearing. The business is located on 173 Friendsville Road. Commissioner Moe made the motion the application be disapproved and the license for which the application was made be refused based on Article 2B § 10-202 (2) (ii) (2) and the admittance of a felony conviction by one of the applicants. The motion was seconded by Commissioner Bolden.

A show cause continuance hearing was scheduled for 9:40 AM for Deep Creek Brewing Co. LLC, dba as Santa Fe Grille. The hearing was scheduled as result of the renewal hold requested by the Comptroller of Maryland. Ms. Owston noted for the record that neither of the licensees were present for the hearing. Commissioner Moe made the motion to deny the incomplete renewal application. The motion was seconded by Commissioner Bolden and approved. The licenses will expire on June 30, 2015 as a result.

A violation hearing was held at 10:00 AM for Shorty's Bar & Grill. The business is located at 7189 Garrett Highway, Oakland, Maryland. Licensee, William Finch was present for the hearing. Ms. Georg swore the licensee under oath to testify. Ms. Owston presented the Board with a copy of the Report of Violation from the Comptroller of Maryland. The Comptroller's Office found alcoholic beverages on the licensed premise that were not invoiced from a Maryland wholesaler. Ms. Owston, the Board and Mr. Finch discussed the violation in detail. Commissioner Bolden made a motion that the penalty be waived for Shorty's Bar & Grill. Ms. Owston then mentioned the other various bottles that were in violation. She apologized for interrupting the motion and explained that she was not ready for the motion and had further comments about the case. Commissioner Bolden stayed by his motion that any penalty for the violation be waived. Commissioner Moe asked to hear more information on the case. Ms. Owston expressed her concern and asked Mr. Finch to contact her in the future if he is having trouble getting the wholesalers to deliver product to the licensed premise rather than making a prohibited purchase. Ms. Owston reminded Mr. Finch that the actual invoice or a copy of the invoice must be on the licensed premise for all alcohol on-site. The motion was not seconded. Commissioner Moe made a motion to place a letter of reprimand in the file along with a \$50 fine. Commissioner Bolden reluctantly

agreed with the motion. Ms. Owston explained to Mr. Finch the appeal process. Mr. Finch said he agreed with the report and would waive his right to appeal the Board's decision. Ms. Owston explained that the fine would be due in 30-days and a letter of reprimand would be placed in the license file.

A show cause continuance hearing was held at 10:20 AM for Ken's Irish Pub. The business is located at 269 Maple Street, Friendsville, Maryland. The hearing was a result of the renewal application being submitted incomplete which then resulted in the renewal application being late. Licensee, Fred Fox was present for the hearing. Ms. Georg swore the licensee under oath to testify. Mr. Fox spoke in detail with the Board about the reasons behind the application being submitted late. Mr. Fox also spoke on the context of how the business came to be and the future plans. Ms. Owston responded to Mr. Fox's statements and pointed out the importance of meeting all deadlines for the various permits and licenses. Commissioner Bolden made a motion to waive the late fees. The motion was not seconded. Commissioner Moe made a motion to reduce the late fees to \$350. The motion was seconded by Chairperson Fratz and approved. Commissioner Bolden opposed the motion. Ms. Owston explained that the late fees had to be paid prior to the licenses being issued.

A license hearing was held at 10:45 AM for a Special Class "C" 2-day BWL License for Garrett Mentors. Present for the hearing was applicant, Edward Spurr. The license is to be used at the Ridgeview Valley Barn at 912 Gravelly Run Road in McHenry on September 19, 2015 during the seventh annual barn dance fundraiser. The event will be held from 5:00 PM until 9:00 PM. Tickets are available for \$30 the evening of the event. Mr. Spurr said the ticket cost includes a catered dinner. He said they would have a cash bar for beer and wine. It was noted that their bartender has current TIPS training. Ms. Owston reviewed the various rules and regulations for a licensed event. Commissioner Moe made a motion to approve the Special Class "C" BWL 2-Day License for September 19, 2015. The motion was seconded by Chairperson Fratz and unanimously approved by Commissioner Bolden. Ms. Owston explained that due to the event being held in the next license year that the license would be issued after July 1, 2015.

The Board approved the 2015-2016 applications as submitted. Ms. Owston mentioned that Friends of Deep Creek Lake did not renew their Special Class "C" BWL Multi-Event License. Commissioner Moe made a motion to approve the renewal applications as submitted. The motion was seconded by Commissioner Bolden and unanimously approved by Chairperson Fratz.

There was general discussion after the scheduled hearings. Ms. Owston spoke with the Board about the businesses that submitted late renewal applications. Ms. Owston informed the Board that SB 0715 / HB 0523 was approved by the Governor on May 12, 2015. Wilhelm Recreation held a Cash Bash on May 23, 2015. The Oakland - Mt. Lake Park Lions Club is scheduled to have the Redneck Dayz fundraiser on June 20, 2015 at Broadford Park. Black Bear Tavern & Restaurant informed the office of an incident outside of the establishment that required EMT's and law enforcement on May 15, 2015 for an injured person in the parking lot. Ms. Owston mentioned the possibility of a new license at corner of North Glade Road & Route 495 in Swanton. Ms. Owston mentioned the Class B food versus alcohol report submitted by Wisp Resort – Lodestone. Ms. Owston said she has contacted them about the report. Compliance Checks were conducted on May 20, 2015 at some

restaurants. She said there were no violations. Backbone Tavern was approved for a Draft Beer License on June 1, 2015. Ms. Owston mentioned that the license for Little Crossings, LLC would be issued prior to Cornucopia Café being opened. The licensees requested the license be issued so they could set up accounts and sell alcoholic beverages from Grants Mercantile. Ms. Owston informed the Board of Autumn Newcomb Shay's email about searching coolers and golf bags on the licensed premise. Craig Ingram said that Ms. Newcomb-Shay should consult with her attorney. Ms. George agreed. Ms. Owston mentioned the possibility of receiving an application from Telli's Deli. Ms. Owston presented the Board with a brochure promoting the 90th anniversary of Deep Creek Lake. An open house with wine and cheese at Farmhouse Fete was discussed along with the BYOB practice at Chanteclair. Ms. Owston said that she will be inspecting with the Comptroller's Office next week and they will stop in to see how the event will be conducted.

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

The next meeting of the Board of License Commissioners is scheduled for Thursday, July 2, 2015.

Michael J. Fratz
Chairperson

July 2, 2015

Date