

## MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their monthly meeting on Thursday, July 11, 2019 at 9:00 AM in the Commissioner's Public Meeting Room 209. Present for the meeting was Chairperson David Moe, Commissioner Michael Fratz, Commissioner Lisa Herman, Administrator to the Board Deborah Owston Attorney to the Board M. Elizabeth Georg.

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

The Board approved the June 13, 2019 minutes. Commissioner Fratz made the motion. The motion was seconded by Commissioner Herman and unanimously approved by Chairperson Moe.

There was general discussion before the hearings. In accordance with AB § 21-203, David Moe will be the Board of License Commissioners chairperson effective July 1, 2019. The 2019-2020 license renewals totaled \$131,810.00. There were 73 full-time licenses and 14 non-profit licenses renewed. Three were not renewed. Compliance checks were conducted on June 10, 2019. McHenry Beverage Shoppe was not in compliance. The Chamber of Commerce will host a Business After Hours event on July 11, 2019 at Simon Pearce. HART for Animals Inc. will be serving beer at the Skyhoundz Disc Dog Championship July 26, 2019, July 27, 2019 and July 28, 2019.

A transfer hearing was held at 9:20 AM. The Rooster's Nest, LLC applied for the transfer of the Class B BWL On-Sale 7-Day License issued to Hilltop Inn Restaurant & Lounge, LLC. The business is located at 12336 National Pike in Grantsville. Applicants for the licenses are Sandy L. Fazenbaker and Adam Rounds. Ms. Fazenbaker has 51% ownership interest and Mr. Rounds has 49 % ownership interest. Both applicants were present for the hearing. The applicants said they would continue to operate the business as a restaurant. Mr. Rounds mentioned that they might build a deck in the back of the property and request the area be approved as part of the licensed premise. They are currently only licensing the inside of the business. The approved occupancy number is 149. Ms. Fazenbaker said she has a TIPS class scheduled for July 24, 2019. She has 11 staff members registered for the training. Ms. Owston reviewed the license issuance procedures and regulations. Ms. Owston explained the renewal process and importance of meeting all deadlines. Commissioner Herman made a motion to approve the transfer of the Class B BWL On-Sale 7-Day License pending receiving the outstanding administrative items. The motion was seconded by Commissioner Fratz and unanimously approved by Chairperson Moe. The outstanding administrative items are the executed lease agreement, corporate resolution outlining the revised membership and Bulk Transfer Permit.

A new license hearing was held at 9:40 AM for Don Patron Oakland, LLC for a Class B BWL On-Sale 7-Day License with Draft Beer Option. The business is located at 13107 Garrett Highway in Oakland. Jessica Salinas and German D. Cuevas Espinoza are the applicants. German D. Cuevas Espinoza was present for the hearing along with the manager Raul Mendoza. Ms. Salinas is the local resident applicant. She will have 2% membership and Mr. Cuevas Espinoza will have 98% membership. Ms. Owston reviewed the license issuance procedures and regulations. A discussion took place about Mr. Cuevas Espinoza

holding an alcoholic beverage license in Uniontown, PA. Mr. Cuevas Espinoza was told that all alcohol must be purchased from a licensed Maryland wholesaler and invoices must be available during an inspection. They were also told that the property is within the Town of Oakland and that town zoning applies. Ms. Owston stated that if they are considering any specific changes to operations, serving areas or activities including entertainment to check with the LCB Office and Planning Office. The licensed premise areas were discussed. The premise would include the inside of the restaurant and the outside patio. They expect to open late summer. They were told the license could be issued early for ordering purposes only. The outstanding administrative items include the Trader's License, Worker's Comp, Health Permit and Fire Marshal approval if applicable. Ms. Owston requested a copy of their approved occupancy. Commissioner Herman made a motion to approve the Class B BWL On-Sale 7-Day License with Draft Beer Option pending receiving the outstanding administrative items. The motion was seconded by Commissioner Fratz and unanimously approved by Chairperson Moe. The license will be issued pending a response from the Health Permit

A Beer & Wine Festival License hearing was held at 10:00 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 Lake Art, Wine & Beer Festival Committee. The festival will be September 7, 2019 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 fifteenth year. HART for Animals and GLAF are the two main beneficiaries of the festival. Other local nonprofits are on site as well to conduct fundraising. The advance ticket cost is \$30 and \$37 at the gate. They estimate approximately 2,800 people will attend the event. Commissioner Herman made a motion to approve the Saturday, September 7, 2019 Beer & Wine Festival License. The motion was seconded by Commissioner Fratz and unanimously approved by Chairperson Moe.

A new license hearing was held at 10:30 AM for M&P Hudnall, LLC for a Class D BWL On-Sale 7-Day License with Draft Beer Option and Growler Option. The business is located at 213 East Alder Street in downtown Oakland. Applicants for the license are Michelle Hudnall and Patrick Hudnall. Mr. Hudnall was present for the hearing. The applicants will be equal partners in the business. They expect to open late summer. Ms. Owston reviewed the license issuance procedures and regulations. They were told that the property is within the Town of Oakland and that town zoning applies. Ms. Owston also stated that if they are considering any specific changes to operations, serving areas or activities including entertainment to check with the LCB Office and Planning Office. They were told the license could be issued early for ordering purposes only. The outstanding administrative items include the Worker's Comp certificate and approved U&O from the Health Department, Fire Marshal and Permits Office. Ms. Owston requested a copy of their approved occupancy upon issuance. Commissioner Herman made a motion to approve the Class D BWL On-Sale 7-Day License with Draft Beer Option and Growler Option upon receiving the outstanding administrative items. The motion was seconded by Commissioner Fratz and unanimously approved by Chairperson Moe.

A violation hearing was held at 10:45 AM for Drinks, Inc. trading as McHenry Beverage Shoppe for the sale of alcohol to a minor during a compliance check conducted on June 10,

2019 by the Maryland State Police. The business is located at 24465 Garrett Highway in McHenry. Licensee, Sherry Gosnell was present for the hearing. The Criminal Investigation Report was reviewed. The license holder acknowledged the facts of the report. She 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. Ms. Owston suggested that an additional step they could take when provided with a vertical license is to have the clerk take the ID to the manager or a coworker to be double-checked. Ms. Owston explained the fine and suspension guideline. Commissioner Herman 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 that was unanimously approved by Chairperson Moe. The license holder agreed with the facts as presented and the Board's decision on the matter and waived her right to appeal the Board's decision to Circuit Court. The violation fine is due within 30-days from the hearing.

The next regular meeting of the Board of License Commissioners is scheduled for Thursday, August 8, 2019.

There being no further business to discuss, Chairperson Fratz made a motion to adjourn the meeting. The motion was seconded by Commissioner Herman and approved.

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David L. Moe  
Chairperson

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August 8, 2019  
Date