

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

**JANUARY 18, 2023**

On the 18th of January 18, 2023, the ABC Board did convene at Little Rock, Arkansas for its regular monthly meeting and in attendance were Jamie Anderson, Pam DePriest, Steve Smith and Alex Blass. A vote was taken by the Board members for an Interim Chairman, Board Member Jamie Anderson made a motion to elect Alex Blass as the Interim Chairman, Board Member Pamela DePriest seconded the motion and the motion passed with a 3-0 vote.

Interim Chairman Blass 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 approve, Board Member Pamela DePriest seconded the motion and the motion passed with a 4-0 vote.

The Board accepted the Director's Decisions, Violation Resume, Warning Letters, and request for extension of inactive status letters. Board member Pamela DePriest made a motion to approve, Board Member Jamie Anderson seconded the motion and the motion passed with a 4-0 vote.

Interim Chairman Blass announced that the next ABC Board meeting will be held on February 15, 2023.

First hearing on the agenda was Marco Santana, Ranchito Bar and Grill of Arkadelphia, located at 2805 Pine Street, Arkadelphia. Mr. Santana applied for a new restaurant mixed drink permit. Director denied the application on December 22, 2022, due to the applicant not meeting residency requirements by living in the same county or within 35 miles of the proposed permitted premises. Mr. Santana failed to appear. Exhibits were submitted showing Mr. Santana was mailed and received notification of the Board Meeting. Board Member Steve Smith made the motion to dismiss the appeal and uphold the Director's Decision to deny application, Board Member Jamie Anderson seconded the motion and the motion passed with a 4-0 vote.

Second hearing on the agenda was a violation hearing for Alex T. Gray d/b/a Berner's by Good Day Farm located at 11600 Chenal Parkway, Little Rock, MMC Dispensary Permit No. 00126; Appeal Violation Order of September 6, 2022; fined \$1250; Facility advertised and marketed cannabis with none of the required disclosure statements, facility caused by advertising for medical cannabis to be placed on publicly owned property, facility had improper signage/advertising. License holder Alex Gray was not

present at the meeting but was represented by attorneys Erika Gee and Steve Lancaster. Agent Austin Hodges testified for ABC Enforcement. After hearing all testimony and reviewing all evidence, the Board upheld the fine of \$1250.00 to be paid within 30 days of receipt of this Order.

Third hearing on the agenda was a violation hearing for Regina Thurman d/b/a Good Day Farm Arkansas located at 3300 North Hutchinson, Pine Bluff, MMC Cultivation Permit No. 00123; Appeal Violation Order of September 2, 2022; fined \$12500; Facility advertising or marketed its products to the public (2 counts), facility labeled medical cannabis for individual sales to patients (prepacked) with the wrong UIN (42 counts), facility had failed to properly label medical cannabis on or about February 1, 2022 and were on probation for the same offense. License holder Regina Thurman was not present but was represented by attorneys Erika Gee and Steve Lancaster. Agents Austin Hodges and Shelby Clark testified for ABC Enforcement. After hearing all testimony and reviewing all evidence, the Board upheld the fine of \$12,500.00 to be paid within 30 days of receipt of the Order.

The Board meeting was then adjourned.

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Alex Blass, Interim Chairman

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Doralee Chandler, Director