

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their monthly meeting on Thursday, September 13, 2018 at 9:00 AM in the Commissioner's Public Meeting Room 209. Present for the meeting was Chairperson Michael Fratz, Commissioner Lisa Herman, Commissioner David Moe, Administrator to the Board Deborah Owston and Attorney to the Board M. Elizabeth Georg.

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

The Board approved the August 9, 2018 meeting minutes. Commissioner Moe made the motion. The motion was seconded by Commissioner Herman and made unanimous by Chairperson Fratz.

There was general discussion before the scheduled hearings. A quick overview of the potential 2019 legislation was presented. Some of those items include, repeal the business requirement and out of state Class A and Class D license restrictions. Amend the Draft Beer License to become a license option due to the new MUNIS software restrictions. Create a new raffle basket permit. Allow an administrative office hearing for Per Diem 2-day license applications based on attendance. Consider on-line advertisement verses newspaper notice of advertisement. Consider multi-event non-profit license holders to cater events on their premise and establish an administrative violation hearing fee. The Board approved extending on-premise sales on New Year's Eve until 4:00 AM in accordance with AB § 21-2007. The Deep Creek Art • Beer & Wine Festival was held on September 8, 2018 at the Garrett County Fairgrounds. The Deep Creek VFC held a crab feast fundraiser on September 8, 2018. The Chamber of Commerce BAH event will be held on September 13, 2018 at Monkey Business Adventure Park. Southern Garrett County Rescue Squad will conduct a Gun & Cash bash on September 22, 2018. The administrative hearing was held on July 7, 2018. Garrett Mentors held their annual barn dance fundraiser on September 22, 2018 at Sang Hills Farm. The administrative hearing was held August 7, 2018. The Oakland VFD will have Oktoberfest on October 11, 2018, an Arm Wrestling event on October 20, 2018 and a Gun & Cash Bash on November 3, 2018. Ms. Owston mentioned rescheduling the December 13, 2018 meeting to earlier in the month.

A new license hearing was held at 9:20 AM for Sweitzer's BBQ, LLC dba Sweitzer's BBQ. The application is for a Class "B" B&W On-Sale 7-Day License. David Sweitzer and Fred Matusky are the applicants for the license. Mr. Matusky has 51% ownership interest and Mr. Sweitzer has 49% ownership interest. Mr. Sweitzer was present for the hearing. The business is located 111 North 3rd Street in Oakland. They plan to open in October. The planned hours of operation will be daily from 11:00 AM – 7:00 PM. The responsibilities and rules & regulations that come with holding an alcoholic beverage license were reviewed. A discussion took place concerning the business and the licensed premise area. The licensed premise is listed as 2,751 square feet inside building only. Ms. Owston requested a detailed floor plan showing all areas where alcohol would be served, stored and sold. The floor plan should reference where the bar and tables would be located. It was noted that any future outside decks / patio serving areas to be licensed must be approved by the Town of Oakland before the Board considers approval. The mobile unit for Rolling Racks BBQ was discussed. Mr. Sweitzer questioned using it until the bricks and mortar renovation was complete since

it is an approved catering truck. Ms. Owston said that the license would not be issued until the approved U&O and outstanding administrative items were received. She did say however, that the license could be issued for ordering purposes only prior to opening to the public but the mobile unit would not be licensed. Ms. Owston discussed the Catering Option. She said that the Catering Option is only to be used for off-site contracted events with food and alcohol and self-sponsored events are not permitted. The age of servers and bartenders in a restaurant was discussed. Ms. Owston told Mr. Sweitzer that gaming and gambling activities are strictly prohibited on the licensed premise. Mr. Sweitzer questioned about selling hard cards with all of the proceeds going to a weekly charity. Ms. Owston said this practice is not permitted. She told him to email her what exactly he wanted to do with the games and she would share with the States Attorney's Office and Comptroller's Office for their opinion as well if he would like. She said they could sell tickets for a gun bash for a non-profit but would not be permitted to conduct their own gaming activities and donate the proceeds to a charity. Mr. Sweitzer explained that since the business is surrounded by non-profit organizations it creates an unfair disadvantage in the selection process of where someone goes to lunch since he cannot offer what the non-profits can. Ms. Owston said several years ago, the County considered allowing for-profit businesses to conduct gaming just like the non-profits but it was never authorized. Commissioner Moe made a motion to approve the Class "B" B&W On-Sale 7-Day License pending receiving all outstanding administrative items. The motion was seconded by Commissioner Herman and made unanimous by Chairperson Fratz. Ms. Owston informed Mr. Sweitzer of the license renewal process and the requirement of having all accounts in compliance or accumulating late fees will be assessed to the license renewal cost. Mr. Sweitzer received a vendor packet.

A transfer license hearing was held at 9:40 AM. Simpsons, LLC applied for the transfer of the Class B B&W On-Sale 6-Day License issued to North Glade Inn, Inc. dba the North Glade Inn. The business is located at 184 North Glade Road in Swanton. Applicants for the licenses are Fred Fulk, Erica Simpson and Justin Simpson. Mr. Fulk has 1% ownership interest, Mrs. Simpson has 49.5% ownership interest and Mr. Simpson has 49.5% ownership interest. Mr. and Mrs. Simpson were present for the hearing. Ms. Owston noted that Mr. Fulk is the resident applicant until Mr. and Mrs. Simpson fulfill the one-year residency requirement in July. The applicants requested to upgrade the license to a 7-day license. Mr. Simpson said they have purchased the business and plan to purchase the property in the future from Mr. and Mrs. Fulk. He said they would keep the business the way it was for now and request the expansion for a 7-day license for the common areas of the B&B. Mr. Simpson said the barn would continue as BYOB and will not be encompassed on the liquor license. The Special Exception SE-354 zoning restrictions were mentioned and the applicants were advised to check with the Planning Office prior to any changes in use compared to previous operations. A discussion took place about the permitted consumption areas on the licensed premise and the non-licensed areas. It was recommended that at some point next year they consider adding the 2-Bottle Wine Option to the license. Further discussion took place about the future possibility of a kegerator and the Draft Beer License. Ms. Owston reviewed the license issuance procedures and regulations. Ms. Owston said the Transfer Release was sent to the Comptroller's Office on September 4, 2018 and is expected to be received soon. Ms. Owston explained that the license would be transferred upon the office receiving the Transfer Release from the Comptroller's Office along with copy of the Sales & Use Tax Number. Ms. Owston explained the renewal process and importance of meeting all deadlines. Commissioner Moe made a motion to approve the transfer of the

Class "B" Beer & Wine On-Sale 7-Day License pending the Transfer Release from the Comptroller's Office. Commissioner Herman seconded the motion and Chairperson Fratz made unanimous. Mr. and Mrs. Simpson received a vendor packet.

The next regular meeting of the Board of License Commissioners is scheduled for Thursday, October 11, 2018.

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

Michael J. Fratz
Chairperson

October 11, 2018
Date