



STATE OF OKLAHOMA
ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

MINUTES OF THE ABLE COMMISSION MEETING
January 21, 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 21, 2021. The agenda was posted on January 18, 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; Jonathan Brooks; and Andrew Revelis. The others present were: Colin Graham, Oklahoma Restaurant Association; J.B. Jarboe, Southern Glazers Wine & Spirits of Oklahoma; Gordon Green, Capital Distributing; Sydney Lee, Quorum Call; Edward Tuya, Oklahoma Mental Health & Substance Abuse; and Ellen Spiropoulos, Phillips Murrah Law Firm. Oklahoma ABLE Commission employees attending were: Director Keith Burt, Assistant Director Brent Fairchild, Director of Management and Budget Josh Maxey, Captain Erik Smoot and Office Assistants Shae Isaacs, Margaret Hooley, and Kimberly Yates.

Commissioner Kouri made a motion to approve the minutes from the December 17, 2021 Commission meeting. 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 Jonathan Brooks – Yes
- Commissioner Andrew Revelis – Yes

DIRECTOR'S REPORT:

- Director Burt recognized Ken Anderson, who is the Director of Sales for Accela. Mr. Anderson gave an overview of the new ABLE licensing system and presented some visual slides. The new system is expected to be operational in Spring 2022.
- Director Burt stated that The State Board of Equalization met on December 27, 2021. He gave a brief summary of the meeting which included the revenue estimate for fiscal year 2023. Those figures are used by the Oklahoma Legislature and Governor Stitt to craft the 2023 budget.
- Director Burt gave the legislative review over the following bills that may affect the ABLE Commission: HB3002, HB3003, HB3044, HB3049, SB1185, SB1233, and SB1263.
- Director Burt directed the Commissioners to their copy of the Attorney General's request for an opinion pertaining to dual office holding. An update will be provided when received.
- Director Burt stated that the Commissioners have received a copy of the contract for legal services to assist with the vacant positions of General Counsel and Administrative Law Judge with the ABLE Commission.
- Director Burt stated that the next meeting of the ABLE Commission will be in 4 weeks on Friday, February 18, 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 December, ABLÉ agents completed 76 alcohol compliance checks and 3 additional tobacco/vaping checks compliance checks.

Agents investigated various complaints along with bar compliance checks in the following counties: Osage, Tulsa, Oklahoma, Cherokee, Muskogee, McCurtain, Wagoner, Delaware, McClain, and Comanche.

Agents attended meetings and trainings with the agency leaders of Okmulgee County concerning the McGirt decision, the CLEET Academy, Tall Cops meeting in Tahlequah, News 9 ride-along with Oklahoma City district agents, Oklahoma City Tobacco Workgroup, Alcoholic Stakeholders Group, Muskogee Alcohol Task Force, Muskogee Vape Task Force, Tulsa County STOP DUI Task Force, District 27 Task Force, annual Marines Toys for Tots Campaign, and Tulsa Safe Kids Coalition.

Agents provided assistance and made courtesy visits with the Oklahoma City Police Department, Broken Arrow Police Department, Tulsa Police Department, Atoka Police Department, Atoka County Sheriff's Office, McCurtain County Sheriff's Office, Wagoner County Sheriff's Office, Northeastern State University Police, Coweta Police Department, Tulsa County Sheriff's Office, Tulsa Police Department, Oklahoma County Sheriff's Office, District 27 Drug Task Force, and Oklahoma Highway Patrol.

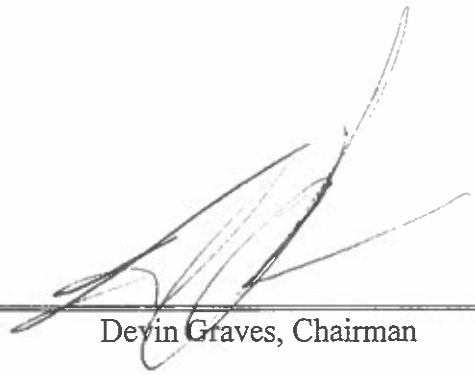
- Director Burt gave a summary of the state of Oklahoma and the ABLÉ Commission's revenue collections. Oklahoma's December receipts were up more than 25% over the estimate and 30% over December 2020. The year-to-date collections for the first six months of fiscal year 2022 were nearly 20% ahead of the estimate. The Board of Equalization projects that the revenues for fiscal year 2022 will surpass the original estimate. The combined oil and natural gas gross production taxes for the first six months of fiscal year 2022 were over 110% more than the estimate. ABLÉ collections for December were up about 13% and for the first six months of fiscal year 2022, were down less than 1/10 of 1% due to employee licenses only renewed every 2 years.

Chairman Graves moved to Item #7 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 program meets the standards for certification. Commissioner Willyard made a motion that the Commission approve the recommended responsible beverage program trainers: Costco Wholesale Corporation; Oklahoma Liquor Sales Policy; and Liquorexam.com: Affordable Alcohol Training. Commissioner Kouri seconded the motion. A roll call vote was taken and recorded:

Chairman Devin Graves – Yes
Commissioner James Willyard – Yes
Commissioner Harry J. "Trey" Kouri, III – Yes
Commissioner Jonathan Brooks – Yes
Commissioner Andrew Revelis – Yes

Commissioner Kouri made a motion to adjourn the meeting. Commissioner Brooks 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 Jonathan Brooks – Yes
Commissioner Andrew Revelis – Yes

A handwritten signature in black ink, appearing to read "Devin Graves", is written over a horizontal line. The signature is stylized and somewhat cursive.

Devin Graves, Chairman