

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their June meeting in the Commissioner's Public Meeting Room on Thursday, June 14, 2018 at 9:00 AM. Present for the meeting was Chairperson Lisa Herman, Commissioner Michael Fratz, Commissioner David Moe, Administrator to the Board Deborah Owston and Attorney to the Board M. Elizabeth Georg.

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

The April 10, 2018 meeting minutes were approved by the Board. Commissioner Moe made the motion. The motion was seconded by Chairperson Herman and unanimously approved by Commissioner Fratz. The May 1, 2018 meeting minutes were approved by the Board. Commissioner Moe made the motion. The motion was seconded by Chairperson Herman and unanimously approved by Commissioner Fratz.

There was general discussion before the scheduled hearings. Ms. Owston updated the Board on the status of the 2018 the license renewals. She mentioned that there were still a few license renewals that had not been received that were expected in the mail. The Board of License Commissioners election of chair position in accordance with AB § 21-203 was discussed. Ms. Owston suggested the term start July 1st to coincide with the new license year. The Board agreed with her suggestion. The Manor Steakhouse license was issued May 7, 2018 for ordering purposes only. They opened to the public June 8, 2018. Mr. William Finch of Shorty's Bar & Grill passed away on May 4, 2018. The establishments last day of operation was May 5, 2018. Mr. Finch's son, Pat Finch may request a Certificate of Permission to continue operations. The licenses for Monkey Business Aerial Adventure Park are expected to be issued before June 30, 2018. The Board made a motion that the pending approval for Eats on Alder and the Alder Street Diner will be extended until October 1, 2018. If the businesses are not open by October 1, 2018, Ms. Autumn Newcomb-Shay will have to reapply. Mt. State Brewing Co. was approved on May 22, 2018 for the Non-Refillable Container Permit in accordance with AB § 21-1104.1 for crawlers. Chairperson Herman made the motion. The motion was seconded by Commissioner Moe and unanimously approved by Commissioner Fratz. Mr. Hartman of Hartman's Accident Amoco passed away on May 16, 2018. A Certificate of Permission was issued to Barbara Lynch on May 23, 2018. Ms. Lynch was informed that the approval of her as the licensee is only good for 18 months in accordance with AB § 3-802.

A violation hearing was held at 9:20 AM for El Canelo Restaurant for the sale of alcohol to a minor during a compliance check conducted on March 22, 2018 by the Maryland State Police. The business is located at 12680 Garrett Highway. Licensees, Lisa J. Hernandez and Jose O. Hernandez Menjivar were present for the hearing. Criminal Investigation Report 18-MSP-012285 was reviewed. The license holders acknowledged the facts of the report. They explained some details relating to the compliance check and training procedures they have in place. Ms. Owston reviewed the importance of carding and training staff on a minor's vertical license and the key indicators. She further stressed that the server has to keep their guard up when an adult is with someone they should card. She mentioned that anyone who

appears under 30 should be carded even though they are with an adult. Ms. Owston suggested that an additional step they could take when provided with a vertical license is to have the server take the ID to the manager / bartender to be double-checked. Ms. Owston explained the fine and suspension guideline. Commissioner Moe made a motion for a letter of reprimand to be placed in the license file and a fine of \$300.00 for a first offense for sales to a minor. The motion was seconded by Commissioner Fratz and unanimously approved by Chairperson Herman. The license holders agreed with the facts as presented and the Board's decision on the matter and waived their right to appeal the Board's decision to Circuit Court. The violation fine is due within 30-days from the hearing.

A violation hearing was held at 9:40 AM for Brenda's Pizzeria for the sale of alcohol to a minor during a compliance check conducted on March 22, 2018 by the Maryland State Police. The business is located at 21311 Garrett Highway. Licensee, Brenda McDonnell was present for the hearing. Managers JB Murphy and Jeanie Blamble were also in attendance. Criminal Investigation Report 18-MSP-012285 was reviewed. The license holder acknowledged the facts of the report. They explained some details relating to the compliance check and procedures they have since implemented and reinforced. Ms. Owston noted that several of Ms. McDonnell's staff from Brenda's Pizzeria, Trader's Coffee Shop and Ace's Restaurant recently attended the ALERT class and she hosted a TIPS On-Premise training as well. Ms. Owston reviewed the importance of carding and training staff on a minor's vertical license and the key indicators. She further stressed that the server has to keep their guard up when an adult is with someone they should card. She mentioned that anyone who appears under 30 should be carded even though they are with an adult. Ms. Owston suggested that an additional step they could take when provided with a vertical license is to have the server take the ID to the manager / bartender to be double-checked. Ms. Owston explained the fine and suspension guideline. Commissioner Moe made a motion for a letter of reprimand to be placed in the license file and a fine of \$300.00 for a first offense for sales to a minor. The motion was seconded by Chairperson Herman and unanimously approved by Commissioner Fratz. The license holder agreed with the facts as presented and the Board's decision on the matter and waived their right to appeal the Board's decision to Circuit Court. The violation fine is due within 30-days from the hearing.

A violation hearing that was scheduled for 10:00 AM for the Grantsville American Legion Post #214 was postponed until July 12, 2018. Commissioner Moe made the motion to postpone the hearing to allow the license holders at the time of the inspection to be present and the opportunity to obtain counsel, the motion was seconded by Chairperson Herman and unanimously approved by Commissioner Fratz. It was noted that Jeff Green and Michael Anderson were present however, Gary Laymen was not in attendance.

A license hearing was held at 10:30 AM for a Special Class "C" Per Diem 2-day BWL License for Garrett Trails, Inc. The license will be used on June 23, 2018 at Garrett College – Parking Lot B. Applicants for the license are Steve Green and Mike Logsdon. Ms. Ashlee Boyd, of Garrett Trails was present for the hearing. The beer trailer will be set up outside in the parking lot as noted on the map provided in the application. Ms. Owston read the responses from the questions on the Special Class C "Notification of Event" form that was submitted with the application. Commissioner Moe made a motion to approve the Special Class "C"

Per Diem License for use on June 23, 2018 at Garrett College. The motion was seconded by Commissioner Fratz and unanimously approved by Chairperson Herman. After the appropriate fees were paid, the license was issued. Ms. Owston provided Ms. Boyd with a vendor packet and loaned copies of the ID Checking Guide.

The general discussion continued after the scheduled hearings. The Board approved the 2018-2019 alcoholic beverage renewals. Commissioner Moe made the motion. The motion was seconded by Chairperson Herman and unanimously approved by Commissioner Fratz.

The next regular meeting of the Board of License Commissioners is scheduled for Thursday, July 12, 2018.

There being no further business to discuss, Chairperson Herman made a motion to adjourn the meeting.

Lisa M. Herman
Chairperson

July 12, 2018
Date