



## ALCOHOLIC BEVERAGES ADVISORY BOARD

Marc Elrich  
County Executive

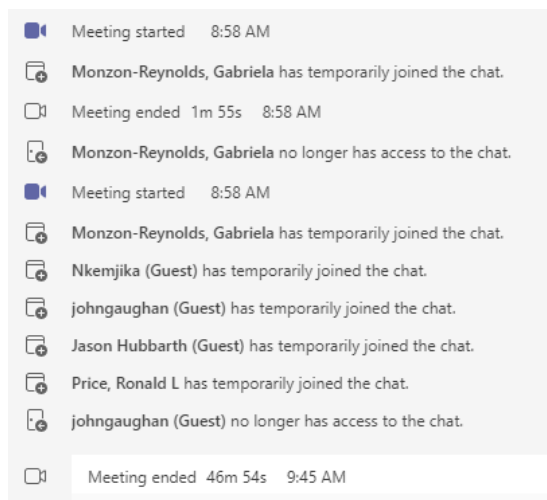
Meeting  
Tuesday, September 14, 2021  
Alcohol Beverage Services

### Minutes

*Members and Staff Present (virtually through Microsoft Teams):* John Gaughan, Chair; Brett Robinson, ABAB Member; Jason Hubbarth, ABAB Member; Dr. Nkemjika Ofodile, ABAB Member; and Evelin Chavez, ABS.

*Absent:* Lt. Michael Ruane, Montgomery County Police Department  
Susan Heltemes, BLC  
Kathie Durbin, ABS Director

*Guest:* Ronald Price, ABS  
Gabriela Monzon-Reynolds, ABS



John Gaughan called the meeting to order at 9:13 am. A motion was made to approve the July meeting minutes by Mr. Robinson, seconded by Dr. Nkemjika, and unanimously approved by the members present.

General Discussion:

Montgomery County's Department of Alcohol Beverage Services (ABS) marked its 70th anniversary in July with three specially designed products that were made available in limited quantities in most of its 26 retail stores.

Mr. Gaughan asked about ABS' 70<sup>th</sup> anniversary. He asked if ABS could provide information on the 70th anniversary sales. He wants to know specifically how the Maryland brewery and distillery products are performing in the retail stores.

Mr. Gaughan asked how many licensees have been fined for not having their license posted and Mr. Price recalls there being about 40 violations and about half of those were license post violations. Mr. Gaughan is expressed concern for the licensees that have been issued violations since this is not something they are accustomed to.

Mr. Price explained that during the pandemic businesses have been getting a break on the violation fees. Most of the minor violations were reduced to half price but that ended on June 30, 2021. ABS is back to enforcing as they did pre COVID.

Mr. Robinson suggested looking into text message notifications for licensees as most licensees and/or business owners are usually busy on the floor and not constantly looking at their email, where a text message maybe easier to access and respond to.

*Evelin Chavez, ABAB Update:*

The ABAB vacancy was announced to the public about a month ago and so far only one applicant expressed interest to fill that spot. The applicant will be contacted for an interview once the application is reviewed.

*John Gaughan, ABAB Member:*

Mr. Gaughan announced that Ms. Levitt has resigned from the board because she decided to end her tenure with AMC and as such will no longer be the liquor license holder and will no longer qualify for her current role on the ABAB.

*Ronald Price, ABS Update:*

Mr. Price informed the board members that the Montgomery County Board of License Commissioners (BLC) agreed to continue allowing businesses to sell alcohol to-go. As of July 1, 2021, establishments with on-premise licenses that have been approved for carryout, curbside, or delivery by the Board of License Commissioners. Qualifying establishments must apply for a Restaurant Off Premises Alcoholic Beverages permission by visiting the ABS website.

Alcoholic beverages by the drink must be sold with a meal. Snack food items such as peanuts, popcorn, and potato chips are not considered meals. Establishments may not sell more than two alcoholic beverages by the drink with a meal in a single transaction. A transaction is a meal sold with no more than two alcoholic beverages.

How many alcoholic beverages by the drink may a customer order in a single transaction?

- Beer - 16 ounces
- Wine - 8 ounces
- Mixed drinks - no more than two ounces of liquor per mixed drink or cocktail
- Bottled wine - two bottles
- Six pack of beer - one six pack

- Unopened bottles of spirits or growlers may not be delivered with a meal

Establishments must use their own staff for delivery.

Mr. Price explained that the Licensure, Regulation and Education Division is transitioning more and more to electronic communication and this is the first renewal season they've done it entirely electronic. Renewals were extended because of the pandemic and the governor 's executive order and although they had a few issues in communicating with Licensees, over all it went well.

All the applications were submitted electronically. They were presented to the board for a vote and once the board granted them, an electronic license was issued to the licensee. Normally licensees were asked to post their licenses by May 1<sup>st</sup>, but this year their licenses needed to be posted by July 24<sup>th</sup>.

One of the issues ABS found with electronic communication is that many of the people who are responsible for renewing the licenses did not check their emails regularly and consequently there were a considerable number of license holders that failed to post their license.

At this time, ABS inspectors are in the process of citing those individuals who have not posted their license. License holders are being cited a fine of \$100.00 if they fail to have the current year license posted. Inspectors are reminding license holders of the importance in routinely checking their emails to avoid such fine. The hope is that communication between the department and licensees will improve going forward.

Mr. Price informed the group that there's a nationwide shortage right now on certain products because of the pandemic and it's difficult to get bottled beer. ABS sends licensees electronic communications regularly informing them of events, products, shortages, etc., so monitoring their emails regularly is very important.

*Gabriela Monzon-Reynolds, ABS Update:*

Ms. Monzon-Reynolds explained that ABS has looked into the text message option and has found out that it is available through GovDelivery, the notification system that is used to communicate with the licensees. The need for a text message option became apparent during the first year of online renewals and ABS is still finessing the details on the feature.

Ms. Monzon-Reynolds informed the members that she is the Community Outreach Manager for LRE and that ABS has seen an uptick on the number of one day licenses since May. ABS has processed 74 requests for one days, which include fundraisers and a number of other events, where they are including alcohol.

So far, ABS has approved 5 outdoor festivals and has about another 5 festivals in review. The difference between one days and the festivals is that what the one days are given to people that don't have a license, such as a nonprofit. Ms. Monzon-Reynolds' team has also been working with [Alcohol By The Drink by educating license holders who applied for this new round of permissions](#). When this program first started there were about 400 applicants and that number has now decreased to about 90. Some restaurants like the idea because it's an alternate option to selling alcohol but because there are parameters involved, some business owners prefer not to do it.

She also informed board members that ABS was approved for funding from National Alcohol Beverage Control Association (NABCA). This funding will be used for the yearly calendars that are issued to all licensees. The calendars are very informative for licensees and provide a checklist of what they need for routine inspections.

Next Meeting:

The next meeting of the ABAB is scheduled for Tuesday, November 9, 2021 at 9:00 a.m.

Adjournment:

There being no other business before the Board, the meeting was adjourned at 9:44 a.m.