



COMMISSION MEETING MINUTES
November 24, 2003

The Commissioners of the Texas Alcoholic Beverage Commission met in Regular Session on Monday, November 24, 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

Leigh Bailey, Business Services Department

Lou Bright, General Counsel

Keith Coleman, Houston District Office Captain

Dale Evans, Manager/Regional Supervisor,
Houston Compliance Office

Jeannene Fox, Assistant Administrator

Buck Fuller, Compliance Department Director

Greg Hamilton, Chief of Enforcement

Amy Harrison, Director of Licensing

Gary Henderson, Information Resources
Department

Denise Hudson, Director of Resource
Management Division

James Irvin, Radio Shop

Renee Johnston, Executive Assistant

Charlie Kerr, Director of Business Services
Department
Marilyn Lindsay, Business Services
Department
Sam Smelser, Assistant Chief of Enforcement
Gloria Villaseñor, Administrative Assistant,
Resource Management Division

GUESTS PRESENT: Alan Gray, Licensed Beverage Distributors, Inc.
Fred Marosko, Texas Package Stores
Association
Jack Martin, Attorney at Law
Mike McElhaney, Fiscal Advisor, Office of the
Governor
Lindsay Meche, Lobbyist, representing
Republic
Block

CALL TO ORDER

Chairman John T. Steen, Jr., called the meeting of the Texas Alcoholic Beverage Commission (TABC) to order at 1:41 p.m.

APPROVAL OF OCTOBER 27, 2003, COMMISSION MEETING MINUTES

Chairman Steen called for a motion to approve the meeting minutes of October 27, 2003. Ms. Madden moved to approve the minutes. Chairman Steen seconded the motion. The motion carried.

APPROVAL OF RESOLUTION HONORING KEL SELIGER

Ms. Madden read the proposed resolution to honor former Commissioner Kel Seliger (Attachment 1). **Ms. Madden moved to approve the resolution. Chairman Steen seconded the motion. The motion carried.** Chairman Steen stated that the resolution would be framed and would be presented to Mr. Seliger at the December Commission meeting, if Mr. Seliger were available to attend.

ADMINISTRATOR'S REPORT

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

Mr. Steen reported on the various meetings and conferences in which he participated since the last Commission meeting:

- Mr. Steen presented at the Texas Commission on Alcohol and Drug Abuse's annual prevention conference in Houston.
- The captains met to review agent trainee applications; Mr. Steen met with them to discuss affirmative action.
- Two licensing training sessions for the field were held at headquarters.
- Mr. Steen attended the first meeting of the Public Safety Radio Communication Council at the Department of Public Safety.
- Mr. Steen and Karen Housewright, State Executive Director of Mothers Against Drunk Driving (MADD), initiated monthly meetings to discuss items of mutual interest between MADD and TABC.

Mr. Steen reported that the affirmative action plan is nearing completion. Mr. Steen has written the cover letter to accompany the document to be sent to all employees. Mr. Steen reported that TABC is in the process of hiring contractors to train all employees in the areas of equal employment opportunity, affirmative action, and sexual harassment.

Mr. Steen stated that the audits on staff services and training have been conducted. The auditors are developing the reports, and Mr. Steen will present the findings at a future Commission meeting.

Mr. Steen asked Chief of Enforcement Gregory Hamilton to report on real-time ID readers that are being used by TABC agents to identify fake ID cards. TABC currently has eight scanners, purchased through a grant, which are sent to the field for special events. Mr. Hamilton explained that TABC is currently looking for ways to procure more of the scanners, as they are very effective in identifying fake IDs and are in great demand. Also, the scanners serve as telephones and "walkie-talkies". **Commissioner Madden requested Mr. Hamilton to contact Chief Darrell Fant of the Department of Public Safety (DPS) regarding a recommendation that TABC develop a training curriculum along**

with DPS on how to identify invalid IDs. Mr. Hamilton stated that he would contact Chief Fant to discuss how DPS, TABC, and the Secret Service can work together in this area.

Mr. Steen stated that an Audit Committee meeting was held earlier in the day with Commissioner Madden in attendance. These meetings will be held quarterly in order that staff can review audit findings with the Commissioners. **The Audit Committee meeting discussions will be reported at the Commission meetings.**

FISCAL STEWARDSHIP OF AGENCY

Chairman Steen called upon Denise Hudson, Director of the Resource Management Division, to provide the report on the fiscal stewardship of the agency. Ms. Hudson presented the report (Attachment 2), reviewing judgments/settlements and claims and the HUB (historically underutilized businesses) usage by the agency.

REGION VI UPDATE

Chairman Steen called upon Keith Coleman, Captain of Enforcement Region 6, and Dale Evans, Manager/Regional Supervisor of the Houston Compliance Office, to provide an update on Region 6. Messrs. Coleman and Evans provided the update, utilizing a media presentation (Attachment 3). Following the presentation, Chairman Steen and Commissioner Madden expressed their appreciation of the efforts of Region 6 staff.

APPROVAL OF 2004 COMMISSION MEETING DATES

Chairman Steen called upon Administrator Steen to present the proposed Commission meeting dates for 2004. Mr. Steen stated that the dates are meant to be for planning purposes, and can be changed as needed. Chairman Steen noted that a December date had not been set, and asked that a December date be included. Mr. Steen proposed December 20, 2004, as the date for the December Commission meeting.

Chairman Steen called for a motion. Ms. Madden moved that the Commission approve the proposed 2004 Commission meeting dates (January 26, February 23, March 22, April 26, May 24, June 28, July

26, August 23, September 27, October 25, November 22, and December 20). Chairman Steen seconded the motion. The motion carried.

PUBLIC COMMENT

Chairman Steen called for public comment. Jack Martin, Attorney at Law, commended TABC for the recent licensing seminar conducted for licensing service attorneys and others. Mr. Martin expressed his appreciation to TABC for providing such beneficial training.

EXECUTIVE SESSION

Chairman Steen announced that the regular open session of the Texas Alcoholic Beverage Commission would be recessed, the time being 2:23 p.m. on November 24, 2003, and an executive session would be held to consult with Legal Counsel on pending and anticipated legal claims against the agency, 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 November 24, 2003, and the time, 3:16 p.m. He stated that no final action, decision, or vote was made in the executive session.

ADJOURNMENT

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