

FREDERICK COUNTY LIQUOR BOARD
Alcohol Day Meeting Minutes
Monday November 13, 2023

Those Present: Ms. Joan Aquilino, Chair
Mr. Chris Glass, Commissioner
Mrs. Debbie Burrell, Commissioner
Ms. Jennifer Keefer, Deputy County Attorney
Mr. Robert Lind, Alcoholic Beverage Inspector
Mr. Larry Anderson, Alcoholic Beverage Inspector
Mrs. Dawn Shugars, Director
Mrs. Ashley Kneessi Gay, Administrative Coordinator
Mrs. Candace Sier, Administrative Specialist II
Mrs. Tabitha Vanleeuwen, Administrative Specialist II
Mrs. Trisha Lawson, Administrative Specialist II
Delegate William Valentine District 2A
Delegate Kristopher Fair District 3
Delegate Kenneth Kerr District 3
Delegate Jesse Pippy District 4, Delegation Chair
Senator Karen Lewis Young District 3

Alcohol Day was called to order Chair Aquilino. Board introductions were made by Chair Aquilino. Director Shugars introduced staff and Delegate Jesse Pippy introduced present members of the Frederick County Delegation.

Delegate Jesse Pippy requested Director Shugars to give an overview of each item on the agenda and then review each item in detail allowing for Delegation and public comment.

A. New Legislative Request.

1. Establish a Brewery and Distillery On-Site License in Frederick County.

- Director Shugars explained to the Delegation that this would be to establish a law at the local level to allow onsite consumption in tap rooms for Breweries and Distilleries. This is comparable to Harford and Saint Mary's Counties.
- Public and Delegation Comment-
 - In response to a question asked by Delegate Fair, Director Shugars explained manufacturers would be allowed to sell pre-packaged foods such as, burgers and sandwiches.
 - Carly Ogden expressed she would like the option of selling non-alcoholic beverages. Director Shugars stated it would be added and presented to the Delegation.

2. Manufacture limited permit.

- Director Shugars explained to the Delegation that this is to establish an endorsement for DBR and DDS licenses to allow, for private events, a licensed caterer or contractual party to provide beer, wine, and liquor not manufactured on site. This was brought forth at the Alcohol Forum by the local manufactures. This is comparable to Washington County.

- Public and Delegation Comment-
 - Director Shugars explained the licensed caterer or contractual party would have to provide the alcohol not produced by the manufacturer.
 - Monica Pearce stated self-distributing would not need to be written in this proposal because state law already allows manufactures to self-distribute.
 - In response to question asked by Delegate Pippy, Director Shugars explained that some manufacturers may close to the public for private events, and some may stay open, depending on the manufacturer’s event space.
 - Delegate Pippy expressed his concerns and stated he feels that this proposal has a better chance of being passed if the manufacturer is closed to the public.
 - Director Shugars stated that if passed, this would be an endorsement added to the on-premises consumption permit for Breweries or Distilleries. Director Shugars explained manufacturers would need to register each event and provide a diagram for the Board’s approval. The Board has presented this to the Alcohol Tobacco Cannabis Commission and received support.

3. Extending the expiration of a license due to hardship.

- Director Shugars explained to the Delegation that this establishes a period for which a license may be considered unexpired. This is for a licensed establishment that may experience an unexpected hardship. The licensee would request the hardship and based on the request the Board may extend the life of the license that would normally expire on the 10th day after the licensee has closed the business or stopped active alcohol sales. Jurisdictions that currently have similar laws are Alleghany County, Baltimore City, Baltimore County, and Cecil County.
- Public and Delegation Comment-
 - Senator Young stated that the expiration date should be extended for 1 year and if more time is necessary, the licensee would need to re-apply for a longer extension.
 - Director Shugars explained that currently, expired Class A licenses would return to the Census.

B. Corrective language request.

1. Adjust license fees for Beer only and Beer and Wine licenses.

- Director Shugars spoke to the Delegation about adjusting Class A, Class B, and Class C, Beer only and Beer and Wine licenses due to not having an increase since 1956. The Board is requesting an increase to each of these licenses for more consistency throughout the State and to sustain the current budget with increased cost due to growth and additional Board initiatives.
- Public and Delegation Comment-
 - Delegate Pippy asked why not raise the violation fees instead of the license fee to fund the new initiatives? Director Shugars explains that this is a modest adjustment with an average daily increase of \$0.44.
 - Director Shugars explained the state average was used to calculate the adjustments.
 - Commissioner Burrell explained the increase is not needed just for compliance check program but also because of how much more the staff is now doing.
 - Commissioner Glass explained that Frederick is the fastest growing area in the state and that he agrees that fee increases are never great but there is a need for it.

- Chair Aquilino then goes on to explain that there are resources that the Liquor Board needs that we cannot fund right now.

2. Licensee requirements.

- Director Shugars proposed revising the law to allow a shift of the Frederick County residency requirement to Maryland State resident. In addition, require an applicant to serve as a manager, supervisor, or employee present at the licensed premises on a regular basis and involved with the day-to-day business. Jurisdictions that currently require a Maryland resident are Anne Arundel, Baltimore, Caroline, Carroll, Howard, Montgomery, Prince George's, and Queen Ann's Counties, as well as the Alcohol Tobacco Cannabis Commission.
- Public and Delegation comment-
 - Delegate Valentine says that the Board should define "regular basis". Several members of the public agreed. Director Shugars explained that moving forward, it would be a requirement that a manager or someone supervising day-to-day operations be on the license.
- Delegate Jesse Pippy had to leave at this point. 10:00am

3. Stadium license.

- Director Shugars presented to the Delegation that the licensee for the Keys Stadium requested a revision to the current stadium law to add the privilege of selling liquor. The annual fee will increase from \$2,000 to \$2,500. This is consistent with other counties throughout the State that have Stadium licenses.
- Public and Delegation comment-
 - Discussion regarding the types of liquor that would be allowed to be sold. It was explained that there would be no additional restrictions.

4. Promoter's Permit.

- Director Shugars asked the Delegation to revise the law to add language to the existing law that authorizes the Board to issue a beer, wine, and liquor license for on-premises consumption. It was brought to our attention by the ATCC that language is missing from the current law. The correction would be to add "The Board may issue the license for an on-sale beer, wine, and liquor license".
- Public and Delegation comment- there was not public or Delegation comment.

5. Consumption Permit.

- Director Shugars explained to the Delegation that the revisions from last year are confusing for the license holders. The Board would like to revise both consumption laws for more consistent sampling amounts.
- Public and Delegation comment-
 - Paul Johnson states that he mostly uses their distributors for tastings.

- Tom Seymour says that he uses the new consumption permit weekly and he loves the tasting menu the Liquor Board staff created, he also wanted to comment that he agrees with the license fee increase stated earlier.
- Chair Aquilino would like this to also be changed to tasting permit and not consumption.

C. GENERAL PUBLIC COMMENT

1. Richard Bellas proposed legislation to allow Class B establishments to sell special edition liquor bottles for off premises consumption up to four times a year.
2. Paul Johnson shared with the Delegation that he opened his beer and wine store with the intentions of upgrading to liquor in the future in district 1. After the census redistricting occurred, he was pushed to district 2 and was no longer eligible for a Beer, Wine, and Liquor license. He is now asking for a special consideration for his business. Director Shugars explained the limit of Class A licenses due to the census. Director Shugars says that not much can be done at the local level without legislation change.

Also, in attendance

Health Department, Todd Crum- Virtually
 Delegate Fair Chief of Staff Ronnie Taylor
 Delegate Pippy Chief of Staff Andrew Zirkie
 Delegate Karen Simpson Chief of Staff Elizabeth Bobo
 Delegate William Valentine Legislative Assistant Michele Reheard
 Grow & Fortify, James Bauckman
 Monica Pearce, Tenth Ward
 Carly Odgen, Attaboy Beer
 Paul Johnson, Tjay's Beer and Wine
 Richard Belles, Agave and Cellar Door
 Ian McDonald, Agave and Cellar Door
 Amber Nicole, Agave and Cellar Door
 Gregory Brown, Brewers Alley
 Joe Gatewood, RAK Brewing
 Tom Seymour, Orion, Surf House, Maximus
 Jim Steinhardt, Steinhardt Brewing Company
 Evelyn Holmes, Heritage Liquors
 Alicia Solano, Wilcoms Inn
 Donna Yinger
 Michaela Smith
 Ram Patel
 Tim Beyer
 Terri Johnson
 Jason

Respectfully submitted,
Trisha Lawson, Administrative Specialist II
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