

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their regular meeting in the Commissioner's Public Meeting Room on Thursday, July 7, 2016 at 9:00 AM. Present for the meeting was Chairperson David Moe, Commissioner Michael Fratz, Commissioner Lisa Herman and Administrator to the Board Deborah R. Owston.

Commissioner Fratz called the meeting to order. Ms. Owston introduced Lisa Herman to the Board. Ms. Herman will serve the remainder of DeCorsey Bolden's term. Her term will run from June 1, 2016 – May 31, 2018. Chairperson David Moe was reappointed to the Board. His term will run from June 1, 2016 through May 31, 2022.

The June 2, 2016 minutes were reviewed and approved by the Board. Chairperson Moe made the motion to approve the minutes. The motion was seconded by Commissioner Fratz and unanimously approved.

There was general discussion prior to the scheduled hearings. The 2016-2017 license pick-up was discussed. Ms. Owston informed the Board that the Maryland Highway Safety Office grant would be used for a compliance award luncheon on September 15, 2016 at Black Bear Restaurant. The Board approved increasing the licensed premise at the Elks Lodge to include the new outside deck. Chestnut Ridge Gas & Liquors license was upgraded to include the Tasting Option on June 10, 2016. The Chamber of Commerce will host a Business After Hours event on July 14, 2016 at the Greater Grantsville Business Association. The Garrett County Agricultural Fair Board is scheduled to have a licensed event on July 4, 2016 at the fairgrounds. This event may not have occurred due to the inclement weather and the fireworks being postponed. Ms. Owston will confirm whether the licensed event occurred. Compliance Checks were conducted on June 2, 2016. Clerks from Midway Discount Liquors and Good to Go sold to the cadet. Friendsville Liquor Store received Health Department approval for the outside "Drafter's" beer garden. Ms. Owston and the Board discussed the location of the picnic tables in the beer garden. Ms. Owston will follow up with the Town of Friendsville to make sure the location is approved. Long Stretch Market is planning to construct a 32 x 48 pavilion. The Board did not approve the area for outside consumption. More information needs to be submitted from the license holder, Health Department and Permits office. The Greene Turtle opened July 6, 2016. The Use & Occupancy Permit has conditional approval from the Fire Marshal. Ms. Owston mentioned that she visited the business to review where alcoholic beverages would be served from and stored.

A Wine Festival License hearing was held at 9:20 AM on the application submitted by Drinks, Inc. trading as McHenry Beverage Shoppe. Sherry Gosnell is the applicant for the license. Paula Yudelevit attended the hearing to represent the Deep Creek Art & Wine Festival Committee. The festival will be September 10, 2016 at the Garrett County Fairgrounds in McHenry from noon until 7:00 PM. Ms. Yudelevit discussed the details of the event with the Board. She mentioned the history of the event and noted that this would be the twelfth year. The proceeds from the event would benefit Hart for Animals, Inc. and the Garrett Lake Arts Festival. The advance ticket cost is \$30 and \$35 at the gate. There is a VIP add-on for an additional \$30 for 10 premium tastings. They estimate approximately 2,800 people will attend the event. There will be one main entrance into the festival other than the handicap

entrance. Everyone must present his or her ticket at the gate. They will then be carded if necessary and wrist banded. Two different color wristbands will be used. Ms. Owston questioned the alcohol awareness training of the winery representatives and event volunteers. Ms. Yudelevit mentioned that several committee members have current alcohol awareness training. In addition, there will be a security detail at the festival. The individual in charge of the security detail recently attended the Safe Alcohol Event Management training sponsored by the Health Department. Ms. Yudelevit stated there would be about 35 tasting tables with one winery representative for every two tables. The wine samples will be ½-ounce pours. Ms. Owston remarked about the regulations for the wholesalers accepting returns after the event. She said recent legislative changes to allow returns up to 5 days after the event begin on October 1, 2016. Therefore, the Board will need to include in the motion that returns are allowed up to 5 days after the event. A discussion took place on the approved storage location for the wine after the event. Chairperson Moe made a motion to approve the Wine Festival License and to allow the wine to be returned by Friday, September 16, 2016. The motion was seconded by Commissioner Fratz and unanimously approved by Commissioner Herman. All fees were paid and the license issued. Ms. Owston presented Ms. Yudelevit a vendor packet along with a copy of the new Maryland ID. Ms. Yudelevit requested emailed copies of the various ID's for Maryland and the surrounding states as well.

A transfer hearing was held at 9:40 AM. DJR Group, LLC dba Winner's Circle applied for the transfer of the license issued to 1450, LLC dba Winner's Circle. The application is for the transfer of the Class "D" BWL Off-Sale License. The business is located at 401 Dave Turney Street, Mt. Lake Park, Maryland. Applicants for the license are Rachel Isenhardt and Jennifer Koach. Ms. Koach was present for the hearing. Ms. Owston noted that the applicants are in the process of getting bank approval to purchase the property and that as a result there are several outstanding items including town approval. Ms. Owston mentioned that she spoke to Lenora Fischetti at the Mt. Lake Park Town Hall about the pending transfer. Ms. Fischetti suggested that the applicants attend the town hall meeting tonight. Ms. Koach said that they plan to operate the same as the current business for now. Ms. Owston explained that alcohol sales are allowed from 6:00 AM until 2:00 AM. Ms. Owston stated that Sunday sales are prohibited in the election district. Chairperson Moe reviewed the upcoming referendum vote. Ms. Owston noted that Ms. Koach recently received TIPS certification and that she has worked in the food & beverage industry for several years. Ms. Owston reviewed the various administrative and inspection requirements. The Clean Indoor Air Act was mentioned. All licenses and permits issued by the County and State need to be displayed. All alcohol must be purchased from a Maryland wholesaler and copies of the invoices for alcohol must be on-site and available for review during an inspection by the County and the State. Ms. Owston went over the age of employees selling and handling alcoholic beverages. Since the business operates as a package store, all employees must be at least 21 ringing up alcohol sales. Employees at least 18 years of age can stock shelves. Ms. Owston informed the applicant that if for any reason they call law enforcement to the licensed premise or law enforcement shows up at the business that they are to notify the office of the circumstances. Ms. Owston stated that it is illegal to serve a minor, it is illegal to serve an intoxicated person and that they have the right to refuse service. Ms. Owston reviewed the fine and suspension penalties for sales to a minor. Ms. Owston informed the applicant of the recent repeal of Article 2B and the new Alcoholic Beverage Article. The new Alcoholic Beverage Article can be accessed on the Maryland Annotated

Code website. Ms. Owston stated that the tax on alcohol is 9%. Ms. Owston instructed the applicant to contact the office if they consider doing anything unusual to make sure the practice is allowed. The outstanding administrative items were reviewed and the applicant was informed to submit them upon receipt. Chairperson Moe made a motion to approve the transfer of the Class "D" BWL Off-Sale License pending receiving the numerous outstanding administrative items. The motion was seconded by Commissioner Fratz and unanimously approved by Commissioner Herman. Ms. Owston explained the renewal process and renewal costs for the license. Ms. Koach was presented with driver's license material for Maryland and the surrounding states.

There was general discussion after to the scheduled hearings. Ms. Owston reviewed the upcoming audit with the Board. The Alcoholic Beverage Article cross reference guide was discussed along with the legislative changes that will need to be submitted to correct the revision errors. A discussion took place on how compliance checks are conducted and all the agencies involved.

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

The next regular meeting of the Board of License Commissioners is scheduled for Thursday, August 4, 2016.

David L. Moe
Chairperson

August 4, 2016

Date