

MINUTES OF THE ALCOHOLIC BEVERAGE CONTROL BOARD

June 16, 2021

On the 16th of June 2021, the ABC Board did convene at Little Rock, Arkansas for its regular monthly meeting and in attendance were Freddie Black, Chairman, Steve Smith, Pam DePriest, Jamie Anderson and Alex Blass.

The Board accepted the Director's Decisions, Violation Resume, Warning Letters, and request for extension of inactive status letters. Board member Steve Smith made a motion to approve, Alex Blass seconded the motion and the motion passed with a 5-0 vote. There was also a request for 30-day consideration for 3 businesses, TWAL, located in Mountain Home, currently holds a Combination Beer & Wine and is applying for a new private club permit, Spa City Market located in Hot Springs, applying for new retail beer, small farm wine and grocery store wine and Red Door, located in Springdale, applying for a new restaurant mixed drink. Board members agreed to make decision to make the decision for the 3 files together, Board member Alex Blass made a motion to approve, Pam DePriest seconded the motion and the motion passed with a 5-0 vote.

Chairman Black announced that the next ABC Board meeting will be held on July 21, 2021.

First hearing on the agenda was for Nicholas Kelley, Costco Wholesale #1442, located at 16901 Chenal Parkway, Little Rock that applied for a retail liquor – replacement and transfer of location permit. The application was denied by the Director on May 20, 2021, based on the objections from Senator Kim Hammer. Costco was represented by Attorney Benjamin Shipley; the opposition was represented by Attorney Jimmy Simpson. Testimony was taken from the applicant Nicholas Kelley, Thomas Zelen, Robert Murvin and Buckley O'Mell in support of the application. Mr. James D. Bevans, Jerry Herrod and Phil Brandon testified for the opposition. Agent Princess Danzy was called to testify concerning the inspection while working the application. After hearing the testimony and reviewing the evidence, Board member Steve Smith made the motion to overturn the Director's Decisions and granted the permit, Alex Blass seconded the motion with the understanding the permit would be granted conditional upon meeting all the required rules and the motion passed with a 5-0 vote.

Second hearing on the agenda was the violation appeal for Dragan Vicentic, Green Springs Medical, LLC, 309 Seneca Street, Hot Springs, MMC Dispensary License No. 00021. A Director's hearing was held on or about April 6, 2021, the Director determined the allegations were founded and imposed a fine of \$6,500.00 and placed the license on probation for a period of 120 days. Facility was represented by Q. Byrum Hurst. Testimony was taken by Mary Reeves, complainant patient and Agent Shelby Clark regarding the violations. License holder Dragan Vicentic gave testimony for the business. After hearing the testimony and reviewing the evidence, Board member Jamie Anderson made the motion to uphold the Director's Order but will increase the fine to \$7,500.00 with 120 days probation, Pam DePriest seconded in the motion and the motion passed with a 5-0 vote.

Third hearing on the agenda was for G. Lynn Childers, Jr., Juniper Tree Meadery, located at 2112 Highway 358, Paragould, that applied for a new small farm wine – manufacturing and small farm wine – wholesale permits. The application was denied by the Director on April 22, 2021, based on opposition from the Sheriff, County Judge, Justice of the Peace, letters and petitions from area residents and business does not serve the publics convenience and advantage. The business was represented by Attorney Jim Lyons and opposition was represented by Attorney Harry T. Moore. The applicant G. Lynn Childers testified for the business. Testimony was given for the opposition by Marilyn Jetton, Greene

County Sheriff Steve Franks and Paragould Chief of Police Todd Stovall. Agent Victoria Robinett gave testimony regarding her inspection while working the application. After hearing testimony and reviewing evidence, Board member Alex Blass made the motion to overturn the Director's Decision to grant the permit conditional upon meeting all rules with a permanent condition of operating hours of Tuesday – Thursday 7:00 pm closing time and Friday – Saturday 8:00 pm closing time, Steve Smith seconded the motion and the motion passed with a 5-0 vote.

The Board meeting was then adjourned.

Freddie Black, Chairman

Doralee Chandler Director