

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held a special meeting on Friday, May 1, 2020 at 9:00 AM because of the April 9, 2020 meeting being postponed due the COVID-19 State of Emergency and closure of the Garrett County Courthouse. The meeting was conducted by teleconference. Present on the call was Chairperson David Moe, Commissioner Mike Fratz, Commissioner Lisa Herman, Administrator to the Board Deborah Owston and Attorney to the Board M. Elizabeth Georg.

Chairperson Moe called the meeting to order. There were no mileage sheets to be signed by the Board since the meeting was a teleconference.

The Board approved the December 12, 2019 Minutes on March 11, 2020 by email. Commissioner Herman made the motion. The motion was second by Chairperson Moe and unanimously approved by Commissioner Fratz. The February 13, 2020 Minutes were approved on March 27, 2020 by email. Chairperson Moe made the motion. The motion was second by Commissioner Fratz and unanimously approved by Commissioner Herman. The March 12, 2020 meeting was not conducted.

There was general discussion before the hearings. On March 16, 2020, Governor Hogan issued a COVID-19 Executive Order that required all restaurants and bars cease on-premise sales and consumption. Take-out and delivery of food and beverages is permitted under the Order. The 2020 legislation session adjourned early due to the COVID-19 Executive Orders. The Garrett County Alcoholic Beverages Act of 2020 HB 0786 and SB 0643 both received favorable results. The Alcohol & Tobacco Commission – Clarifications HB 900 and SB911 also received favorable results. The bill had 3rd reading amendments that changed the effective date from June 1, 2020 until January 1, 2021. The Durational Residency Requirements of HB902 and SB 765 received favorable results as well. This bill will require at least one applicant reside in the county upon application and remain during the duration of the license. The Board submitted the required State Ethics Commission Financial Disclosure Forms that were due by April 30, 2020. Chamber of Commerce BAH was held February 13, 2020 at Dutch's at Silver Tree. The Deep Creek Dunk was held on February 22, 2020 at Pizzeria Uno. Friendsville VFRD conducted a Gun and Cash Bash on February 29, 2020. Eastern Garrett Co. VFRD conducted a Gun and Cash Bash on March 2, 2019. Chamber of Commerce BAH was held on March 12, 2020 at The Rooster's Nest. Several non-profits were forced to cancel their fundraisers due to COVID-19 social distance and stay at home orders. Pawn Run requested to extend the license being on hold until June 30, 2020. Short Story Brewing contacted the office if reference to considering lowering the bartender age. On March 4, 2020, the American Legion Post #71 changed from a Class C BWL License to Class D BWL License. Red Barn Events. LLC wants to exclude the Inn from the premise. They were instructed to submit the request in writing and note the areas to be licensed. Doug Barton of Thousand Acres Golf Club will not be renewing the alcoholic beverage license. However, Rake Management, LLC has applied for the license. The application will be considered on May 14, 2020. Deep Creek Food Taxi would like legislation for third party alcohol delivery. This practice is prohibited statewide. A few businesses inquired about license fees being prorated and renewal fees reduced due to the COVID-19 restrictions. The Board discussed the circumstances and stated that the fees are set in the Alcoholic Beverages Article. A brief discussion took place about the license expansion at

Sipside Lounge. Ms. Owston said she will provide the details of the expansion at the May 14, 2020 meeting.

A new license hearing was held at 9:20 AM for the Art Establishment On-Sale 7-Day License in accordance with AB § 21-1001. The license was applied for by the Garrett County Arts Council, Inc. dba The Gallery Shop. The business is located at 108 South Second Street in Oakland. Applicants for the license are Mikal McCartney, Mary McEwen, and Madeline Ludwig. All three applicants were on the call as well as Kathy Beachler who is the Executive Director. Ms. Beachler spoke on behalf of the organization. Ms. Owston reviewed the license issuance procedures and regulations as well as read the applicants responses. The license authorizes the on-premise sale of beer and wine. Commissioner Herman made a motion to approve the Art Establishment Beer & Wine On-Sale 7-Day License. The motion was second by Commissioner Fratz and unanimously approved by Chairperson Moe. Ms. Owston noted that due to the COVID-19 Executive Order prohibiting nonessential business from operating, the license will be issued later and possibly after the July 1, 2020 license year begins.

A new license hearing was held at 9:40 AM for a Class B BDR Deluxe BWL On-Sale 7-Day License with the Draft Beer Option in accordance with AB § 21-903, AB § 21-1103 and 21 § 21-803. The license was applied for by Shrimp On The Barbie, LLC dba Shrimp On The Barbie at the Oakland Golf Club. The business is located at 433 North Bradley Lane in Oakland. Applicants for the license are Autumn Newcomb-Shay and Christopher Watson. The applicants are equal partners in the business. Both applicants were on the call. Ms. Owston reviewed the license issuance procedures and regulations as well as read the applicants responses. A discussion took place about the licensed premise. Since the golf course will be licensed, BYOB is strictly prohibited. Ms. Owston noted that Ms. Newcomb-Shay currently holds a Class B Beer License at the Alder Street Diner and a Class B BDR Deluxe B&W License at Tomanetti's. Ms. Owston then explained that current statute would not allow Ms. Newcomb Shay to hold all three licenses. Upcoming legislative changes effective July 1, 2020 would allow her to hold all three licenses. Ms. Newcomb-Shay stated that she would let the license go at the Alder Street Diner upon issuance of the license at the golf course. Ms. Owston said that all alcohol would need to be depleted and the Alder Street Diner license would be considered void upon issuance of the golf course license. Ms. Owston said that when that happens, the Class B BDR Deluxe B&W License at Tomanetti's would be downgraded to a Class B B&W On-Sale License. Tomanetti's would still maintain the Catering Option and Off-Premise Wine Option. Commissioner Herman made a motion to approve the Class B BDR Deluxe BWL On-Sale 7-Day License with Draft Beer Option pending receiving the outstanding administrative items and favorable background results. The motion was second by Commissioner Fratz and unanimously approved by Chairperson Moe. It was noted that public comments on the application would be accepted until May 7, 2020.

The next regular meeting of the Board of License Commissioners is scheduled for Thursday, May 14, 2020.

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

David L. Moe
Chairperson

May 14, 2020
Date