



COMMISSION MEETING MINUTES
December 15, 2003

The Commissioners of the Texas Alcoholic Beverage Commission met in Regular Session on Monday, December 15, 2003, at the Texas Alcoholic Beverage Commission, 5806 Mesa Drive, Suite 185, Austin, Texas.

PRESIDING: John T. Steen, Jr., Chairman

PRESENT: Gail Madden, Commissioner

STAFF PRESENT: Alan Steen, Administrator

Mona Appling, Acting Information Resources
Department Director

Lou Bright, General Counsel

Jeannene Fox, Assistant Administrator

Buck Fuller, Compliance Division Director

Gayle Gordon, Director of Legal Services

Greg Hamilton, Chief of Enforcement

Amy Harrison, Director of Licensing Division

Linda Hubbard, Administrative Assistant

Denise Hudson, Director of Resource
Management Division

Renee Johnston, Executive Assistant

Sam Smelser, Assistant Chief of Enforcement

Gloria Villaseñor, Administrative Assistant,
Resource Management Division

GUESTS PRESENT: Cindy Alexander, Lieutenant Governor's Office

Rick Donley, President, Beer Alliance of Texas
Alan Gray, Licensed Beverage Distributors, Inc.
Stacy Gunkel, Policy Analyst, Lieutenant
Governor's Office
Fred Marosko, Texas Package Stores
Association
Mike McKinney, Executive Vice President,
Wholesale Beer Distributors of Texas
Robert Sparks, Licensed Beverage Distributors,
Inc.
Tom Spilman, Vice President, Wholesale Beer
Distributors of Texas
Randy Yarbrough, Wholesale Beer Distributors
of Texas

CALL TO ORDER

Chairman John T. Steen, Jr., called the meeting of the Texas Alcoholic Beverage Commission (TABC) to order.

APPROVAL OF NOVEMBER 24, 2003, COMMISSION MEETING MINUTES

Chairman Steen called for a motion to approve the meeting minutes of November 24, 2003. Ms. Madden moved to approve the minutes. Chairman Steen seconded the motion. The motion carried.

ADMINISTRATOR'S REPORT

Chairman Steen called upon Administrator Alan Steen to provide the Administrator's Report.

Mr. Steen announced that the Sunset Advisory Commission had published the list of state agencies that will undergo the Sunset review process during the 2004-2005 biennium, and TABC is included in the list to begin April 1, 2004. TABC's Sunset Project Manager is Karen Latta. Mr. Steen stated that he met with Senator Nelson, Vice Chair and previous Chair of the Sunset Advisory Commission, in preparation for the process. The

Chair of the Sunset Advisory Commission is Representative Burt Solomons.

Mr. Steen stated that a press conference—to be co-hosted by TABC and the Beer Alliance of Texas—is scheduled in Houston for Monday, December 22. The purpose of the press conference is to encourage retailers in the Houston four-county area to require seller training for their employees, as they are below the state average.

Mr. Steen provided an update on the hiring of TABC's Information Resources Director. TABC went through a bid process to contract the recruitment and interview process. The firm of MGT of America was awarded the contract.

The auditors on the internal audit on training and staff development conducted an exit conference with staff. Mr. Steen stated that the final report with management's responses should be available for reporting at the January Commission meeting. Also, an Audit Committee meeting will be held prior to the Commission meeting.

Mr. Steen reported that TABC staff are looking into an automated licensing system by VERSA Management Systems that the state of Florida utilizes. He is scheduling a meeting with the Florida Alcoholic Beverage representatives to determine if the system would benefit TABC.

Mr. Steen explained that TABC is continuing its rule-making exploration regarding the regulation of wineries and transportation of wine within Texas as a result of new provisions in the law. The target date for the rule making is by spring of 2004.

Mr. Steen announced that Gregory Hamilton, Chief of Enforcement, has announced his intention to run for Sheriff of Travis County and will resign from TABC in January so that he can file for the election. Commissioner Madden commended Mr. Hamilton, and Chairman Steen asked Mr. Hamilton to return to the January Commission meeting so that the Commissioners could present him a resolution in recognition of his service with TABC.

ACKNOWLEDGMENT OF GIFTS VALUED AT OR GREATER THAN \$500

Mr. Hamilton reported that the TABC Longview office received a donation of two night vision devices, totaling \$822, by the City of Longview's Partners in Prevention. **Ms. Madden moved that TABC acknowledge the donation of two night vision devices, totaling \$822, by the City of Longview's Partners in Prevention. Chairman Steen seconded the motion. The motion carried.**

PUBLIC COMMENT

Chairman Steen asked if anyone wished to make public comment; there were no requests to provide public comment.

Ms. Madden expressed appreciation for staff and to the industry representatives in attendance. Chairman Steen and Ms. Madden wished everyone a safe and happy holiday season.

EXECUTIVE SESSION

Chairman Steen announced that the regular open session of the Texas Alcoholic Beverage Commission would be recessed, the time being 1:40 p.m. on December 15, 2003, and an executive session would be held to consult with Legal Counsel on pending and anticipated legal claims against the agency and legal matters related to personnel issues, pursuant to Texas Government Code, Section 551.071.

Chairman Steen announced that the Texas Alcoholic Beverage Commission had concluded its executive session and was in open session, the date being December 15, 2003, and the time, 2:30 p.m. He stated that no final action, decision, or vote was made in the executive session, and no matters required Commission action at this time.

ADJOURNMENT

Ms. Madden moved that the Texas Alcoholic Beverage Commission meeting be adjourned. Chairman Steen seconded the motion and announced the adjournment.