



STATE OF OKLAHOMA
ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

MINUTES OF THE ABLE COMMISSION MEETING

June 21, 2024

The filing of the meeting and posting of the agenda were in accordance with the Oklahoma Open Meeting Act. The notice of the meeting was filed with the Secretary of State on November 1, 2023. The agenda was posted on June 18, 2024, on the front and back doors of the 50 Northeast 23rd Street building in Oklahoma City, the ABLE Commission's customer reception area, and the ABLE Commission website.

Chairman Jonathan Brooks called the meeting to order at 10:00 a.m. at the office of the Alcoholic Beverage Laws Enforcement (ABLE) Commission at 50 Northeast 23rd Street, Oklahoma City, OK 73105. A quorum was met with the presence of the following Commission members: Jonathan Brooks; Keith Mitchell; A. Ainslie Stanford II; and Austin Benton.

The visitors that were in attendance were: Lauren Kidwell and Rosalee Hamill, Oklahoma Department of Mental Health and Substance Abuse Services; J.B. Jarboe, Southern Glazers Wine and Spirits; Alex Atkins, Beer Distributors of Oklahoma; Stacy Potter and Terrin Tillman, ROCMND Area Youth Services – Responsible Beverage Service & Sales; Kaylyn Lance, Loves Travel Stops; Robert Jernigan and Dirk Van Veen, Retail Liquor Association of Oklahoma; Lacy Kelly and Jonna Vanderslice, Phillips Murrah Law Firm; Justin Naifeh, Republic National Distributing Company; Tyler Talley, Quorum Call; Charles Lindsey-Outlaw, LegisOK .

The following ABLE Commission employees in attendance were: Assistant Director/General Counsel/Public Information Officer Lori Carter; Deputy General Counsel Leif Arvidson; ABLE Prosecuting Attorney, Kate Springer; Assistant Attorney General and ABLE Commission legal counsel Andra Holder from the Office of the Attorney General; Human Resources Director Christine Chalmers and Jenna Redman, Oklahoma State Bureau of Investigation (OSBI); Chief Financial Officer/Comptroller Jennifer Treadwell; Licensing Supervisor Carla Clanton; Captain Kent James; Captain Greg Bynum; Captain Erik Smoot; Lieutenant Ray Fells; Lieutenant Todd Anthony; Lieutenant Cody Rekstad; Senior Agent Kyle Stiplin; Senior Agent Doug Kimberlin; Agent Dee Deatherage; and Legal Administrative Assistant Kimberly Yates.

A roll call of the following ABLE Commissioners was announced: Chairman Jonathan Brooks, Commissioner Keith Mitchell, Commissioner A. Ainslie Stanford and Commissioner Austin Benton. A quorum was then established for the ABLE Commission meeting June 21, 2024.

Assistant Attorney General and ABLE Commission legal counsel, Andra Holder, acknowledged that the ABLE Commission is compliant with the Open Meeting Act. A notice of the meeting and agenda were posted 48 hours prior to the meeting and in accordance with Oklahoma statute 25 O.S. §311.

Chairman Jonathan Brooks moved to agenda item #5, review, discussion and possible action to approve, amend or reject the minutes from the May 17, 2024, regular meeting of the ABLE Commission. Commissioner Mitchell made a motion to approve the minutes from the May 17, 2024, commission meeting. Commissioner Stanford seconded the motion. A roll call vote was taken and recorded as follows:

Chairman Jonathan Brooks – Yes
Commissioner Keith Mitchell – Yes
Commissioner A. Ainslie Stanford – Yes
Commissioner Austin Benton – Yes

Chairman Brooks moved to Item #6, election of a Chairman for fiscal year 2025. Commissioner Mitchell made a motion to nominate Commissioner Brooks to remain Chairman for fiscal year 2025. Commissioner Benton seconded the motion. A roll call vote was taken and recorded as follows:

Chairman Jonathan Brooks – Yes
Commissioner Keith Mitchell – Yes
Commissioner A. Ainslie Stanford – Yes
Commissioner Austin Benton – Yes

Commissioner Jonathan Brooks will remain Chairman of the Commission for fiscal year 2025.

Chairman Brooks moved to Item #7, election of a Vice Chairman for fiscal year 2025. Commissioner Benton made a motion to nominate Commissioner Revelis to remain Vice Chairman for fiscal year 2025. Commissioner Stanford seconded the motion. A roll call vote was taken and recorded as follows:

Chairman Jonathan Brooks – Yes
Commissioner Keith Mitchell – Yes
Commissioner A. Ainslie Stanford – Yes
Commissioner Austin Benton – Yes

Commissioner Andrew Revelis will remain Vice Chairman of the Commission for fiscal year 2025.

Chairman Brooks moved to Item #8, recognition of the ABLE Commission's Trilogy Award recipients with possible discussion. The Commission recognized and congratulated Captain Scott Smith and Lieutenant Cody Rekstad of the ABLE Commission for their hard work in achieving this award and completing the Federal Bureau of Investigation leadership training.

Assistant Director Carter introduced the new ABLE prosecuting attorney, Kate Springer. She was welcomed to the ABLE Commission.

Oklahoma State Bureau of Investigations Human Resources Director Christine Chalmers presented the ABLE Commission personnel report for June 2024 consisting of the following topics: There have been 41 applicants chosen for application materials to be sent to for the customer service position. The materials are due by June 26, 2024.; The position for the ABLE prosecuting attorney/legal counsel position has been filled and Kate Springer started at the ABLE Commission on May 20, 2024.; The qualified applicants for the enforcement agent positions were submitted to continue to the next stage of the interview process which consist of the background check.

Chairman Jonathan Brooks moved to Item #11 on the agenda, approval, or disapproval of the re-certification of the training program applicant's curriculum of instruction pursuant to OAC 45:15-3-1. Captain Erik Smoot stated that the programs meet the standards for certification and re-certification. Commissioner Mitchell made a motion that the Commission approve the recommended responsible beverage program trainers: TIPS Oklahoma Off-Premise & Delivery and On-Premise – 360training.com, Inc. DBA TIPS; Oklahoma SureSell Alcohol Sales Training – Diversys Learning, Inc. DBA SureSell Now; HAV Beer & Wine Training – HAV, Inc. Homeland Stores (Re-Certification with additions); and Responsible Retail Training – Quiktrip (Re-Certification with additions). Commissioner Stanford seconded the motion. A roll call vote was taken and recorded:

Chairman Jonathan Brooks – Yes
Commissioner Keith Mitchell – Yes
Commissioner A. Ainslie Stanford – Yes
Commissioner Austin Benton – Yes

EXECUTIVE DIRECTOR'S REPORT FOR JUNE 2024:

Assistant Director Lori Carter provided the following information to the ABLE Commission:

- Director Clabes met with many different entities, committees, agencies and conferences including: meeting with Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS); Oklahoma State Bureau of Investigations (OSBI), attended the Rose State College Board of Regents meeting; meeting with the Oklahoma Bureau of Narcotics and Dangerous Drugs (OBNDD); Oklahoma Department of Corrections (DOC); Oklahoma Restaurant Association; Office of Management and Enterprise Services (OMES); State of Oklahoma Attorney General's Office; Representative Robert Manger; Cabinet Secretary Tricia Everest along with members of the media, several constituents and concerned citizens of the public.
- Director Clabes and Assistant Director Carter met with the finance and Human Resources department this month on a variety of issues. The new ABLE Commission's prosecuting attorney, Kate Springer, started on May 20, 2024.
- Chief Todd Peck has confirmed that all ABLE vehicles are outfitted with the proper automated vehicle location systems as required by Governor Stitt.
- Director Clabes and Assistant Director Carter met with members at the Capitol before the legislative session ended.
- Director Clabes, Assistant Director Carter and Captain Erik Smoot attended the National Conference of State Liquor Administrators in Washington, DC from June 16 through June 19.
- Director Clabes had lunch with OSBI Director Spurlock, OBNDD Director Anderson and DOC Director Harp to discuss partnerships between the agencies.
- Captain Erik Smoot, Senior Agent Melissa Galvez and Senior Agent Nathan Davis attended the Oklahoma Food and Beverage Expo in Oklahoma City.
- Director Clabes and Assistant Director Carter accompanied Chairman Brooks and Commissioner Benton at the Oklahoma State Capitol for their senate confirmation hearing. Both have been reappointed by Governor Stitt to serve another 5-year term as Commissioners for the ABLE Commission.
- Chief Peck and the law enforcement division have moved all our paper files from the Oklahoma City office to our storage facility. It was a huge undertaking for our staff. The files will be digitized during this fiscal year.
- Director Clabes and Assistant Director Carter met with Fred Cantrell from OMES on a migration plan from the Acella MAS agreement to OMES.
- Director Clabes, Deputy General Counsel Leif Arvidson and Prosecuting Attorney Kate Springer met with Jeff and Kristie Murrow. They have been working for two years to pass legislation which will regulate wedding venues.
- Assistant Director Carter, Captain Smoot and I attended the National Conference of State Liquor Administrators in Washington, DC from June 16 through June 19.
- The ABLE Commission's Enforcement District continues with the educational checks for businesses and has received feedback.
- Director Clabes continues to work toward training in different areas for enforcement and civilian staff.
- The next ABLE Commission meeting will be in 4 weeks on July 19, 2024.

- Assistant Director Lori Carter presented a PowerPoint presentation report for the licensing department and Accela licensing system update for June 2024 and covered the following topics: status of quote for the Carasoft website refresh project.; the top resolved issues and cases pending with the Accela licensing system.; Also, a licensing report was provided over the following topics: The number of new business licenses issued from May 10, 2024 to June 14, 2024 (130); The number of individual licenses issued from May 10, 2024 to June 14, 2024 (6,973).; Plus, the total of active licenses (163,877); A copy of monthly applications services reporting contract was also provided to the Commissioners for May 2024. The latest count of registered ABLE licensed users that have registered in the new online system is 203,018.

- The following ABLE Commission Captains and agents presented an update of their respective departments and tasks that have been completed since the last Commission meeting: Captain Kent James, Tulsa District; Captain Erik Smoot, Alcohol and Tobacco Education Unit; Lieutenant Ray Fells, McAlester District; Captain Scott Smith, Oklahoma City District; and Captain Greg Bynum, Trade Practices Unit and Brand Registration.

Assistant Director/General Counsel/ Public Information Officer Lori Carter presented the following legislative and legal report to the Commission:

- Assistant Director Carter's docket report consist of 37 alcohol related cases settled for the month of May. For the month of May, there are 26 cases resolved thus far with 20 cases pending.
- Assistant Director Carter stated that the new prosecuting attorney, Kate Springer, has been working very hard to settle pending cases.
- The ABLE Commission continues to negotiate the contract with the Department of Mental Health and Substance Abuse and the Department of Health.
- Legislative Report: She stated that there were 443 bills that were signed at the Oklahoma Capitol. Of those bills, 43 bills were vetoed, and 5 vetoes were overridden. The Governor signed the General Appropriations Budget bill (Senate Bill 1125). The Governor has until noon on June 24, 2024, to sign the proposed agency rules bill, HJR1059.
- Assistant Director/General Counsel Lori Carter mentioned other the bills that affect the ABLE Commission: House Bills 1723, 2178, 2090 and 3334. Senate Bills 800, 809 and 1057.
- She mentioned two Executive Orders that was put into effect by the Governor that may impact the ABLE Commission: Executive Order 2024-13 and Executive Order 2024-14.
- There is a hearing set for July 10, 2024, regarding the denial of the application from a nationwide chain retail store.
- She provided an update for the projects that are in conjunction with OMES. The migration of the ABLE Commission's physical files to a cloud based system and the creation of a new legal docket system.
- She provided an update on the ABLE Commission's administrative rules.

Chief Financial Officer/Comptroller Jennifer Treadwell presented a financial report PowerPoint presentation for June 2024, and it covered the following topics: cash balances as of May 31, 2024; cash balance comparison; revenue as of May 31, 2024; revenue comparison year-to-date; revenue comparison by month; transfer of revenue as of May 31, 2024; and fiscal year 2024 expenditures as of May 31, 2024.

Chairman Jonathan Brooks moved on to Item #17, comments from the public:

- Dirk Van Veen, Retail Liquor Association of Oklahoma made a statement regarding the ABLE Commission's software migration.
- Stacy Potter with ROCMND Area Youth Services – Responsible Beverage Service & Sales made a compliment regarding Senior Agent Alan Davis and his assistance and statements with different departments of ROCMND that may be able to assist ABLE.

Chairman Jonathan Brooks moved on to Item #19, to enter into Executive Session to discuss ABLE Commission confidential communications between a public body and its attorney pursuant to 25 O.S. § 307 (B)(4). Commissioner Benton made a motion to move into Executive Session. Commissioner Stanford seconded the motion. A roll call vote was taken and recorded as follows:

Chairman Jonathan Brooks – Yes
Commissioner Keith Mitchell – Yes
Commissioner A. Ainslie Stanford – Yes
Commissioner Austin Benton – Yes

Commissioners entered Executive Session at 11:12 a.m.

Commissioners exited Executive Session at 11:41 a.m.

Chairman Jonathan Brooks called the meeting to order at 11:41 a.m. and called for a motion to return from Executive Session. Commissioner Mitchell made the motion to return from Executive Session. Commissioner Benton seconded the motion. A roll call vote was taken and recorded as follows:

Chairman Jonathan Brooks – Yes
Commissioner Keith Mitchell – Yes
Commissioner A. Ainslie Stanford – Yes
Commissioner Austin Benton – Yes

No action was taken in Executive Session

Commissioner Stanford made a motion to adjourn the meeting. Commissioner Benton seconded the motion. A roll call vote was taken and recorded as follows:

Chairman Jonathan Brooks – Yes
Commissioner Keith Mitchell – Yes
Commissioner A. Ainslie Stanford – Yes
Commissioner Austin Benton – Yes

The meeting was then adjourned at 11:42 a.m.



Matthew Crook, Commissioner