



## ALCOHOLIC BEVERAGES ADVISORY BOARD

Marc Elrich  
County Executive

Meeting  
Tuesday, January 8, 2019  
Department of Liquor Control Meeting Room  
201 Edison Park Drive, 1<sup>st</sup> Floor, Gaithersburg, MD 20878

### Minutes

*Members and Staff Present:* John Gaughan, Chair; Sgt. John O'Brien for Lt. Ruane, Montgomery County Police Department; Vernon Ricks, ABAB Member; Alicia Sparks, ABAB Member, Edgar Gonzalez, Deputy Director, DLC; Evelin Chavez, Senior Administrative Assistant, DLC; and Jocelyn Rawat, Licensure Manager, DLC.

*Absent:* Susan Heltemes, BLC Chair.

John Gaughan called the meeting to order at 9:10. A motion was made to approve the September meeting minutes by Mr. Ricks, seconded by Ms. Sparks, and unanimously approved by the members present.

### Jocelyn Rawat, ABAB Update:

Ms. Rawat reported that the Alcoholic Beverages Advisory Board currently has two vacancies available. The announcement was sent out to the public (directed to the licensees) through the DLC newsletter, the Public Information Office and DLC inspectors. DLC inspectors are talking with licensees to inform them on the openings. The announcement will close on January 23, and John Gaughan will select those on the interview panel. Once the announcement closes, candidates will be interviewed. Ms. Rawat also suggested that the Alcoholic Beverages Advisory Board consider voting on a chairman for the board within the next several months. She recommended that John Gaughan remain as chairman in the interim, and the membership agreed.

### General Discussion:

Mr. Gaughan asked Mr. Gonzalez to provide for an update on the transition documents that were given to the new County Executive administration. Mr. Gaughan explained that the transition documents would be of value to the board members as well as those newcomers in helping them understand where they stand and where we are headed. Mr. Gaughan also touched base on the two board vacancies and reminded the members that the board is currently on a bimonthly schedule for its meetings. He also went over the board's mission.

Mr. Gaughan is looking to get fact-based information which includes information such as the number of employees the DLC has and any changes it plans to make. He believes this will be useful information that can help brief the current/new board members.

Mr. Gaughan also brought up the topic of DLC's name change and asked where that stands. Mr. Gonzalez responded by explaining that at this time the name change has been approved by the previous County Executive and County Council. It has been presented to the legislature and advanced to Annapolis and will be discussed during the next General Assembly. Mr. Gaughan commented that as courtesy, it would have been nice to inform the board of all name options, not just inform the members that the name would be changed. Mr. Gaughan also inquired ~~on~~ if we have estimated the cost involved in the name change, as his experience with the Coast Guard changes resulted in millions of dollars in cost. Mr. Gonzalez responded we did not have final numbers, but bills in Annapolis typically had a financial impact included as part of the process, but for now, no further information was available. The intent was to make changes over time, not all at once.

Edgar Gonzalez, DLC Update:

Mr. Gonzalez announced that the new Chief of Retail Operations has made a number of changes already. The department is impressed with the of ideas he has for the department and is looking forward to all the improvements he plans to make.

At this time, DLC Director, Robert Dorfman, has indicated he prefers to meet with the County Executive on the transition documents before releasing them publicly. We are looking to optimize and improve the work that we do. Mr. Gonzalez explained that the transition documents given to the new administration will likely be available for the next meeting.

When asked about the effect of the 2019 savings plan for the department, Mr. Gonzalez explained that we have been exempt, in great part by the explanations of the department director who expressed the need to run the department like a business; and in order do so, the department must make a number of changes that cannot be implemented if we have to cut our budget like any other department. So far, we have added the marketing unit, hired a new chief of retail operations, and are working on renovating the retail stores.

Mr. Gaughan requested that the new Chief of Retail come to the next meeting to brief the board on what changes have been made.

Mr. Ricks asked if over the holidays, people had problems getting products like they did in the past. Mr. Gonzalez responded by informing Mr. Ricks that to avoid problems the department experienced in the past, the director held weekly holiday meetings with all the department managers to ensure we tried our best to meet our customer's needs. Each division chief was responsible for updating the director on how their sections were performing in terms of communications, operations, and orders. No shortages, delivery problems or any other type of disruption was reported to the department during the holidays.

Sgt. John O'Brien, Supervisor of our Collision Reconstruction Unit, MCPD Update:

Sgt. John O'Brien, supervisor of the Collision Reconstruction Unit, discussed the number of fatal accidents over the last year. There were 28 fatal crashes with 31 deaths. Of the 31 deaths, 14 were pedestrians and 3 were unknown reasons of deaths (2 of them were under the influence of alcohol or drugs). He went on to discuss that the department's alcohol task force completed its eight weeks of holiday enforcement. Montgomery County had help from a number of local

jurisdictions to include City of Gaithersburg Police, Maryland State Police, Takoma Park Police and other police departments.

The Sgt. reported that their Compliance Unit is fully staffed. During the holidays, Thanksgiving to January 5, the DUI task force completed 323 arrests, as compared to 205 arrests last year. The increase might be explained in part by the increase in personnel. Sargent O'Brien was asked if the police department does place-of-last-drink investigations. He explained that they do, however, oftentimes it's not clear. They check credit card statements, surveillance videos and anything else that can help get the information needed to identify the cause of death. Typically, toxicology reports are usually given to officers within one week of a fatality.

Montgomery County has a group of Drug Recognition Officers that are trained to help identify those who are under the influence and impaired by drugs. In particular, officers are looking for individuals with signs of marijuana. It is difficult for officers to determine the quantitative amount an individual has consumed.

Sgt. John O'Brien stated that there are currently 15 medical marijuana dispensaries in Montgomery County, and lately, there has been an increase in the number of medical marijuana cards issued. If an individual has a Maryland issued marijuana card, they can only purchase the medical marijuana from Maryland, not from DC. Individuals cannot purchase in DC and if they do purchase in DC, they are not allowed to bring it to Maryland.

The topic of body cameras was discussed by Sgt. John O'Brien. He explained that there are benefits on wearing the body cameras and how powerful they are when used in court. The cameras are great when it comes to alcohol impaired drivers.

Mr. Gaughan asked if a traffic stop is made and the officer notices the person is impaired, what is the typical process? Sgt. O'Brien said the individual is read their rights and asked to take a field sobriety test. If the individual agrees to submit a field sobriety test and the test results show a BAC of .08 or more, then the officer will issue charges. Depending on the level of alcohol concentration the individual can have their license suspended or other penalties.

Mr. Ricks asked about the process when there are several individuals under the influence and how police handle those situations. Sgt. John O'Brien said Montgomery County police has several tools to test individuals. Once the individual is arrested, their car is towed, and the individual is prohibited from driving for 12 hours after being stopped.

At this time 320 of the 400 mandated compliance checks have been completed. Compliance checks are based on the fiscal year which begins on July 1.

#### Next Meeting:

The next meeting of the ABAB is scheduled for Tuesday, March 12, 2019 at 9:00 a.m. The Chair reminded all that for the next meeting he would like to obtain or be briefed on our document to the transition team, so the committee is aware of future plans and be able to help us more; and the desire to meet the new Retail Division Chief to understand his vision.

#### Adjournment:

There being no other business before the Board, the meeting was adjourned at 10:36 a.m.