

MINUTES OF THE ALCOHOLIC BEVERAGE CONTROL BOARD

January 19, 2022

On the 22nd of January, 2022, the ABC Board did convene at Little Rock, Arkansas for its regular monthly meeting and in attendance were Freddie Black, Chairman, Steve Smith, Jamie Anderson, Pam DePriest, and Alex Blass.

The Board accepted the Director's Decisions, Violation Resume, Warning Letters, and request for extension of inactive status letters. Board member Jamie Anderson made a motion to approve, Alex Blass seconded the motion and the motion passed with a 5-0 vote.

ABC Rule changes for public comments to allow retail beer off premises and small farm wine-retail businesses to have drive-thru windows and authorizing beer wholesalers to purchase malt liquor or spirituous liquor beverages, classified as ready-to-drink products. Board passed these rules with a 5-0 vote.

Chairman Freddie Black read into the record, and in accordance with ACT 1211 of 1995 as amended, a resolution to continue to cover reimbursement of mileage and hotel expenses that Board members incurred while performing their official duties and business of the Alcoholic Beverage Control Board and that the reimbursement will continue to be set at a per diem rate of \$60.00 per day.

Board member Jamie Anderson made a motion to accept the resolution, Pam DePriest seconded, and the motion passed with a 5-0 vote.

Chairman Black announced that the next ABC Board meeting will be held on February 16, 2022.

First hearing on the agenda was for Clinton Armstrong, Badgers Market, located at 340 South Main Street, Eudora, applied for new retail beer off premises, small farm wine – retail and grocery store wine permits. Director denied the application on October 13, 2021, for objections from Sheriff. Mr. Armstrong testified for the business. Agent Princess Danzy testified regarding the inspection while working the application. After hearing all the testimony and reviewing all the evidence, the Board granted the retail beer off premises, small farm wine-retail and grocery store wine applications conditional upon meeting all Rules.

Second hearing on the agenda was for Arkansas Wine and Spirits Wholesale, LLC, 1900 East 15th Street, Little Rock, appealed the Director's Decision approving the request for wholesaler change for Mach Flynt and Levecke, both out-of-state supplier's permit holders. Testimony was given by Stan Hastings and Scott Rawlings in support of the request. Testimony was also given in opposition of the request by Robby Vogel, attorney's Casey Castleberry, Patrick Spivey and Baker Kurrus. Based upon the testimony and evidence offered, the Board upheld the Director's Decision to grant the wholesaler change request.

Final hearing on the agenda was a violation appeal for Renu Bala, Midway Liquor Fayetteville, located at 908-H Rolling Hills Drive, Fayetteville, Retail Liquor & Retail Beer Permit No. 02263-01. Violation for selling to a minor (2 counts), fined \$1250 (500.00 already paid) and placed on probation for 90 days. Testimony was given by ABC Agents Richard Brooks, Marlin Stout and Howard Robinson regarding the violations. The permit holder did not appear, but Nikki Williams and Mike Williams testified on behalf of the business. After hearing all testimony and reviewing all evidence, the Board upheld the Director's Violation Order of October 13, 2021.

The Board meeting was then adjourned.

Freddie Black, Chairman

Doralee Chandler, Director