



ALCOHOLIC BEVERAGES ADVISORY BOARD

Marc Elrich
County Executive

Meeting
Tuesday, March 21, 2023
Alcohol Beverage Services

Minutes

Members and Staff Present: Brett Robison, ABAB; Dr. Nkemjika Ofodile-Carruthers, ABAB; William Shanklin, ABAB; Susan Heltemes, BLC; Lt. Adam Currie, Montgomery County Police Department; Kathie Durbin, ABS Director; Marco DeSousa, ABS; and Amy Samman, ABS Chief of Licensing, Regulation and Education.

Absent:

Jason Hubbarth, ABAB
Spiro Gioldasis, ABAB

Brett Robison called the meeting to order at 9:09 am. A motion was made to approve the December 2022 meeting minutes by Ms. Heltemes, seconded by Dr. Ofodile-Carruthers, and unanimously approved by the members present.

Ms. Heltemes nominated Brett Robison for Chair and was seconded by Ms. Durbin. No additional nominations were put forward by the members present.

General Discussion:

Board members had a general discussion about the rise of theft in Montgomery County, in particular at several ABS stores. Recent cases of theft involved an armed robbery at the Silver Spring liquor store and minors shoplifting from the King Farm and Cabin John liquor stores. The ABS loss prevention team identified the highest-risk store location to be Silver Spring Montgomery County Liquor and Wine at 8715 Colesville Road.

Community members complained of construction workers and day laborers drinking mixed drinks in the parking lots outside of ABS liquor stores in Silver Spring and Gaithersburg, blaming liquor stores for stocking cheap alcohol in large quantities. Leasing agents for the two locations agreed to hire temporary security guards to patrol the surrounding areas during business hours.

Ms. Durbin stated the importance of the ABS loss prevention team in further improving safety measures for the ABS warehouse and store locations. She said the safety measures were

primarily directed to high-risk stores located in Silver Spring and Gaithersburg. The stores at 8715 Colesville Road and 16535 South Frederick Avenue are due for renovations, with both leases expiring within the next three years.

Marco DeSousa, ABAB Update:

Mr. DeSousa announced the vote on the new chair will be held via email. Voting results will be collected and counted on Friday, March 24, to determine the new chair for the ABAB.

Kathie Durbin, ABS Update:

Ms. Durbin informed board members that the newly opened Oak Barrel & Vine store in Montrose Crossing is Montgomery County's number one grossing liquor store. County residents have provided positive feedback since the store's opening on January 27, 2023. The focus for the Oak Barrel & Vine locations is to highlight local alcohol suppliers and introduce their products to the community. The Oak Barrel & Vine location in Cabin John is equipped with a tasting room that will allow local brewers, vintners, and distillers to showcase their products and provide samples to consumers. The next County liquor store to be upgraded to the Oak Barrel & Vine retail line is in Gaithersburg Square, at 512 N. Frederick Avenue. It is currently the largest county store with 8,000 square feet of interior space and will also feature a tasting room. Ms. Durbin mentioned possible locations for future Oak Barrel & Vine stores, highlighting available retail spaces in Wheaton and Poolesville. Dr. Ofodile-Carruthers asked Ms. Durbin whether it would be better to upgrade the current County liquor stores or build new stores in different areas. Ms. Durbin stated that the present focus is to utilize the growing range of new products to enhance the existing ABS stores.

Ms. Durbin updated board members about plans to upgrade the ABS warehouse, stating that a new conveyor system is being installed to help make warehouse operations more efficient in dealing with the growing amount of product. The system, along with other planned upgrades, would cost approximately 1.8 million dollars, whereas a new warehouse would be over 6 million dollars. Ms. Durbin said the final round of interviews concerning the position of warehouse chief were underway.

Amy Samman Legislative Update:

Ms. Samman updated board members on the County's support of House Bill 345 (MC 4-23), Alcohol Beverage Services - Advisory Board, that would permit the Director of ABS and Police Chief to appoint designees to serve on the Board instead of requiring them to attend. The County also supported House Bill 277 (9MC 16-23), holders of Class B-BWL License and Class 7 Micro-Brewery License, which clarifies a 2022 General Assembly Bill allowing the Montgomery County Revenue Authority to produce both wine (Class 7) and cider (Class 4) at the Crossvines Poolesville Economic Development Project site.

Ms. Samman said Senate Bill 448 Alcoholic Beverages – Manufacturer's Licenses and Off-Site Permits, was introduced to allow certain manufacturers in the state to continue delivering and shipping products directly to consumers until June 30, 2025. Under current law, this permission would terminate on June 30, 2023. Mr. Robison stated that shipping was an issue for local breweries by adding expensive delivery charges to low-cost products. He stated that businesses

with local delivery permits were more accountable, forcing licensees and owners to be held responsible instead third-party delivery services.

Susan Heltemes, BLC Update:

Ms. Heltemes explained the recent lack of compliance checks because of a shortage of underage volunteers. She said that hiring volunteers had been a lengthy process as they were required to undergo drug testing and background checks. Ms. Heltemes stated that three new underage volunteers had recently been hired, allowing compliance checks to resume on March 24, 2023. Ms. Heltemes also stated the Board of License Commissioners (BLC) was concerned with the absence of compliance checks in the downtown Silver Spring area for the past few years.

Ms. Heltemes raised concern over the requirements to apply for a liquor license in Montgomery County, stating that no formal training was compulsory. Ms. Heltemes said online Alcohol Law Education Regulatory Training (ALERT) was not mandatory and was only required if a licensed establishment committed a violation.

Ms. Heltemes said the most common violation brought before the BLC was §5.4(c) of the Rules and Regulations of the Board of License Commissioners, where no person was present at a licensed establishment with valid Alcohol Awareness certification. Certain establishments did not have valid certification for three years because of a lack of state training programs during Covid-19. Dr. Ofodile-Carruthers suggested that ALERT and Alcohol Awareness certification would greatly benefit Montgomery County licensees if they were offered together.

Lt. Adam Currie, Montgomery County Police Department Update:

Lt. Currie stated the Montgomery County Police Department is experiencing a shortage in staff despite the department offering a 20,000-dollar bonus to enroll in the police academy. Lt. Currie said that the Alcohol Initiatives Unit only consists of four officers instead of the required eight.

Lt. Currie informed board members that the number of fatal car crashes have significantly increased due to alcohol and drug abuse. District stations were re-opened to cover the six districts in Montgomery County and patrols were increased in preparation for St. Patrick's Day. Lt. Currie said that the DUI and arrest numbers were pending from the weekend of March 17, 2023.

Next Meeting:

The next ABAB meeting is scheduled for Tuesday, May 9, 2023 at 9:00 a.m.

Adjournment:

There being no other business before the Board, the meeting was adjourned at 10:10 a.m.