

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their November meeting in the Commissioner's Public Meeting Room on Thursday, October 29, 2015 at 9:00 AM. Present for the meeting was Commissioner DeCorsey Bolden, Commissioner David Moe and Administrator to the Board Deborah R. Owston.

Commissioner Bolden called the meeting to order. The Board signed mileage sheets.

The August 6, 2015 minutes were reviewed and approved by the Board. Commissioner Moe made the motion. The motion was seconded by Commissioner Bolden and approved. No meetings were conducted in September and October.

There was general discussion prior to the hearings. Ms. Owston presented some legislative changes to the Board for discussion. The Board agreed to request a few legislative items. A change to Article 2B § 8-308.3 in regards to the wine festival license statute that would allow the license holder to return unsold wine up to five days after the event. A request to allow for an administrative hearing rather than an advertised public hearing for Special Class "C" temporary licenses. This change would allow qualifying non-profit organizations to meet with the Administrator to the Board to review the application and grant approval for the event under certain conditions. This change is intended for organizations with annual fundraising events who have previously been before the Board. The Board reviewed how several other jurisdictions handle similar situations. It was determined that an application for a large event anticipating an attendance of 500 or more that is open to the public would necessitate an hearing before the Board. Ms. Owston said that discussion on the proposed 7-day license would take place after the hearing. Ms. Owston informed the Board that MoonShadow Café inquired about the possibility of holding an additional license at the proposed Harvest Moon Market. Ms. Owston explained to the Board that there are limitations to holding more than one alcoholic beverage license. She explained that Article 2B prohibits a Class B license holder from holding a Class D package store license in Garrett County. However, a Class B license holder can hold an additional Class B license under certain circumstances. The Comptroller's Office informed Ms. Owston that St. Moritz Boardwalk did not have copies of invoices for alcoholic beverages on-site. She noted that the invoices were made available during the follow-up inspection. Backbone Tavern held a few large outside events. They were held on August 15, September 12, and October 10, 2015. The Board made a motion to extend the hours for serving alcoholic beverages on New Years' Eve / Day until 4:00 AM on January 1, 2016. Commissioner Bolden made the motion that was seconded by Commissioner Moe. Ms. Owston noted that take-out sales are not permitted after 2:00 AM. Backbone Tavern notified the office of an incident that took place on August 29, 2015 involving suspicious behavior. The individuals left prior to the deputies arriving. The Board took no action. Pizzeria Uno / Honi-Honi had a Special Exception hearing to allow outdoor entertainment on Sunday. The Board did not oppose the request. The Zoning Appeals Board approved the request to allow outdoor entertainment from 1:00 PM – 9:00 PM on a Sunday. Deep Creek Seafood opened on September 2, 2015. Cornucopia Café opened on September 21, 2015. The Board approved the 2016 meeting dates. The meetings will be held the first Thursday of every month with two exceptions. The February meeting will be on Friday, February 5, 2016 if a meeting is necessary. The May meeting will be held on Wednesday, May 4, 2016. The annual Garrett County Commissioners public legislative

meeting with Delegate Beitzel and Senator Edwards will be held on December 7, 2015 at 4:00 PM.

A Special Class "C" 2-day BWL license hearing was held at 9:30 AM for the Knights of Columbus # 1771. Applicants for the license are John R. Toston and Daniel L. Clark. Anthony Weeden was present for the hearing. Mr. Weeden stated they would be having their annual fundraiser dinner at the Parish Hall on Saturday, November 7, 2015 from 5:00 PM until 9:00 PM. The \$25 ticket cost includes dinner and limited alcoholic beverages. The Board and Ms. Owston discussed the various rules and regulations with Mr. Weeden. Commissioner Moe made a motion to approve the Special Class "C" license for use on November 7, 2015. The motion was seconded by Commissioner Bolden and approved. After the appropriate fees were paid, the license was issued. Ms. Owston provided copies of the various ID's for surrounding states, articles on carding and the Fire Marshal's crowd manager letter to Mr. Weeden. All fees were paid and the license was issued.

After the hearing, general discussion was continued. Winner's Circle, located at 401 Dave Turney Street, Mt. Lake Park submitted a letter to Delegate Beitzel and Senator Edwards requesting a Sunday sales referendum vote during the 2016 election. Senator Edwards' office responded to the letter instructing the license holders to approach the LCB and the Garrett County Commissioners for support of their proposal. The Board discussed the request and stated that they do not support a referendum. Instead, the Board favors a 7-day license with limited Sunday hours rather than asking for a referendum vote again. The Board asked Ms. Owston to let the license holders at Winner's Circle know their position. The Board further discussed a legislative request for a 7-day license. This would be accomplished by repealing all of the 6-day licenses and creating new licenses that allow alcoholic beverage sales every day. As a result, the Sunday sales option would not be necessary. The approved hours on Sunday would remain from 1:00 PM – 10:00 PM. The new license fees would be calculated by taking the average of the current 6-day license cost and multiplying by seven with a marginal rounding increase in the amount for a few. An application from Tomanetti's restaurant is anticipated for the December meeting. The Comptroller's Office informed the office that Grantsville Exxon did not have their alcoholic beverage license posted. They were instructed that the license must be posted. Ms. Owston noted that several licensed events occurred in the past few months. The Deep Creek Art & Wine Festival was held September 12, 2015. Deep Creek Volunteer Fire Co. held a Crab Feast on September 12, 2015. Wilhelm Recreation held a Bull Roast on September 12, 2015. Garrett Mentors held a Barn Dance on September 19, 2015. Grantsville VFD held a Gun & Cash Bash on September 26, 2015. Friendsville VFRD held a Gun Bash on October 3, 2015. Oakland VFD held an Oktoberfest event on October 8, 2015. Oakland VFD held a Wrestling Tournament on October 10, 2015. Wilhelm Recreation held a Cash Bash on October 17, 2015. Avilton Community Association held a Cash Bash on October 18, 2015. Oakland Mt. Lake Park Lions Club is scheduled for a Casino Night on November 14, 2015. Eastern Garrett Co. VFRD is scheduled for a Gun Bash on November 21, 2015. Ms. Owston mentioned that Deep Creek Beverage has started construction on a new addition to the building for storage of alcohol. Compliance checks were conducted on September 21, 2015. Ten businesses were checked. All of those businesses were in compliance. A second round of checks was conducted on October 15, 2015. Eight businesses were checked. Hartman's in Accident was the only establishment that was not in compliance. Ms. Owston will contact Rick Hartman to schedule a violation hearing.

There being no further business to discuss, Commissioner Bolden made a motion to adjourn the meeting. The motion was unanimously approved.

The next meeting of the Board of License Commissioners is scheduled for Thursday, December 3, 2015.

Michael J. Fratz
Chairperson

December 3, 2015

Date