



STATE OF OKLAHOMA
ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

MINUTES OF THE ABLE COMMISSION MEETING
July 19, 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 July 16, 2024, 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.

Commissioner Crook 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: Matthew Crook; Keith Mitchell; A. Ainslie Stanford II; and Austin Benton.

The visitors that were in attendance were: Emily Morrow Oklahoma Department of Mental Health and Substance Abuse Services; JB Jarboe, Southern Glazer Wine and Spirits; Robert Jernigan and Dirk Van Veen, Retail Liquor Association of Oklahoma; Todd Cox, Traditions Spirits; Mark Yates, Cornerstone Government Affairs; Daniel Zeigler, Republic National Distributing Company; Haley Faulkenberry, Beer Distributors of Oklahoma; Randy Malone, Oklahoma Beverage Law; Ellen Spiropoulous, Phillips Murrah Law Firm; Tyler Talley, Quorum Call; and Charles Lindsey-Outlaw, LegisOK .

The following ABLE Commission employees in attendance were: Director Brandon Clabes; 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 & ABLE Shared Services); Chief Financial Officer/Comptroller Jennifer Treadwell; Licensing Supervisor Carla Clanton; Captain Erik Smoot; Captain Kent James; Captain Mike Randol; Captain Greg Bynum; Lieutenant Cody Rekstad; Agent Andrew Potter; Licensing Supervisor Carla Clanton; Executive Secretary Shae Isaacs; Legal Administrative Assistant Kimberly Yates; and Lizzie Carter, ABLE Commission Legal Intern.

A roll call of the following ABLE Commissioners was announced: Commissioner Matthew Crook, Commissioner Keith Mitchell, Commissioner A. Ainslie Stanford and Commissioner Austin Benton. A quorum was then established for the ABLE Commission meeting July 19, 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.

Commissioner Matthew Crook moved to agenda item #5, review, discussion and possible action to approve, amend or reject the minutes from the June 21, 2024, regular meeting of the ABLE Commission. Commissioner Mitchell made a motion to approve the minutes from the June 21, 2024, commission meeting, with corrections. Commissioner Benton seconded the motion. A roll call vote was taken and recorded as follows:

Commissioner Matthew Crook – Yes
Commissioner Keith Mitchell – Yes
Commissioner A. Ainslie Stanford – Yes
Commissioner Austin Benton – Yes

Director Brandon Clabes introduced the new ABLE agent to the McAlester District, Andrew Potter. He was welcomed to the ABLE Commission.

Oklahoma State Bureau of Investigations Human Resources Director Christine Chalmers presented the ABLE Commission personnel report for July 2024 consisting of the following topics: There were customer service representative interviews held. Recommendations for the position from those interviews were provided to HR from the Licensing Supervisor. The human resources department is currently waiting for the background check and fingerprints to come back from investigation.; There were interviews conducted and completed for potential ABLE agents to be assigned to McAlester, Tulsa and Oklahoma City enforcement districts.

Commissioner Matthew Crook moved to Item #8 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 Stanford made a motion that the Commission approve the recommended responsible beverage program trainers: Oklahoma Grocers Association – Oklahoma Grocers Association training; Oklahoma Responsible Alcohol Sales and Service – Ready Training, Inc.; and Rserving Oklahoma Responsible Serving of Oklahoma – Rserving Professional Server Certification Corp. Commissioner Benton seconded the motion. A roll call vote was taken and recorded:

Commissioner Matthew Crook – Yes
Commissioner Keith Mitchell – Yes
Commissioner A. Ainslie Stanford – Yes
Commissioner Austin Benton – Yes

EXECUTIVE DIRECTOR'S REPORT FOR JULY 2024:

Director Brandon Clabes 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; National Sheriff's Association conference in Oklahoma City; Oklahoma Department of Health; Oklahoma Bureau of Narcotics and Dangerous Drugs (OBNDD); Oklahoma Department of Corrections (DOC); Oklahoma Department of Public Safety (DPS); 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 completed his deposition for an ongoing case with a large national retail store chain. There were other ABLE employees were also deposed and included Agent Steve Lanier, Lieutenant Cody Rekstad, Chief Agent Todd Peck and Licensing Supervisor Carla Clanton.
- Chief Todd Peck and his staff have been extremely busy moving old file cabinets from headquarters to our storage facility. They are rearranging office space internally for ABLE agents from several units.
- Director Clabes approved salary adjustments for customer service representatives, which is in line with our step-increase structure for these positions within the agency.
- Director Clabes attended a ceremonial bill signing with Governor Stitt, Representative Robert Manger, and Senator Darrell Weaver. It surrounded the "Odell" law.

- Director Clabes reviewed the Ready Training Online "Responsible Alcohol Sales and Service Training Program". The approximate one-hour training video is geared towards education on Oklahoma's existing alcohol laws.
- Director Clabes and Assistant Director Carter and her entire legal team has spent most of these last few weeks preparing for the administrative hearing surrounding the license denial of Total Wine. The legal staff did an excellent job defending our position and the Administrative Law Judge plans to have his decision by July 23.
- Director Clabes attended a two-day Oklahoma Law Enforcement Director's Retreat in Durant from July 17th through 19th. The retreat was also attended by OBNDD Director Donnie Anderson, OSBI Director Aungela Spurlock, DOC Director Steven Harp and DPS Commissioner Tim Tipton.
- Director Clabes and Assistant Director Carter met with the finance department and human resources department several times throughout the month on a variety of issues.
- The next ABLE Commission meeting will be in 4 weeks on August 16, 2024.

- Licensing Supervisor Carla Clanton presented a PowerPoint presentation report for the licensing department and Accela licensing system update for July 2024 and covered the following topics: status of the quote negotiations 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 June 15, 2024 to July 12, 2024 (115); The number of individual licenses issued from June 15, 2024 to July 12, 2024 (4,477).; Plus, the total of active licenses (163,298); A copy of monthly applications services reporting contract was also provided to the Commissioners for June 2024. The latest count of registered ABLE licensed users that have registered in the new online system is 203,018.

- Chief Law Enforcement Agent, Todd Peck, 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; Captain Michael Randol, McAlester District; Lieutenant Cody Rekstad, 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 26 alcohol related cases settled for the month of June. For the month of July, there are 18 cases resolved with 7 of those cases being tobacco related. There are 10 cases pending for July and 20 cases pending for August.
- Assistant Director Carter stated that the "Total Wine" case was conducted on July 10, 2024, by Administrative Law Judge Mike Fields in the ABLE Commission offices. Judge Fields is due to have a decision by July 23, 2024. More information will be distributed at the next Commission meeting.
- The ABLE Commission has entered into a 90-day extension of the contract with the Department of Health for the tobacco and vape inspections.
- She provided an update of a new legal docket system and the negotiation for the best system for the agency.
- She stated that negotiations continue for the Gray Quarter contract that will update the ABLE Commission's licensing website.
- Legislative Report:
 - Governor Stitt has approved all of the administrative rules submitted by the ABLE Commission. They have been submitted to the Secretary of State for publication. The rules will be published August 25, 2024, and effective within a minimum of 10 days after that date.
 - During the Special Legislative Session, Senator Lonnie Paxton of Tuttle, Oklahoma, was appointed as the Pro Tem designate to the Oklahoma State University Board of Regents.

- There are numerous intern studies being proposed. Some of them involve the review of vapor products, drunk and distracted driving and artificial intelligence in government are just a few of the studies being suggested.
- There were Executive Orders issued by the Governor that requires state agencies to take action and Licensing Supervisor Carla Clanton has been assigned that task for the ABLE Commission.

Chief Financial Officer/Comptroller Jennifer Treadwell presented a financial report PowerPoint presentation for July 2024, and it covered the following topics: cash balances as of June 30, 2024; cash balance comparison; revenue as of June 30, 2024; revenue comparison year-to-date; revenue comparison by month; transfer of revenue as of June 30, 2024; and fiscal year 2024 expenditures as of June 30, 2024.

Commissioner Matthew Crook moved on to Item #14, comments from the public:

- Ellen Spiropoulous with Phillips Murrah Law Firm made a statement regarding the positive revisions to the ABLE Commission's licensing website.

Commissioner Matthew Crook moved on to Item #16, 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 Mitchell made a motion to move into Executive Session. Commissioner Stanford seconded the motion. A roll call vote was taken and recorded as follows:

Commissioner Matthew Crook – Yes
 Commissioner Keith Mitchell – Yes
 Commissioner A. Ainslie Stanford – Yes
 Commissioner Austin Benton – Yes

Commissioners entered Executive Session at 11:04 a.m.

Commissioners exited Executive Session at 11:47 a.m.

Commissioner Matthew Crook called the meeting to order at 11:48 a.m. and called for a motion to return from Executive Session. Commissioner Benton made the motion to return from Executive Session. Commissioner Mitchell seconded the motion. A roll call vote was taken and recorded as follows:

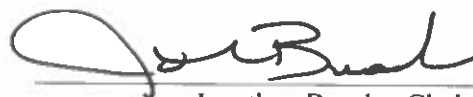
Commissioner Matthew Crook – Yes
 Commissioner Keith Mitchell – Yes
 Commissioner A. Ainslie Stanford – Yes
 Commissioner Austin Benton – Yes

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:

Commissioner Matthew Crook – Yes
 Commissioner Keith Mitchell – Yes
 Commissioner A. Ainslie Stanford – Yes
 Commissioner Austin Benton – Yes

The meeting was then adjourned at 11:49 a.m.



Jonathan Brooks, Chairman