

## **MINUTES OF THE ALCOHOLIC BEVERAGE CONTROL BOARD**

### **November 14, 2018**

On the 14<sup>th</sup> day of November, 2018, the ABC Board did convene at Little Rock, Arkansas for its regular monthly meeting and in attendance were Freddie Black - Chairman, Mr. Thomas P. Powell, Jr., Mrs. Pam DePriest, Jamie Anderson and Powell McKinney, special appointee.

The Board accepted the Director's Decisions, Private Clubs, Violation Resume, Warning Letters and Inactive Status Letters. Mr. Jamie Anderson motioned to approve all mentioned matters. Mrs. Pam DePriest seconded the motion. The motion passed with a vote of 5-0.

The Board considered the appeal of Betsy A. Lewis, Stars Cinema Six, 2620 West Hillsboro, El Dorado; On Premises Retail Beer & Wine – New; Refused September 13, 2018, by the Director. Present in support of this application was Mrs. Betsy A. Lewis represented by William Changose, attorney. Mr. Changose submitted exhibits into evidence. Also present, offering testimony in support of this application were Officer Jacob Turner, El Dorado P.D. Reserves Division & Operations Manager with Stars Cinema Six and Officer Shad Foley of El Dorado P.D. Present and voicing opposing testimony against the issuance of this alcohol permit was Mr. John T. Shepherd, Prosecuting Attorney for the 13<sup>th</sup> Judicial District. Also offering sworn statements was ABC Agent Shauna Adkins. After review of all exhibits presented and hearing testimony from both parties, Mr. Jamie Anderson made a motion to overturn the Director's decision and grant the alcohol permit. Mrs. Pam DePriest seconded the motion. The motion passed with a vote of 5-0.

The Board considered the Appeal of Violation Order for Edward J. Vega, Springdale Civic Center, 2323-D South Old Missouri Road, Springdale – Large Attendance Facility dated August 8, 2018; Fined \$1600; One (1) year probation; allowing non-approved entertainment; multiple occurrences of immoral conduct; dancers simulating sexual acts; physical contact between dancers and patrons. Present offering testimony about the violations were ABC Agent Daniel Montgomery, ABC Agent Robert Bacile, Corporal Julia McKinney of Fayetteville P.D. and Carlee Kimbro of Northwest Arkansas Regional Airport P.D. Dan Montgomery and Robert Bacile, ABC Agents and the undercover officers provided the Board with numerous pictures and videos that were entered into evidence. Mr. Edward J. Vega was present and not represented by legal counsel. He provided testimony and presented evidence to support his case. After considering all facts in the case and exhibits provided, Board member Thomas Powell motioned to uphold the Director and fine Mr. Vega \$1600, and modify his probationary period to six (6) months instead of one (1) year. Motion was seconded by Jamie Anderson. The motion passed with a vote of 5-0.

There being no further business the meeting was adjourned.

The next meeting of the Alcoholic Beverage Control Board is scheduled for December 12th, 2018.

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FREDDIE BLACK, CHAIRPERSON

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DEANNA RAY, INTERIM DIRECTOR