



STATE OF OKLAHOMA
ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

MINUTES OF THE ABLE COMMISSION MEETING
April 15, 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 April 13, 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. Vice Chairman Willyard 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: James Willyard; Jonathan Brooks; Harry J. "Trey" Kouri, III; Robert "Bob" Usry; and Andrew Revelis. 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; Randy Malone, Attorney; and Debra Tyler, Phillips Murrah Law Firm. 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 Revelis made a motion to approve the minutes from the February 18, 2022 Commission meeting. Commissioner Brooks seconded the motion. A roll call vote was taken and recorded as follows:

- Vice Chairman James Willyard – Yes
- Commissioner Jonathan Brooks – Yes
- Commissioner Harry J. "Trey" Kouri, III – Yes
- Commissioner Robert "Bob" Usry – Yes
- Commissioner Andrew Revelis – Yes

Commissioner Kouri made a motion to approve the minutes from the March 4, 2022 Special Commission meeting. Commissioner Brooks seconded the motion. A roll call vote was taken and recorded as follows:

- Vice Chairman James Willyard – Yes
- Commissioner Jonathan Brooks – Yes
- Commissioner Harry J. "Trey" Kouri, III – Yes
- Commissioner Robert "Bob" Usry – Yes
- Commissioner Andrew Revelis – Yes

There was no motion nor vote to approve the minutes from the March 25, 2022 Commission meeting. There was not a quorum for that meeting, so no action was taken.

Director Burt recognized Captain Karen Tipton on her retirement after 36 years of service to the ABLE Commission and the State of Oklahoma.

Due to Commissioner Kouri having to leave, Vice Chairman Willyard moved to Item #7, comments from the public.

Jose Almanzar with Homeland thanked the ABLE Commission for their assistance with the new online licensing system. Attorney Randy Malone concurred his sentiments.

Vice Chairman Willyard moved to Item #7, Executive Session to discuss filling the position of the retiring Director. Commissioner Brooks made a motion to move into Executive Session. Commissioner Revelis seconded the motion. A roll call vote was taken and recorded as follows:

Vice Chairman James Willyard – Yes
Commissioner Jonathan Brooks – Yes
Commissioner Harry J. “Trey” Kouri, III – Yes
Commissioner Robert “Bob” Usry – Yes
Commissioner Andrew Revelis – Yes

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

Vice Chairman James Willyard – Yes
Commissioner Jonathan Brooks – Yes
Commissioner Harry J. “Trey” Kouri, III – Yes
Commissioner Robert “Bob” Usry – Yes
Commissioner Andrew Revelis – Yes

No action was taken during Executive Session.

Commissioner Brooks made a motion for the agency to add, in the near future, an open job posting to the ABLE website for the Director’s position due to Director Burt’s upcoming retirement. The posting will include a salary range of \$135,000 – \$151,000 and the posting will expire June 15, 2022. Commissioner Revelis seconded the motion. A roll call vote was taken and recorded as follows:

Vice Chairman James Willyard – Yes
Commissioner Jonathan Brooks – Yes
Commissioner Harry J. “Trey” Kouri, III – Yes
Commissioner Robert “Bob” Usry – Yes
Commissioner Andrew Revelis – Yes

DIRECTOR’S REPORT:

- Director Burt introduced Director of Management and Budget Josh Maxey regarding an update on the ABLE IT Project. Mr. Maxey stated that the new ABLE Commission licensing and online system is currently operational, and that staff is working through the new system issues.
- Director Burt recognized the 27th anniversary of the Murrah Building bombing. He presented pictures of current and past ABLE agents that assisted with the relief efforts.

- Director Burt continued agenda Item #3, update on requirements for vaping products, until the next Commission meeting.
- Director Burt gave an overview of the ABLE Commission's internal purchasing procedures, which are required to be in compliance with Title 74 O.S. §85.39. The Commissioners were presented a handout with additional information.
- Director Burt recognized Senior Agent Vanessa Blain who gave an overview of this year's annual Buckle Down Awards, including past ABLE employee recipients.
- Director Burt recognized ABLE Staff Attorney Andrew Koester regarding case number 119,805, the appeal from Oklahoma County District Court. Mr. Koester informed the Commission concerning the case and how it impacted the ABLE Commission. He also furnished the Commissioners with informational handouts.
- Director Burt congratulated Commissioner Crook on being accepted as a partner at his law firm. The Commissioners were provided with an article from a local newspaper regarding the advancement of Commissioner Crook.
- Director Burt recognized office assistant Margaret Hooley on her retirement. She was a dedicated employee of the ABLE Commission for over 20 years.
- Director Burt stated that the next meeting of the ABLE Commission will be in 5 weeks on Friday, May 20, 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 March, ABLE agents completed 100 FDA tobacco inspections, 48 alcohol compliance checks and 8 additional tobacco/vaping checks compliance checks.
- ABLE Commission personnel attended the training course, "Law Enforcement for Managers and Supervisors" with the University of Oklahoma Police Department.
- ABLE Agent Striplin received certification to be an official intoxilyzer operator and provided first response assistance to the tornado victims of Kingston, Oklahoma.
- Agents investigated various complaints along with conducting bar compliance checks in the following counties: Osage, Tulsa, Rogers, Oklahoma, Jefferson, Comanche, Marshall, Cherokee, Muskogee, Wagoner, Delaware, Payne, and Comanche.
- Agents attended meetings and trainings with the Tulsa area Community Groups Program, the Tulsa Health Department, the Tulsa County District Attorney's Office, and a Safety Awareness Training course presented by the Department of Justice and the ORCIC. Agents also taught basic liquor laws to the Cleveland County Sheriff's Office, the Metro Tech Basic Academy and the Department of Corrections Basic Academy, assisted with the St. Patrick's Day events in Tulsa, and attended the Annual Buckle Down Awards in Owasso.
- Agents also provided assistance and made courtesy visits to the Norman Police Department, Owasso Police Department, Grady County Sheriff's 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, Oklahoma County Sheriff's Office, Verdigris Police Department, 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 March gross receipts for Oklahoma were up by almost 23% compared to March of 2021. The annual inflation rate was 7.9% in February, which is the highest rate since January of 1982. However, the Oklahoma employment rate is under 3%. Oklahoma gross production collections in March of 2022 were up about 82% from March of 2021.

ABLE collections for March of 2022 were down, but for the current fiscal year are only down 1.8% from last year's record-breaking pace. With 3 months remaining in fiscal year 2022, we could experience our 9th consecutive year of year-over-year growth.

- Staff Attorney Andrew Koester gave the legislative review for the following bills that may affect the ABLÉ Commission: HB2036; HB3002; HB3315; HB3415; HB3638; HB3671; SB1263; SB1452; SB1708; SB1714; SB1723; SB1749; SB1784; and SB1788.

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

Vice Chairman James Willyard – Yes
Commissioner Jonathan Brooks – Yes
Commissioner Robert “Bob” Usry – Yes
Commissioner Andrew Revelis – Yes

The meeting was then adjourned.



Deyin Graves, Chairman