MINUTES OF THE SPECIAL MEETING OF THE UTAH

 ALCOHOLIC BEVERAGE CONTROL COMMISSION

HELD MONDAY, JUNE 29, 2020, AT 1625 SOUTH

900 WEST, SALT LAKE CITY, UTAH.

*[The agenda for this meeting was posted on the bulletin board at the DABC Administrative Office, emailed to the Salt Lake Tribune and the Deseret News, and posted on the Utah Public Notice Website by 10:30 a.m. on Friday, June 26, 2020.]*

In response to the Governor’s April 10, 2020 Executive Order and for precautionary measures to prevent the spread of COVID-19, an anchor location for public attendance was not available. Public attendance was available by audio; commission and staff participated via audio and GoToMeeting.

Vice-Chairman Tom Jacobson called the meeting to order at 10:34 a.m.

Commissioners Participating: Tom Jacobson, Steve Bateman, Jacquelyn Orton, and Stanley B. Parrish.

Staff Participating: Salvador Petilos, Director; and Angela Micklos, Compliance and Licensing Director.

Also Participating: Sheila Page, Assistant Attorney General; Jeff Buckner, Assistant Attorney General; Don Winder, Meechat Panimit, and Brian Jackson from Thai Archer.

HEARING:

a. Thai Archer, Salt Lake City.

Don Winder, representing Thai Archer, presented Thai Archer’s position to the commissioners.

Jeff Buckner, representing DABC, responded to Mr. Winder’s comments and presented DABC’s position to the commissioners.

Mr. Winder responded to Mr. Buckner’s presentation. The commissioners asked both parties clarifying questions.

Mr. Jacobson explained that the opening portion of the meeting is now concluded. Mr. Jacobson asked Mr. Winder if he believes he has gotten a fair and complete hearing today; and has had the opportunity to present all of the evidence that you need to present on behalf of Thai Archer. Mr. Winder responded negative as it would have been important to have live witnesses present in order to delve into what McKee does. Other than that, Mr. Winder stated, everything else was presented.

Mr. Jacobson asked Mr. Buckner if he believes he has gotten a fair opportunity today to make a presentation and was not precluded from presenting any evidence. Mr. Buckner responded that they were able to get all the issues and evidence in.

The commission adjourned to executive session at 11:27 a.m.

The commission returned to the open meeting at 11:58 a.m.

Mr. Bateman made a motion on the commission’s behalf of the following findings, applying 2016 law: 1) The McKee school is a community location; 2) The McKee school is a private school; 3) The McKee school is not an educational facility; and 4) The commission did not have discretion to grant a variance with respect to a school. Mr. Parrish seconded the motion which passed unanimously (4-0).

There being no further business, the meeting adjourned at 12:04 p.m.

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Chairman