

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

**JANUARY 20, 2021**

On the 20<sup>th</sup> of January, 2021, the ABC Board did convene at Little Rock, Arkansas for it's regular monthly meeting and in attendance were Freddie Black, Chairman, Steve Smith, Pam DePriest, Jamie Anderson and Alex Blass

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.

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.

Chairman Black announced that the next ABC Board meeting will be held on February 17, 2021 at 9:00 a.m., which is the third Wednesday of February.

First hearing on the agenda was for Tannila Parker, The All New Coconut Lounge located at 219 East Broadway, Forrest City. Director Chandler indicated that the first hearing scheduled for Ms. Parker by Go To meeting in November, 2020, had to be continued due to technical difficulties via cell phone. At that time, Ms. Parker was informed, for the December board meeting, an agent would contact her for service of the hearing notice. December, 2020, board meeting was scheduled, a subpoena was sent to be served and certified letter was mailed to Ms. Parker's mailing address. Agent Ellis was unable to locate Ms. Parker at her given home address or business, certified letter was returned to the ABC office "Return to Sender, Attempted Not Known, Unable to Forward". Director Chandler requested since the agent was unable to locate Ms. Parker and the certified letter was returned, that the Board dismiss her appeal. Chairman Freddie Black asked if there was a motion to dismiss the appeal by Ms. Tannila Parker, Board member Steve Smith made motion to dismiss the appeal and Alex Blass seconded the motion and the motion passed with a 5-0 vote.

Second hearing on the agenda was the review of The Right Spot, located at 708 Ouachita 67, Camden, called by the Board after the 6-month suspension was completed. Director Chandler was contacted by Attorney Adam Childers requesting a continuance of the hearing until the February 17, 2021, ABC Board meeting and it was agreed by Director Chandler and Attorney Childers, that the business would remain closed until the ABC Board meeting. Attorney Childers was present on the Go To meeting and agreed the business would remain closed until the review before the Board. Board member Alex Blass made the motion to continue The Right Spot hearing until February 17, 2021, and Pam DePriest seconded the motion and the motion passed with a 5-0 vote.

Third hearing on the agenda was the violation appeal of Diane Crockett, Di's Bar & Grill located at 1310 South Blake Street, Pine Bluff. A Director's hearing was held on or about November 6, 2020. The Director found that six (6) violations were supported by substantial evidence and fined Di's Bar and Grill \$2,500.00 and placed the permitted location on probation for six (6) months. Ms. Diane Crockett was there to testify for the business. Deputy Chief Sherly Warrior, Sgt. Richard Wegner, Detective Ryan Moheb, Detective

Keith Banks, and Officer Sydney Dowd of the Pine Bluff Police Department appeared and offered testimony regarding the violations. Based upon the testimony and evidence presented, and findings of the Board, Di's Bar & Grill was fined \$2,500.00, placed on probation for a period of six (6) months, and 2 violations were reduced to warnings. The Board decision was by 5-0 vote.

Final hearing on the agenda was the violation appeal of James McCarty, The Goal Post located at 7605 John Hardin Dr., Cabot. Violations were written for two (2) counts of failure to maintain health, safety & sanitary standards and two (2) counts of Failure to be a good neighbor. A Director's hearing was held on or about December 1, 2020, and an Order entered December 16, 2020. The Director's decision fined the permit \$1,500.00 and placed it on probation for a period of 120 days. At the Board hearing, James McCarty appeared and testified on behalf of his permit. ABC Enforcement Agents Latherese Ellis, Marvin Kelley, and Brent Reaves appeared and testified regarding the violations. Based upon the testimony and evidence presented, and findings of fact, The Gold Post was fined in the amount of \$1,500.00 with a probationary term of 120 days. The Board decision was by 5-0 vote.

The Board meeting was adjourned.

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Freddie Black, Chairman

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Doralee Chandler, Director