



STATE OF OKLAHOMA
ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

MINUTES OF THE ABLE COMMISSION MEETING
May 17, 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 May 14, 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 10:02 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, Andrew Revelis; Robert "Bob" Usry; Matthew Crook; Keith Mitchell; A. Ainslie Stanford II; and Austin Benton.

The visitors that were in attendance were: Deputy Attorney General Niki Batt, Office of the Attorney General for the State of Oklahoma; Lauren Kidwell and Rosalee Hamill, Oklahoma Department of Mental Health and Substance Abuse Services; Human Resources Director Christine Chalmers, Oklahoma State Bureau of Investigation (OSBI); J.B. Jarboe, Southern Glaziers Wine and Spirits; Attorney Randy Malone, Oklahoma Beverage Law; Stacy Potter and Terrin Tillman, ROCMND Area Youth Services – Responsible Beverage Service & Sales; Samantha Guinn, Institute for Responsible Alcohol Policy (IRAP); Spencer Guinn, Oklahoma Beer Alliance; Robert Jernigan and Dirk Van Veen, Retail Liquor Association of Oklahoma; Ellen Spiropoulos, Phillips Murrah Law Firm; Todd Cox, Traditions Spirits; and Chance Hicks, Dalton Hicks, Laura Hicks and Brad Hicks, citizens.

The following ABLE Commission employees in attendance were: Executive Director Brandon Clabes; Assistant Director/General Counsel/Public Information Officer Lori Carter; Deputy General Counsel Leif Arvidson; Deputy Attorney General and ABLE Commission legal counsel Niki Batt from the Office of the Attorney General; 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, Vice Chairman Andrew Revelis, Commissioner Robert "Bob" Usry, Commissioner Matthew Crook, Commissioner Keith Mitchell, Commissioner A. Ainslie Stanford and Commissioner Austin Benton. A quorum was then established for the ABLE Commission meeting May 17, 2024.

Deputy Attorney General and ABLE Commission legal counsel, Niki Batt, 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.

Executive Director Clabes and McAlester District Enforcement Division recognized undercover informant, Chance Hicks, on his many years of service to the ABLE Commission and the State of Oklahoma. Mr. Hicks was presented with the Director's Award for Excellence.

Chairman Jonathan Brooks moved to agenda item #6, recognition of Captain Erik Smoot for 15 years of service to the State of Oklahoma. The Commission thanked and congratulated Captain Smoot on his service.

Chairman Jonathan Brooks moved to agenda item #7, recognition of Senior Agent Alan Douglas for 10 years of service to the State of Oklahoma. The Commission thanked and congratulated Senior Agent Douglas on his service.

Chairman Jonathan Brooks moved to agenda item #8, review, discussion and possible action to approve, amend or reject the minutes from the April 19, 2024, regular meeting of the ABLE Commission. Commissioner Benton made a motion to approve the minutes from the April 19, 2024, commission meeting. Commissioner Usry seconded the motion. A roll call vote was taken and recorded as follows:

Chairman Jonathan Brooks – Abstain
Vice Chairman Andrew Revelis – Yes
Commissioner Robert “Bob” Usry – Yes
Commissioner Matthew Crook – Yes
Commissioner Keith Mitchell – Yes
Commissioner A. Ainslie Stanford – Abstain
Commissioner Austin Benton – Yes

Oklahoma State Bureau of Investigations Human Resources Director Christine Chalmers presented the ABLE Commission personnel report for May 2024 consisting of the following topics: There were 95 applicants that are screened for the licensing supervisor to review; The position for the ABLE prosecuting attorney/legal counsel position has been filled and the new hire process and orientation will be completed on May 20, 2024.; The qualified applicants for the enforcement agent positions were submitted to continue to the next stage of the interview process.

Lauren Kidwell with Oklahoma Department of Mental Health and Substance Abuse Services presented her information regarding the data analysis of the alcohol compliance checks conducted in conjunction with the ABLE Commission. The total of 172 compliance checks were completed between February 14, 2024, through April 30, 2024 in various counties throughout Oklahoma. The report was composed of the several topics including: the specific counties where the checks were completed, the number of checks and sales, types of establishments, the percentages in which a business sold an alcoholic beverage to an underage person, the percentage of when identification was checked, sales versus training and the breakdown of several topics.

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 Benton made a motion that the Commission approve the recommended responsible beverage program trainer CTS ABLE Training Program (The Chickasaw Nation), Seller-Server Training Oklahoma (Food Safety International) and Gopuff Responsible Alcohol Delivery Certification – Oklahoma (Gopuff). Commissioner Crook seconded the motion. A roll call vote was taken and recorded:

Chairman Jonathan Brooks – Yes
Vice Chairman Andrew Revelis – Yes
Commissioner Robert “Bob” Usry – Yes
Commissioner Matthew Crook – Yes
Commissioner Keith Mitchell – Yes
Commissioner A. Ainslie Stanford – Yes
Commissioner Austin Benton – Yes

EXECUTIVE DIRECTOR'S REPORT FOR MAY 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 and commencement; meeting with the Oklahoma Bureau of Narcotics and Dangerous Drugs (OBND); Oklahoma Department of Corrections (DOC); Oklahoma Restaurant Association; Meriruth Cohenour, Director of Market Development and Madison Franklin, Viticulture and Enology Coordinator at the Oklahoma Agriculture, Food and Forestry Department; 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 prosecuting attorney, Kate Springer, will start on May 20, 2024.
- Senior Agent Steven Lanier is the newest member of the OBND human trafficking task force effective May 1, 2024. Director Clabes, Chief Peck and the ABLE Oklahoma City District enforcement team attended the swearing in ceremony. This will be a tremendous partnership for all parties involved.
- ABLE Commission staff met with the Oklahoma Department of Mental Health and Substance Abuse on the FY 2025 ODMHSAS contract and recommended changes to the Alcohol Purchase Survey.
- The ABLE Commission worked with Representative Robert Manger on the Odell's law (HB 3571) which does not require restaurants and bars to check identification.
- Director Clabes, Assistant Director Carter, Chief Peck and Deputy General Counsel Leif Arvidson met with Wal-Mart legal division out of Bentonville, Arkansas. The meeting was very productive and both parties provided possible solutions to prevent future 6% pricing violations.
- The ABLE Commission's Enforcement District continues with the educational checks for businesses and has received positive 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 June 21, 2024.

- Licensing Supervisor Carla Clanton presented a PowerPoint presentation report for the licensing department and Accela licensing system update for May 2024 and covered the following topics: status of quote for the Carasoft website refresh project. The purchase order has been approved by OMES; 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 April 15, 2024 to May 10, 2024 (107); The number of individual licenses issued from April 15, 2024 to May 10, 2024 (4,938).; Plus, the total of active licenses (164,783); A copy of monthly applications services reporting contract was also provided to the Commissioners for April 2024. The latest count of registered ABLE licensed users that have registered in the new online system is 196,227.

- 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; Lieutenant Cody Rekstad, Oklahoma City District; and Lieutenant Todd Anthony, 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: 36 alcohol related cases settled for the month of April. For the month of May, there are 30 cases resolved thus far with 11 cases pending.

- The ABLE Commission is finalizing the contract with the Department of Mental Health and Substance Abuse regarding the alcohol purchase survey, alcohol compliance checks, the 2M2L (2 Much 2 Lose) program and the Synar tobacco compliance checks program throughout the State of Oklahoma.
- She emphasized the upgrade to the new ABLE Brand Registration website.
- Legislative Report: She presented an updated status of the ABLE Commission's budget requests for fiscal year 2025.
- Assistant Director/General Counsel Lori Carter stated that there are many bills that are still active with the Oklahoma Capitol. Of those bills, Assistant Director Carter relayed information regarding the specific bills that may affect the ABLE Commission.
- She provided an update on the ABLE Commission's administrative rules.

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

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

- Robert Jernigan with the Retail Liquor Association of Oklahoma expressed thanks to the ABLE Commission for assistance with the 1st annual Retail Liquor Association Trade Show.
- Dirk Van Veen, Retail Liquor Association of Oklahoma made a statement regarding training programs and concerns with certain laws.
- Ellen Spiropolous with Phillips Murrah Law Firm made a comment regarding educational courses, employee trainings and certain bills that may affect the ABLE Commission.
- Lauren Kidwell with Oklahoma Department of Mental Health and Substance Abuse Services thanked Captain Smoot and the ABLE Commission for their assistance with the recent Alcohol Purchase Survey.
- Stacy Potter with ROCMND Area Youth Services – Responsible Beverage Service & Sales made a statement regarding the alcohol purchase survey.
- Rosalee Hamill, Oklahoma Department of Mental Health and Substance Abuse Services thanked Captain Erik Smoot for his assistance with the ODMHSA alcohol purchase survey.

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

Chairman Jonathan Brooks – Yes
 Vice Chairman Andrew Revelis – Yes
 Commissioner Robert “Bob” Usry – Yes
 Commissioner Matthew Crook – Yes
 Commissioner Keith Mitchell – Yes
 Commissioner A. Ainslie Stanford – Yes
 Commissioner Austin Benton – Yes

The meeting was then adjourned at 11:36 a.m.



Jonathan Brooks, Chairman