

Capital Reporting Company
In the Matter of: Elias N. Souri 08-01-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
 :
Elias N. Souri :
4335 16th Street, NW :
License No. 89953 : Fact Finding
ANC 4C : Hearing
Temporary License Application :
St. George Orthodox Church :
Dates of Event: September 7, 8 :
And 9, 2012 :
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August 1, 2012

The Alcoholic Beverage Control

Board met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Washington, D.C., Ruthanne Miller, Chairperson,
presiding.

PRESENT

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

HERMAN JONES, Member

CALVIN NOPHLIN, Member

MIKE SILVERSTEIN, Member

ALSO PRESENT

VINCENT PARKER, ABRA

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1 P R O C E E D I N G S

2 10:02 a.m.

3 CHAIRPERSON MILLER: The next case on our
4 calendar is a fact finding hearing regarding St. George
5 Orthodox Church.

6 Good morning.

7 MR. SOURI: Good morning.

8 CHAIRPERSON MILLER: When you're ready. Did
9 you sign in?

10 MR. SOURI: I did.

11 CHAIRPERSON MILLER: Good. And would you
12 introduce yourselves for the record?

13 MR. SOURI: Sure. I'm Elias Souri. I'm a
14 representative of St. George. We're on 16th and
15 Webster and we're an orthodox Christian church. We're
16 going to be having a bazaar, which we do each year the
17 weekend after Labor Day, three days; Friday, Saturday
18 and Saturday; the 7th, 8th and 9th. And I believe the
19 reason why I'm here is that, as usual, we have beer and
20 wine sales at the church. And I think that's the
21 reason for the fact finding this morning.

22 I did forward to Tiwana Hicks and another

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1 individual some responses to a questionnaire. I
2 brought with me a site map so that, if you would like,
3 we could take a look and see what the layout is like.
4 And I also brought some photographs from previous
5 bazaars so you can get an idea of our security
6 measures, where the beer and wine sales are going to
7 be, where the entertainment, food, crafts, that sort of
8 thing.

9 CHAIRPERSON MILLER: Okay. Do you want to
10 give that to our legal staff? Do you have extra copies
11 or --

12 MR. SOURI: Well, you can keep these.

13 CHAIRPERSON MILLER: What do you have, one --
14 there -- is that your copy?

15 MR. SOURI: I did email a -- the site map.

16 CHAIRPERSON MILLER: Oh, okay. Well, I think
17 we have that then.

18 MR. SOURI: So there should be -- right.

19 CHAIRPERSON MILLER: We have that.

20 MR. SOURI: The photographs you do not have.

21 CHAIRPERSON MILLER: Okay. If you want us to
22 look at them

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1 MR. SOURI: If you're curious -- if anyone
2 just wants to see what the setup is like, I went
3 through the trouble of doing this out of courtesy.

4 CHAIRPERSON MILLER: Sure. Thank you.

5 MR. SOURI: And in case you have any
6 questions.

7 CHAIRPERSON MILLER: Yep. Well -- and who is
8 sitting with you at the table?

9 MS. SOURI: I'm Mariana Sourì.

10 MR. SOURI: This is my sister, Mariana.

11 CHAIRPERSON MILLER: Mariana, what's your
12 last name?

13 MS. SOURI: Sourì, S-O-U-R-I.

14 CHAIRPERSON MILLER: Sourì too? Okay. All
15 right. Thank you. Okay. So, yeah, this is a fact
16 finding hearing. You're not being put under sworn
17 testimony or anything like that. We just want to find
18 out more about it, make sure that you have enough
19 security in place and that your alcohol is being
20 handled responsibly and that sort of thing.

21 So that is why you're here. I understand you
22 expect 1500 participants; is that correct?

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1 MS. SOURI: Yes.

2 MR. SOURI: I'm sorry, I didn't get that.

3 CHAIRPERSON MILLER: Well, how many
4 participants do you expect?

5 MR. SOURI: No more than 1500 in the course
6 of three days.

7 CHAIRPERSON MILLER: Right. Okay.

8 MR. SOURI: In other words, we don't know how
9 many people are going to just show up at any one time.

10 CHAIRPERSON MILLER: Exactly. Okay. So
11 that's part of the reason that you're here. That's a
12 lot of people in an open area with alcohol being
13 served. Have you -- you've had this event before, I
14 gather.

15 MR. SOURI: Oh --

16 MS. SOURI: Oh, we've had it for, what, 50
17 years?

18 MR. SOURI: Very likely.

19 CHAIRPERSON MILLER: How many years?

20 MR. SOURI: It's hard to say. I mean, we
21 don't know --

22 MS. SOURI: Could be 50 years.

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1 MR. SOURI: -- exactly but it's been going on
2 for decades.

3 CHAIRPERSON MILLER: Wow, okay. So -- and
4 have you ever had come here before the Board?

5 MS. SOURI: No.

6 MR. SOURI: No, this is the first time.

7 CHAIRPERSON MILLER: Okay.

8 MR. SOURI: I've been getting Class F permits
9 for the five -- last five or six years. So this is my
10 first occasion.

11 CHAIRPERSON MILLER: Okay.

12 MR. SOURI: This is completely new to us.

13 CHAIRPERSON MILLER: Okay, okay. Well, it's
14 nothing that you should be overly concerned about.
15 It's just that the Board is looking through lots of
16 applications and it spots some that are -- have large
17 crowds and just want to come -- you to come in and
18 address any of the concerns that are often raised when
19 that occurs. So --

20 MR. SOURI: Sure. I would like to point out
21 that the primary reason for the bazaar is ethnic;
22 crafts, food, music, dance. The beer and wine sales is

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1 tertiary.

2 CHAIRPERSON MILLER: Uh-huh.

3 MR. SOURI: I mean, it's really not that an
4 important feature of the entire bazaar.

5 CHAIRPERSON MILLER: Okay. I see in your
6 email that you say that the area is partially fenced
7 and fully patrolled.

8 MS. SOURI: Yeah.

9 MR. SOURI: True. We have four individuals
10 who do the patrolling and are our security personnel.
11 And then we also have one individual who stays
12 overnight.

13 CHAIRPERSON MILLER: They stay overnight in
14 the church?

15 MR. SOURI: Yes.

16 CHAIRPERSON MILLER: Okay. Why is that?

17 MR. SOURI: Because everything is still
18 outside in the parking lot.

19 CHAIRPERSON MILLER: Okay.

20 MR. SOURI: I mean, most everything is secure
21 inside the building but there are still chairs, tables,
22 tents, that sort of thing -- speakers.

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1 CHAIRPERSON MILLER: Do you have
2 entertainment there also?

3 MR. SOURI: We do.

4 CHAIRPERSON MILLER: What kind of
5 entertainment do you --

6 MR. SOURI: It's music -- DJ. But it's
7 almost exclusively Arabic music.

8 CHAIRPERSON MILLER: Okay. Have you
9 coordinated your event with MPD or the fire department
10 or DCRA or EMS, any of those agencies?

11 MR. SOURI: I talked to our council chair
12 about that. And according to what she says, yes, we
13 do. I don't do that personally but it appears that
14 some member of our church council does. But honest, I
15 don't know who. And apparently, that's also done just
16 prior to the event, not any time sooner. In other
17 words, they just notify the local precinct.

18 CHAIRPERSON MILLER: They notify them that --
19 about the event happening but they don't -- for
20 instance, you don't -- you're not coordinating any
21 patrols from MPD or anything like that?

22 MS. SOURI: But they come -- they come at

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1 appointed times. They patrol the area.

2 CHAIRPERSON MILLER: Okay. So who is
3 handling the alcohol and how is it being handled?

4 MR. SOURI: There is one individual who
5 handles the sales. His photograph is in one of those
6 pictures. His name is Javal Moutlan (ph). And he
7 handles the bulk sales.

8 CHAIRPERSON MILLER: So does he check IDs?

9 MR. SOURI: I really don't know that.

10 MS. SOURI: Yeah, he does.

11 MR. SOURI: He does? I mean, I've never
12 really seen him do that.

13 CHAIRPERSON MILLER: Is -- who is he? Is he
14 -- is he -- what's his profession?

15 MR. SOURI: He's a --

16 MS. SOURI: On the Board.

17 MR. SOURI: He's just on our council.

18 CHAIRPERSON MILLER: He's on your council.
19 Is he trained at all in checking IDs or anything like
20 that?

21 MS. SOURI: He checks the IDs to see that
22 there's no minors coming through.

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1 CHAIRPERSON MILLER: Okay. It doesn't sound
2 like you do this but I'm going to ask it. Do you put
3 in -- do you use wrist bands for identifying, you know,
4 minors from adults?

5 MS. SOURI: We know -- we know everybody who
6 comes to the church.

7 CHAIRPERSON MILLER: You know everybody who
8 comes?

9 MS. SOURI: Yeah.

10 MR. SOURI: Well, pretty much the
11 parishioners but it's open to the community. You know,
12 we want families to come. So I strongly doubt that we
13 would be selling to minors. It's a church. We're not
14 going to do that.

15 CHAIRPERSON MILLER: Okay.

16 MR. SOURI: We're also a very conservative
17 church.

18 CHAIRPERSON MILLER: So the participants are
19 basically members of the church and the community?

20 MR. SOURI: They -- the congregation and
21 then, of course, we put a sign out front in advance of
22 the event in order to invite the community in as well.

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1 CHAIRPERSON MILLER: Okay.

2 MR. SOURI: But we have no idea how many
3 people from the community actually come -- attend.

4 CHAIRPERSON MILLER: Okay. And you said that
5 the alcohol is basically -- I think you said,
6 "Tertiary," or something?

7 MR. SOURI: Right.

8 CHAIRPERSON MILLER: How -- can you -- can
9 you quantify that any?

10 MR. SOURI: No, not at all.

11 CHAIRPERSON MILLER: No?

12 MR. SOURI: I mean, I don't know how much is
13 sold, if that's what you're asking me.

14 CHAIRPERSON MILLER: Well, why did -- you
15 know, you're saying it's a small part of --

16 MR. SOURI: Well, it's -- it occupies a very
17 small part of the church hall, just one corner.

18 CHAIRPERSON MILLER: One corner. Okay.

19 MR. SOURI: I think from the site map you can
20 see -- you can see where it is. It's just -- it's just
21 a small area. And most of it is food, crafts, music.

22 CHAIRPERSON MILLER: Okay.

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1 MR. SOURI: It's almost as if it were a
2 second thought.

3 CHAIRPERSON MILLER: Okay. Are you selling
4 other soft drinks?

5 MS. SOURI: Yes.

6 CHAIRPERSON MILLER: Okay.

7 MS. SOURI: Yes, and waters.

8 CHAIRPERSON MILLER: And water?

9 MS. SOURI: Yeah.

10 CHAIRPERSON MILLER: Okay. Okay. I'm going
11 to let others ask questions if you have some. Okay. I
12 saw a few hands go up. Mr. Brooks? Okay.

13 MR. BROOKS: Oh, okay. Yeah, okay. No, just
14 quickly. And how many years have you been holding this
15 fair?

16 MS. SOURI: At least 50, maybe more. I don't
17 know.

18 MR. BROOKS: You say, "Fifty?"

19 MS. SOURI: Yeah, 50.

20 MR. BROOKS: Oh, okay. That's a long time.

21 MR. SOURI: I mean, we've been there at that
22 corner since 1954.

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1 MR. BROOKS: Right.

2 MR. SOURI: So to ask how -- it very likely
3 started out as a very small affair. It just --

4 MS. SOURI: It did one day --

5 MR. SOURI: So year after year it just sort
6 of built up.

7 MR. BROOKS: Yeah.

8 MR. SOURI: So how it started to appear the
9 way it is now, I really couldn't tell you. It's been
10 like that for the last 12 years. I know that much.

11 MR. BROOKS: Yeah.

12 MR. SOURI: But beyond that, I really can't
13 be too sure.

14 MR. BROOKS: Yeah, I know exactly where you
15 are. I think I might have been there at one.

16 MS. SOURI: Okay.

17 MR. SOURI: We're just up the street from the
18 Greeks and the Russians.

19 MR. BROOKS: Okay. At the corner of Vera
20 (ph). Yeah.

21 MS. SOURI: Up --

22 MR. SOURI: I'm sorry?

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1 MR. BROOKS: A park -- part of Vera (ph)
2 Park.

3 MS. SOURI: Oh, no. We're up --

4 MR. BROOKS: Rock Creek?

5 MS. SOURI: We're near Upshur Street.

6 MR. BROOKS: Yeah.

7 MS. SOURI: Yeah.

8 MR. BROOKS: Yeah, right. Okay.

9 MS. SOURI: Yeah.

10 MR. BROOKS: Okay. And how long have you
11 been serving alcohol?

12 MS. SOURI: Probably --

13 MR. SOURI: Maybe the last five or six years.

14 MR. BROOKS: Oh, that's all? Okay. So
15 recently then?

16 MS. SOURI: Yeah, I guess.

17 MR. BROOKS: Okay.

18 MS. SOURI: Yeah.

19 MR. BROOKS: All right.

20 MR. SOURI: Or actually I think that's a good
21 point. I don't -- I don't really believe we've been
22 doing that for very long.

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1 CHAIRPERSON MILLER: Uh-huh.

2 MR. SOURI: Again, it was sort of like an
3 afterthought --

4 MR. BROOKS: Yeah.

5 MR. SOURI: -- simply to raise money.

6 MR. BROOKS: Okay. And have you had -- every
7 had any problems with that --

8 MS. SOURI: No.

9 MR. SOURI: No.

10 MR. BROOKS: -- what you know? Okay. Thank
11 you, Madam Chair.

12 CHAIRPERSON MILLER: Okay. Others? Yes, Mr.
13 Alberti?

14 MR. ALBERTI: Hi, Mr. Souri. Thank you for
15 coming. I'm going to try to be real quick here. So
16 the alcohol sales is this little star inside the hall?

17 MR. SOURI: Yes.

18 MR. ALBERTI: Okay. Are you allowing alcohol
19 beverages to be taken outside the hall?

20 MR. SOURI: Yes, into the tent area.

21 MR. ALBERTI: Into the tent area?

22 MS. SOURI: Yep.

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1 MR. ALBERTI: Okay. And the IDs are checked
2 when, at the point of sale?

3 MR. SOURI: Yes.

4 MS. SOURI: Yes.

5 MR. ALBERTI: Okay. So from what I'm hearing
6 is that you can take alcoholic beverages anywhere on
7 the grounds here, right?

8 MS. SOURI: Yeah.

9 MR. ALBERTI: If you're going to go into the
10 tent, I would imagine you can go anywhere.

11 MR. SOURI: Yes.

12 MR. ALBERTI: Okay. I don't know the church
13 so I don't know the layout. So what prevents someone
14 from walking off the grounds with an alcoholic
15 beverage?

16 MR. SOURI: It's potentially possible, of
17 course.

18 MS. SOURI: But they would have to buy by the
19 bottle.

20 MR. ALBERTI: Buy what by the bottle?

21 MS. SOURI: Buy by the bottle -- the bottle
22 of --

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1 MR. SOURI: It's --

2 MS. SOURI: -- wine or water.

3 MR. SOURI: It's beer and wine. It's not
4 hard liquor.

5 MR. ALBERTI: Right, right. So -- but you --
6 how is the beer sold, in glasses or in bottles?

7 MR. SOURI: Bottle.

8 MS. SOURI: Oh, no, no, no. In --

9 MR. SOURI: In bottles or --

10 CHAIRPERSON MILLER: In single bottles,
11 right?

12 MR. SOURI: -- cases.

13 MS. SOURI: Yeah.

14 CHAIRPERSON MILLER: All right. And then
15 bottles of wine --

16 MS. SOURI: We -- yeah.

17 CHAIRPERSON MILLER: -- are being sold? How
18 many volunteers do you have sort of monitoring
19 activities throughout the whole --

20 MR. SOURI: Well, we have --

21 CHAIRPERSON MILLER: -- area?

22 MR. SOURI: -- four security personnel. And

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1 then of course there are the staff members as well.

2 CHAIRPERSON MILLER: Okay. The four security
3 personnel, who are they?

4 MR. SOURI: Members of the congregation.
5 There is one individual who's a trained security
6 personnel.

7 MR. ALBERTI: And what are their duties?
8 What are their duties?

9 MR. SOURI: Basically just to patrol the
10 area, just to make sure that there's -- there are no
11 problems. It isn't just to govern the alcohol sales.

12 MR. ALBERTI: No, right. I understand. And
13 then you said, "Volunteers." What do they -- what's
14 their duties?

15 MR. SOURI: Well, they are members of the
16 congregation.

17 MS. SOURI: We have a -- we have a staff in
18 the kitchen. There's staff outside selling stuff.

19 MR. ALBERTI: Okay. So their duties are --
20 their duties are to -- they have other responsibilities --

21 MS. SOURI: Yeah.

22 MR. ALBERTI: -- besides monitoring --

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1 MS. SOURI: Yeah, yeah.

2 MR. ALBERTI: -- generally monitoring the
3 activities? They're specific? They're selling food?
4 They're --

5 MS. SOURI: Yeah.

6 MR. ALBERTI: -- manning a booth or --

7 MS. SOURI: Selling pastries or whatever,
8 yeah.

9 MR. ALBERTI: -- preparing and selling
10 pastries. Okay. You have one person that's out doing
11 sales of alcohol?

12 MR. SOURI: Yeah.

13 MS. SOURI: There's two. Two.

14 MR. SOURI: Two?

15 MS. SOURI: Yeah, It'll be Navil (ph) --

16 MR. SOURI: Will (ph)?

17 MS. SOURI: -- Will and (inaudible).

18 MR. SOURI: Okay. The one individual, you
19 see him standing there with the moustache in one of the
20 photographs? Then there is one other individual as
21 well in addition to him.

22 MR. ALBERTI: We're -- okay. Your hours are

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1 from 12:00 to -- 12:00 noon to 10:00 p.m. on Saturday
2 and 12:00 -- or Friday --

3 MS. SOURI: Yes.

4 MR. ALBERTI: -- and from 12:00 noon to 11:00
5 p.m. on Saturday, correct?

6 MS. SOURI: Yes, yes.

7 MR. ALBERTI: Are these individuals going to
8 be there the whole time? That's a long shift. That's
9 why I asked.

10 MS. SOURI: Yes.

11 MR. SOURI: Apparently they are.

12 MS. SOURI: They are.

13 MR. ALBERTI: And who of those two
14 individuals is responsible for checking IDs?

15 MS. SOURI: Javal Moutlon (ph) and Navil.

16 MR. SOURI: And Navil, both of them.

17 MR. ALBERTI: Both of them will? Okay. You
18 ever have -- did you ever have wines at the beverage
19 sales? Are they selling other things besides beer and
20 wine?

21 MR. SOURI: No.

22 MS. SOURI: No. But in the food --

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1 MR. SOURI: Not in that area.

2 MS. SOURI: In the food line they have water

3 and --

4 MR. ALBERTI: Okay.

5 MS. SOURI: -- sodas.

6 MR. ALBERTI: So the beer and wine --

7 MS. SOURI: That's the --

8 MR. ALBERTI: That's all they're selling is
9 beer and wine there?

10 MS. SOURI: YES.

11 MR. ALBERTI: Okay. Do you ever see crowds
12 line up there?

13 MS. SOURI: No.

14 MR. SOURI: No.

15 MR. ALBERTI: Thank you.

16 CHAIRPERSON MILLER: Mr. Jones?

17 MR. JONES: Thank you, Madam Chair. I
18 understand you can't really say exactly how many people
19 will be there at any one time.

20 MS. SOURI: Yeah.

21 MR. SOURI: Yes.

22 MR. JONES: But do you have any idea of what

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1 your capacities are -- what your approved capacities
2 are for the various spaces that you have noted in your
3 site map?

4 MR. SOURI: I would have to guess and I'm
5 kind of hesitant to do that.

6 MR. JONES: Okay.

7 MR. SOURI: But if I were to guess, I would
8 say no more than 300 people in the church hall.

9 MR. JONES: Okay.

10 MR. SOURI: And outdoors, I really cannot be
11 sure at all but about the same number.

12 MR. JONES: Okay. And in your past, what --
13 this is a bazaar?

14 MR. SOURI: Yes.

15 MS. SOURI: Yes.

16 MR. JONES: Okay. In your past bazaar
17 activities, what has been the -- do you have any feel
18 for what's been the amount of patronage that you've had --

19 MR. SOURI: Okay.

20 MR. JONES: -- had in the past?

21 MR. SOURI: Right.

22 MR. JONES: Over the entire span of --

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1 MR. SOURI: Right, exactly.

2 MR. JONES: -- whether it's three days, two
3 days (inaudible)?

4 MR. SOURI: From no less than 1000, no more
5 than 1500.

6 MR. JONES: Okay. So at the high end, 1500 --

7 MS. SOURI: Yeah.

8 MR. JONES: -- maximum spanning the three
9 days --

10 MS. SOURI: Yes.

11 MR. JONES: -- so if you divide that easily --

12 MR. SOURI: And I think that's reason --

13 MR. JONES: -- it'd be about 500 per day.

14 MR. SOURI: Depending on the weather.

15 MR. JONES: Depending on the weather.

16 MS. SOURI: Yeah.

17 MR. JONES: Okay. Fair enough. And you also
18 noted that the sale of alcohol was not a primary focus
19 obviously. What will be the impact of not being able
20 to sell alcohol at your bazaar?

21 MR. SOURI: Well, I mean, we would lose some
22 money. The church needs money. Actually now we need a

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1 new roof. So it would -- we wouldn't die but it would
2 -- it would certainly cut into our profits for that
3 particular bazaar. It's a one-year affair --

4 MR. JONES: Right.

5 MR. SOURI: -- that we can make money off of
6 the community. So we try to maximize that affair to
7 get as much as we can. So to give a percentage, 15
8 percent, 12 percent.

9 MR. JONES: Fifteen -- twelve to fifteen
10 percent? Okay. Thank you. Thank you, Madam Chair.

11 CHAIRPERSON MILLER: Okay. Others? I have a
12 question about the selling of the beer and wine. Did
13 you say you only do it by the bottle?

14 MR. SOURI: Yes.

15 MS. SOURI: Yes.

16 CHAIRPERSON MILLER: Do you -- is it both to
17 drink there and/or to take home or what?

18 MS. SOURI: Yes, yes.

19 MR. SOURI: I would say primarily to take
20 home. It's really not -- it's -- the idea is the sales.
21 So it's really not to be consumed there on the
22 premises, but rather for people to take home and

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1 consume at home. So I would imagine people reasonably
2 would open a bottle and have some wine during and, you
3 know, outside in the tent.

4 There are no good places inside to sit in the
5 -- we have mostly just the food service. Then they
6 take their food outside and they sit at the tables in
7 the tent. But I would imagine some of them, yes, they
8 will buy a bottle and open it up and drink the wine
9 there -- or beer.

10 CHAIRPERSON MILLER: Or beer? And the beer
11 you sell by the case?

12 MR. SOURI: Yes.

13 CHAIRPERSON MILLER: Okay. Do -- I'm looking
14 at the photo that you put here. So does this gentleman
15 -- does he actually serve any wine or he just sells the
16 bottles?

17 MR. SOURI: He just stays there in his little --

18 MS. SOURI: He'll --

19 MR. SOURI: -- corner. And he --

20 MS. SOURI: He'll have tasting cups for
21 people to see what -- if that's what they want.

22 CHAIRPERSON MILLER: Right. Okay.

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1 MS. SOURI: Yeah, yeah.

2 CHAIRPERSON MILLER: But he's not, like,
3 serving a glass of wine?

4 MS. SOURI: Oh, no, no, no.

5 CHAIRPERSON MILLER: People buying a --

6 MR. SOURI: No, it's not like a bar.

7 CHAIRPERSON MILLER: -- a cup of wine or --

8 MS. SOURI: No.

9 CHAIRPERSON MILLER: Okay. All right. Any
10 other questions? We have our investigator here. Mr.
11 Parker, do you have any questions or comments?

12 MR. PARKER: No. I'll just provide signs if
13 the license is granted. And I'll -- and I'll commit to
14 go out and do an opening if -- like I said, if the
15 license is granted by the Board.

16 CHAIRPERSON MILLER: I'm sorry. Will you say
17 that again?

18 MR. PARKER: Oh, I said if the license is
19 granted by the Board, I'll go out and do a training
20 before the event and give signs as well as the ID
21 checking book just so they'll have it. But --

22 CHAIRPERSON MILLER: Okay.

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1 MR. PARKER: -- the only thing that came up
2 will be the hours of operation. What kind of hours --
3 so how would you -- I know you said you would end at
4 10:00 and 11:00 p.m. What time would you stop the
5 alcohol service?

6 MS. SOURI: Oh, yeah, 10:00.

7 MR. PARKER: So you would stop it at the time
8 that it closes?

9 MS. SOURI: Uh-huh. Yeah.

10 MR. PARKER: Okay.

11 MR. SOURI: I mean, as far as I know, we've
12 never had an incident of any kind because of alcohol
13 sales.

14 CHAIRPERSON MILLER: Uh-huh. Okay.

15 MR. SOURI: It's primarily families.

16 CHAIRPERSON MILLER: Uh-huh.

17 MR. SOURI: We don't really encourage loners
18 to come in and drink.

19 CHAIRPERSON MILLER: I can see that in the
20 photos that you provided. And do you have any
21 concerns, Mr. Parker?

22 MR. PARKER: I just -- I'm unaware of a

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1 temporary off-premise license being issued so I'm not -
2 - I'm not sure if maybe the legal counsel could direct
3 that. But I'm unsure if there's ever been one-day off-
4 premise license being authorized for the off-site sale
5 of alcohol.

6 CHAIRPERSON MILLER: Okay. Okay, wait.
7 Would you repeat that so that Ms. Davis can hear what
8 you're concerned about?

9 MR. PARKER: I'm unaware -- and I may be
10 missing something -- of an off-premise one-day license
11 being issued by the Board to say that a licensee can
12 operate under a temporary Class F or G license and
13 provide all sales service, that being closed containers
14 of alcohol being sold and patrons being allowed to take
15 that alcoholic beverage off-premise to the -- to their
16 home.

17 CHAIRPERSON MILLER: I see.

18 MR. PARKER: I'm unsure of that ever being
19 approved. I don't know of it.

20 CHAIRPERSON MILLER: Okay. Okay. I
21 understand what you're saying. Do you understand okay?

22 Okay. Mr. Parker just raised an interesting

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1 legal issue and that is that normally, when we look at
2 events like yours, we're talking about people selling
3 alcohol to be drink -- to drink there, you know, I
4 mean, cups, you know, but the beer or wine. And in
5 your situation, you're selling bottles and cases to be
6 taken home off premises.

7 So we just want to look at that legal issue -
8 - I just discussed it with our attorney and just
9 double-check the law -- and get back to you shortly,
10 probably within a day or so. Mr. Jones? Yeah.

11 MR. JONES: Thank you, Madam Chair.

12 CHAIRPERSON MILLER: Yeah.

13 MR. JONES: I had a question on -- you had a
14 response to one of our Board member's questions
15 regarding checking IDs or verifying appropriate
16 drinking age. And I think your response was, "Well, we
17 know everyone that's there."

18 MS. SOURI: Yeah.

19 MR. SOURI: True.

20 MR. JONES: Given that it is open to the
21 public -- but before today and even today you don't
22 know me.

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1 MS. SOURI: Yeah.

2 MR. JONES: So I came to your bazaar and I
3 wanted to get a glass of beer or a bottle of wine.
4 What would be your process for vetting me to ensure
5 that I was of the appropriate --

6 MR. SOURI: Well, one of the assurances --

7 MR. JONES: I know I look young but you might --

8 MR. SOURI: -- to vet that you're an adult --

9 MR. JONES: -- let me -- you question me a
10 lot on it.

11 MR. SOURI: So I don't think we're going to
12 have too much to worry about that unless you look
13 younger than you actually are right now. So --

14 BOARD MEMBER: Ooh

15 MR. SOURI: -- unless there's some suspicion
16 that this individual's being clandestine, very likely
17 we're not going to ask for the ID. But I think
18 reasonably most people can tell the difference between
19 someone who's under age and who is not -- not all the
20 time but reasonably.

21 MR. JONES: Okay. So generally, you're
22 saying you generally would not ask for identification?

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1 You would not question someone unless they give you
2 reason to do so, i.e., they act in a clandestine or
3 suspicious fashion or they are --

4 MR. SOURI: Or they look just too young to be
5 there.

6 MR. JONES: Look just entirely too young to
7 be consuming alcohol?

8 MR. SOURI: Yes.

9 MR. JONES: Okay. Thank you. Thank you,
10 Madam Chair.

11 CHAIRPERSON MILLER: Okay.

12 MR. BROOKS: Madam Chair, I want to --

13 CHAIRPERSON MILLER: Yes, please.

14 MR. BROOKS: In your experiences already,
15 have you always been able to allow the people to take
16 wine with them -- bottles of wine home with them? Have
17 you always allowed that?

18 MR. SOURI: Yes.

19 MR. BROOKS: You have always? Okay.

20 CHAIRPERSON MILLER: I'm sorry; I missed
21 that.

22 MR. SOURI: I just wonder that after all

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1 these years that this should become an issue now. I
2 just -- I just kind of find that very surprising.
3 We've asked for -- and I know I've done it many times -
4 - for a Class F permit and it has been granted without
5 a lot of formality. I'm totally unaware if there is --
6 that there's ever been any problems as a result of this
7 particular institution.

8 And I think all of this is being done in good
9 will in an effort to raise money for the church and
10 certainly with no intent to cause harm in the
11 community.

12 MR. BROOKS: No. I'm sure it's all in good
13 will. I agree with you but we just want to be sure
14 that it's legal. That's all.

15 MR. SOURI: So you'll do the same thing to
16 the Greeks and the Russians?

17 MR. BROOKS: Oh, oh, just to be clear --

18 MR. ALBERTI: We have.

19 MR. BROOKS: -- we have.

20 MR. SOURI: Okay.

21 BOARD MEMBER: And the Turks.

22 CHAIRPERSON MILLER: Okay. Well, let me ask

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1 the Board, you know -- we can -- we can recess and look
2 at the regulations and come back. It's maybe not that
3 complicated and it -- so that if you want to wait right
4 here for a few minutes while we take a look at the law,
5 that's basically what we want to do.

6 It's -- because that's really what this is
7 about, making sure that you're in compliance with the
8 law and then everything is, you know -- unless I
9 started out staying safe -- it sounded like you've been
10 doing this for years and years. And so as one Board
11 member, I'm not concerned about, you know, the safety
12 issues but I am concerned about that being in
13 compliance with the law.

14 So I think that's what we'll do is we'll --
15 if that's amenable to the Board, we'll take a short
16 recess.

17 MR. ALBERTI: Madam, could you say --

18 MR. SOURI: I would imagine after --

19 CHAIRPERSON MILLER: What?

20 MR. SOURI: -- after this particular issue,
21 we're all going to be unnecessarily paranoid.

22 MR. ALBERTI: Madam Chair --

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1 CHAIRPERSON MILLER: Yeah.

2 MR. ALBERTI: -- just so I'm clear and
3 everyone's clear --

4 CHAIRPERSON MILLER: Okay.

5 MR. ALBERTI: -- I think one of the key
6 issues that we need -- when the Chair says we need to
7 research, the key issue that she's, I think, speaking
8 to -- I believe she's speaking to is the off-site
9 sales. That's highly unusual.

10 MR. SOURI: I don't understand the term,
11 "Off- site sales."

12 MR. ALBERTI: When you -- when you sell
13 alcohol to be taken off premise. When you're selling
14 wine -- my understanding from what I -- and I was only
15 half- listening so I'll admit that. But my
16 understanding is that you're allowing bottles of wine
17 to be sold and then taken off the property --

18 MR. SOURI: Yes.

19 MR. ALBERTI: -- unopened.

20 MS. SOURI: Yes.

21 MR. ALBERTI: That's off-premise sales.

22 MS. SOURI: Okay.

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1 MR. ALBERTI: I have never heard of us
2 issuing a one-day or a temporary permit for someone to
3 do that. I don't know that the law allows that and we
4 are going to take a closer look on that -- close look
5 on that. So that's the issue for us. I mean, that's
6 one of the issues. There are others that we'll be
7 taking a look at. But if you're wondering why this has
8 become more involved than you thought it would be,
9 that's really what's --

10 MR. SOURI: I would -- I would say that would --

11 MR. ALBERTI: -- the point.

12 MR. SOURI: -- be our primary reason for the
13 sale, just so that people can buy it and take the
14 beverage home and really not consume it on the
15 premises.

16 MR. ALBERTI: Okay. Yeah, well, you know, we
17 don't make the laws. We administer the laws. And if
18 it's not allowed --

19 MS. SOURI: Okay.

20 MR. ALBERTI: -- we're going to have to tell
21 you you can't. So we're going to take a look at that.
22 Thank you.

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1 CHAIRPERSON MILLER: Okay. Anything else
2 before we go consider this? Mr. Jones?

3 MR. JONES: And just -- I don't want you -- I
4 kind of get the sense that you kind of feel like we're
5 picking on you or --

6 MS. SOURI: Yeah.

7 MR. JONES: -- making more of an issue than
8 what it is. And really, I think that's a bad attitude
9 to take. We're here to help you and we're here to help
10 you protect you from yourself because clearly, you
11 don't understand or don't appreciate the nature of what
12 potentially could happen with the environment that you
13 have set up. I know that you haven't had a problem but
14 it doesn't mean that you won't have a problem.

15 MR. SOURI: That's true.

16 MR. JONES: And we're trying to help you be
17 in the best position to protect yourself so that you
18 can continue to have this bazaar year after year after
19 year and continue to raise money year after year after
20 year and it not be forced -- force us to stop you from
21 selling alcohol at least at your bazaar.

22 So we're just trying to make sure you're

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1 aware and cognizant and do the best that you can to
2 protect yourselves within --

3 MR. SOURI: I would say that my attitude is
4 more defensive --

5 MR. JONES: Yes.

6 MR. SOURI: -- and that I'm more concerned
7 about our church and raising money for it and that if
8 we cannot get a Class F permit in order to sell beer
9 and wine, then it's going to cut into our income, which
10 we depend upon annually for the maintenance of our
11 church. Yes, we do have collections on Sundays but I'm
12 also concerned about the welfare and wellbeing of my
13 church.

14 MR. JONES: And I -- duly noted and we're
15 concerned about the welfare of your church, as well as
16 the welfare of the community, as well as the
17 individuals that potentially could do things that would
18 do harm to you, whether it's intentionally or not, via
19 the sale or purchase or consumption of alcohol by
20 individuals that aren't of the appropriate age.

21 And we don't want to have an inspector come
22 out there -- investigator come out there and cite you

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1 for something that could be easily avoided or mitigated
2 by taking a few simple steps to keep it from happening.
3 I know that's not your intent but there are a lot of
4 young people out there that have different intentions
5 than yours.

6 So I just want you to understand and
7 appreciate that we're here to try and help make sure
8 your event goes on without any hitches. We're not
9 trying to keep you from being able to do what you need
10 to do in order to make money for your church.

11 CHAIRPERSON MILLER: Mr. Silverstein?

12 MR. SILVERSTEIN: I understand -- well all do
13 -- that this has been going on almost forever. And
14 there have been no problems. But I have a question
15 about the wine that you're selling. Is this imported
16 Greek wine? Is there anything particularly special
17 about it that you couldn't get it at a --

18 MR. SOURI: It's ethnic.

19 MR. SILVERSTEIN: -- in a liquor store? Is
20 this -- pardon?

21 MR. SOURI: It's ethnic.

22 MS. SOURI: Ethnic.

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1 MR. SOURI: So there would be beer and wine
2 that was produced overseas.

3 MR. SILVERSTEIN: So this is maybe not the
4 kind of stuff that could -- and is every -- for
5 sacramental purposes?

6 MS. SOURI: No.

7 MR. SOURI: No.

8 MR. SILVERSTEIN: But this is not necessarily
9 the kind of stuff that you could go to the corner store
10 and buy?

11 MS. SOURI: That's right.

12 MR. SOURI: No.

13 MR. SILVERSTEIN: So this is -- this is in
14 fact a special and ethnic (inaudible)?

15 MR. SOURI: It's (inaudible).

16 MR. SILVERSTEIN: Okay.

17 CHAIRPERSON MILLER: As a follow up, where do
18 you get it from?

19 MR. SOURI: You mean, who's the distributor?

20 CHAIRPERSON MILLER: Well, you can just say,
21 "A distributor." I mean, I was just -- you made it
22 sound like it was, you know, special; you couldn't get

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1 it at the corner store.

2 MR. SOURI: That's true. I -- but I don't
3 know who the importer is.

4 CHAIRPERSON MILLER: Okay. No, I don't need
5 a name. I was -- you get it from some distributor.

6 MR. ALBERTI: Are you getting this directly
7 from an importer or are you getting it from a local
8 wholesaler?

9 MR. SOURI: I doubt that because it's such a
10 special item that it would have to come through import.
11 And -- but how that's done -- if you're asking -- I
12 don't know.

13 MR. ALBERTI: All right. Thank you. Because
14 that -- I mean, there -- we have regulations about
15 reporting imports of wine and -- wine and alcohol. So
16 it sounds like -- we don't know what your reporting
17 records are, which is another concern.

18 CHAIRPERSON MILLER: Okay.

19 MR. ALBERTI: Even if we were allowed to do
20 it -- so, I mean, there's just a whole lot of issues
21 here that -- and I understand. You don't understand
22 the law. It's -- we don't expect you to at this point.

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1 But there are -- there are regulations and procedures
2 that have to be followed. And that's part of our job,
3 to make sure that --

4 MR. SOURI: Sure. I understand.

5 MR. ALBERTI: -- that everyone, not just you --

6 MR. SOURI: I would imagine it's all --

7 MR. ALBERTI: -- everyone --

8 MR. SOURI: -- legally imported to the United
9 States.

10 MR. ALBERTI: No. It's not -- it's not
11 whether it was legally imported. It's just how it's
12 reported. When someone buys -- when a store buys
13 alcohol from someone who is not licensed in the -- in
14 the District -- from an importer who's not licensed in
15 the District, they -- there are certain reporting --

16 MR. SOURI: The whole --

17 MR. ALBERTI: -- requirements that they have
18 to go through.

19 MR. SOURI: Right. The wholesaler's name is
20 in my original --

21 MR. ALBERTI: Okay.

22 MR. SOURI: -- application. I --

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1 CHAIRPERSON MILLER: That's okay. I --

2 MR. ALBERTI: Okay. We'll look it up.

3 CHAIRPERSON MILLER: -- didn't really want to
4 go off on that tangent --

5 MS. SOURI: Right.

6 CHAIRPERSON MILLER: -- too much.

7 MR. ALBERTI: All right.

8 CHAIRPERSON MILLER: But -- so basically,
9 though, there are laws and regulations that govern what
10 you can do with respect to alcohol at an event like
11 you're having. And we're going to double-check the
12 regulations and discuss it with counsel and then come
13 back and let you know about whether you can or cannot
14 sell bottles of wine and cases of beer. Okay? So
15 we're going to take a recess.

16 I'm going to read the Open Meetings
17 instructions for that as follows: As Chairperson of
18 the Alcoholic Beverage Control Board for the District
19 of Columbia and in accordance with Section 405 of the
20 Open Meetings Amendment Act of 2010, I move that the
21 ABC Board hold a closed meeting for the purpose of
22 seeking legal advice from our counsel on the temporary

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1 license application of St. George Orthodox Church, per
2 Section 405(b)(4) of the Open Meetings Amendment Act of
3 2010 and deliberating upon this case for the reasons
4 cited in Section 405(b)(13) of the Open Meetings
5 Amendment Act of 2010.

6 Is there a second?

7 MR. NOPHLIN: Second.

8 CHAIRPERSON MILLER: We'll take a roll call
9 vote on the motion that's been seconded. Mr. Nophlin?

10 MR. NOPHLIN: I agree.

11 CHAIRPERSON MILLER: Mr. Brooks?

12 MR. BROOKS: I agree.

13 CHAIRPERSON MILLER: Mr. Alberti?

14 MR. ALBERTI: I agree.

15 CHAIRPERSON MILLER: Ms. Miller agrees. Mr.
16 Silverstein?

17 MR. SILVERSTEIN: I agree.

18 CHAIRPERSON MILLER: Mr. Jones?

19 MR. JONES: I agree.

20 CHAIRPERSON MILLER: Okay. The motion has
21 passed by a vote of 6-0-0. I hereby give notice that
22 the Board will hold a closed meeting in the ABC Board

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1 conference room at this moment. And we will return
2 after we have a chance just to look at that issue
3 careful, so probably within 15 minutes or so. Okay.

4 (WHEREUPON, at 10:39 a.m., the hearing went
5 off record until 10:54 a.m.)

6 CHAIRPERSON MILLER: Okay. We're back on the
7 record. The Board took a careful look at the law and
8 the facts of this situation. And so what I want to say
9 firsthand is that our purpose here is to make sure that
10 the type of event that you're having is done in
11 compliance with the law and that it's done in a way
12 that is safe for the community and safe for you.

13 So that's basically what we're doing really.
14 We understand that you have financial concerns but our
15 paramount concerns are the law and safety. And then
16 we'll do everything we can to help you work in that --
17 under those conditions.

18 So first, I want to read to you the law that
19 has been at issue in this case with respect to your
20 selling unopened bottles of wine and cases of beer.
21 And that law is set forth in 25-115 of the DC Code.
22 It's temporary license requirements and qualifications;

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1 (a), a temporary license shall authorize the licensee
2 temporarily to sell or permit the consumption of
3 alcoholic beverages at the specific premises described
4 for consumption on the premises where sold. The
5 license may be issued for a banquet, picnic, bazaar,
6 fair or similar public gathering where food is served
7 for consumption on the premises. No alcoholic
8 beverages shall be sold or served to a customer in an
9 unopened container.

10 So that law is very clear that it's against
11 the law for you to sell it -- beer, wine in unopened
12 containers at your bazaar. And, you know, you may have
13 been doing it for years and no one found out but we're
14 here to approve or disapprove your application. And we
15 cannot approve something that is contrary to the law.
16 So that's that issue, that you can -- you can only have
17 alcohol at your bazaar if you're going to be serving it
18 there.

19 Second, the Board has some concerns about the
20 vagueness of how you would be dealing with checking IDs
21 for minors and any security issues related to alcohol.
22 And we understand that Mr. Parker is going to work with

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1 you and just -- I'm sure you're not familiar with these
2 procedures or the regulations here. So he's going to
3 help you comply with the law, work out a plan that will
4 meet the Board's concerns.

5 And so what we are going to have you do is --
6 you can respond when I'm finished -- is meet with Mr.
7 Parker. And he'll help you work out a plan that the
8 Board can have confidence in. And then we'd like you
9 to come back on August 15th at 10:00 a.m. if possible
10 and we will see if everything's in order then.

11 So did you want to speak to that at this
12 point? Is that a problem? I just noticed him.

13 MR. SOURÌ: At this point I'm not sure.
14 August 15th is another Wednesday? I'll just have to
15 get off of work. I mean, I'll just have to make
16 arrangement to be free that day, as like today. But,
17 you know, if I have to, I have to. I'm -- again, I'm
18 concerned about my church. And I'd like to be able to
19 do the best I can for it. So if it means I have to be
20 here on the 15th, I will make a very reasonable effort
21 to be here on the 15th, just like today.

22 CHAIRPERSON MILLER: Well, I -- let me --

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1 before we get to that, I forgot -- I may not have said
2 that we would like you to -- you to work on this plan
3 with Mr. Parker. And that would be submitted by the
4 7th and the Board could review it.

5 Do you have any problem with that?

6 MR. SOURI: No.

7 CHAIRPERSON MILLER: Okay. So you -- the
8 problem you have is you have to take off work to come
9 to the hearing on the 15th?

10 MR. SILVERSTEIN: We just want to make it
11 very clear, we do not believe -- please don't think
12 that we're singling you out. It's been just the
13 opposite. Apparently, this has worked out so well for
14 you in the past that there were things going on that
15 weren't going on elsewhere. This is especially the
16 off-premises sale. We have to be fair across the board
17 to all.

18 And this was just one of those things where
19 you folks have run such a -- you know, such a good show
20 in terms of peace, order and quiet that nobody had
21 noticed that this was -- this was going on in violation
22 of the regulations that -- and they are regulations

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1 that we have to abide by and enforce. We wish you
2 well. We do not wish to put any impediments in your
3 way but we just want this to be enforced the same
4 everywhere and across the board.

5 And anything that we can do to make this
6 easier -- please work with Mr. Parker. He's very
7 capable. And we are especially concerned also about
8 the -- that you take the same steps that everyone else
9 does, even though it's a family-run atmosphere, to
10 ensure that there not be sales to minors. This is --
11 again, this is all done in good will but we simply have
12 to make sure that everybody plays by the same rules and
13 everybody has the same regulations.

14 Good luck and we hope to square this away as
15 quickly as we can.

16 MR. SOURI: Sure. I don't dispute that and I
17 appreciate your comments. It's just unexpected. And
18 so, yes, we need to work that through.

19 MR. SILVERSTEIN: Good luck.

20 MR. SOURI: Thank you.

21 CHAIRPERSON MILLER: Any other comment?

22 (No audible response.)

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1 CHAIRPERSON MILLER: I just say this, I --
2 we're going to set this for hearing. I think the Board
3 wanted to, you know, see you again. But we'll review
4 the report and talk to Mr. Parker. And then if for any
5 reason the Board is satisfied that it -- and it doesn't
6 need to see you on the 15th, we'll let you know. But
7 as of now, we need to set it for the 15th.

8 MR. SOURI: Sure. That's fine.

9 CHAIRPERSON MILLER: And hopefully, it will
10 be a quick hearing and that, you know, it'll just be a,
11 "Well done, good plan." Okay. Anything else?

12 (No audible response.)

13 CHAIRPERSON MILLER: All right. Well, thank
14 you very much.

15 MR. SOURI: Thank you too.

16 CHAIRPERSON MILLER: Okay.

17 (WHEREUPON, at 11:01 a.m., the hearing was
18 concluded.)

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