



STATE OF OKLAHOMA
ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

MINUTES OF THE ABLE COMMISSION MEETING

May 20, 2022

The filing of the meeting and posting of the agenda were in accordance with the Oklahoma Open Meeting Act. Notice of the meeting was filed with the Secretary of State on October 20, 2021. The agenda was posted on May 17, 2022, on the front and back doors of the 50 Northeast 23rd Street building in Oklahoma City, the door of the ABLE Commission's Office Reception area, and the ABLE Commission website.

Chairman Graves 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: Devin Graves; James Willyard; Harry J. "Trey" Kouri, III; Robert "Bob" Usry; and Keith Mitchell. The others present were: J.B. Jarboe, Southern Glazers Wine & Spirits of Oklahoma; Edward Tuya, Oklahoma Department of Mental Health & Substance Abuse Services; Jose Almanzar, Homeland; Jim Hopper, Oklahoma Restaurant Association; and Bob Hunt, Molsan Coors Beverage Company. Oklahoma ABLE Commission employees attending were: Director Keith Burt; Assistant Director Brent Fairchild; Staff Attorney Andrew Koester; Director of Management and Budget Josh Maxey; Senior Agent Vanessa Blain; and Office Assistants Shae Isaacs, Margaret Hooley, and Kimberly Yates.

Commissioner Usry made a motion to approve the minutes from the April 15, 2022 Commission meeting. Commissioner Kouri seconded the motion. A roll call vote was taken and recorded as follows:

Chairman Devin Graves – Yes
Commissioner James Willyard – Yes
Commissioner Harry J. "Trey" Kouri, III – Yes
Commissioner Robert "Bob" Usry – Yes
Commissioner Keith Mitchell – Abstain

Director Burt recognized new ABLE Commissioner Keith Mitchell and welcomed him to the ABLE Commission.

Director Burt recognized Commissioner Harry J. "Trey" Kouri, III for his 16 years of service to the ABLE Commission and the State of Oklahoma.

DIRECTOR'S REPORT:

- Director Burt recognized the passing of previous ABLE Assistant Director, James Sconzo, and liquor industry pioneer, John Jarboe. He attended the services for both and extended his condolences to the families.
- Director Burt introduced Director of Management and Budget Josh Maxey regarding information from the Governmental Technology Applications Review Board. This board provides assistance and information regarding fee changes that are needed.
- Director Burt gave a brief overview of the ABLE Commission's annual report for fiscal year 2021.

- Director Burt recognized Captain Erik Smoot. Captain Smoot presented to the Commission a synopsis of the updated requirements for vaping products.
- Captain Smoot also discussed the Tobacco Education Grant that was presented to the ABLE Commission. The grant funds are used to support agents for additional inspections of businesses in an effort to prevent underage tobacco use.
- Director Burt informed the Commission of the recent status of the posting of the Director's position and provided the Commissioners with informational handouts concerning the Director's position.
- Director Burt introduced the Director of Management and Budget Josh Maxey. Mr. Maxey gave an update on the ABLE Commission's project to update the website and the status of the new licensing system.
- Director Burt stated that the next meeting of the ABLE Commission will be in 5 weeks on Friday, June 24, 2022, at 10:00am.

Assistant Director Brent Fairchild presented the following Enforcement Report to the Commissioners:

- He advised the Commission that during the month of April, ABLE agents completed 140 FDA tobacco inspections, 46 alcohol compliance checks, 8 curbside alcohol checks, 17 additional tobacco/vaping checks compliance checks and 29 tobacco retail education visits.
- ABLE agents from all districts assisted in a complaint in Hochatown which resulted in the seizure of 3,090 bottles of wine.
- ABLE agents from the Tulsa District investigated a business in downtown Tulsa which resulted in the seizure of 57 containers of alcoholic beverages.
- Agents investigated various complaints along with conducting bar compliance checks in the following counties: Osage, Tulsa, McCurtain, Cleveland, Pittsburg, Rogers, Oklahoma, Carter, Marshall, Bryan, Atoka, Cherokee, Wagoner, Delaware, Payne, and Comanche.
- Agents attended meetings and trainings with the Oklahoma City Chamber of Commerce, Oklahoma Tourism Department, Oklahoma State Department of Health, Payne County Sheriff's Department, EndDUI, Payne County District Attorney's Office, Oklahoma Department of Mental Health, Lawton/Ft. Sill Community Coalition, and Kibois/TSET Task Force.
- Agents also provided assistance and made courtesy visits to the Collinsville Police Department, Norman Police Department, Owasso Police Department, Oklahoma City Police Department, University of Oklahoma Police Department, Cleveland County Sheriff's Office, Kingston Police Department, Marshall County Sheriff's Office, Rogers County Police Department, Muskogee Police Department, Oklahoma County Sheriff's Office, Tulsa County Sheriff's Office, Tulsa Police Department, and the Oklahoma Highway Patrol.
- Director Burt presented a fiscal summary for the state of Oklahoma and the ABLE Commission's revenue collections. The Oklahoma state April revenues were up 12.7% over April 2021 collections. Oklahoma gross receipts are at a record high, and the State unemployment rate remains at an historically low level; however, Oklahoma is seeing record inflation.

ABLE collections for April of 2022 are up over 20% from April 2021 and for the last year, are down less than 4 tenths of 1%.

Chairman Graves moved to Item #7, comments from the public.

J.B Jarboe of Southern Glazers Wine & Spirits of Oklahoma congratulated Commissioner Kouri for 16 years of service to the State of Oklahoma and thanked him for his service. Mr. Jarboe also thanked Director Burt and the ABLE Commission for their support during his time of bereavement.

Chairman Graves moved on to Item #18, the Director's Quarterly Performance Review. Commissioner Willyard made a motion to move into Executive Session to discuss the Director's Quarterly Performance. Commissioner Usry seconded the motion. A roll call vote was taken and recorded as follows:

Chairman Devin Graves – Yes
Commissioner James Willyard – Yes
Commissioner Harry J. “Trey” Kouri, III – Yes
Commissioner Robert “Bob” Usry – Yes
Commissioner Keith Mitchell – Yes

Chairman Graves called the meeting to order and called for a motion to return from Executive Session. Commissioner Kouri made the motion to return from Executive Session. Commissioner Mitchell seconded the motion. A roll call vote was taken and recorded as follows:

Chairman Devin Graves – Yes
Commissioner James Willyard – Yes
Commissioner Harry J. “Trey” Kouri, III – Yes
Commissioner Robert “Bob” Usry – Yes
Commissioner Keith Mitchell – Yes

No action was taken during Executive Session.


Commissioner Kouri made a motion to increase the staff salary 6%. Commissioner Willyard seconded the motion. A roll call vote was taken and recorded as follows:

Chairman Devin Graves – Yes
Commissioner James Willyard – Yes
Commissioner Harry J. “Trey” Kouri, III – Yes
Commissioner Robert “Bob” Usry – Yes
Commissioner Keith Mitchell – Yes

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

Chairman Devin Graves – Yes
Commissioner James Willyard – Yes
Commissioner Harry J. “Trey” Kouri, III – Yes
Commissioner Robert “Bob” Usry – Yes
Commissioner Keith Mitchell – Yes

The meeting was then adjourned.



Devin Graves, Chairman