

Vermont Board of Liquor & Lottery

June Minutes

Record of the Meeting of the Vermont Board of Liquor & Lottery held on June 8, 2022 via web and phone.

Members Present: Martin Manahan, Chair (in person), Thom Lauzon (virtual), Megan Cicio (in person), Ed Flanagan (in person), Sam Guy (in person)

Others Present: Wendy Knight, Commissioner; Andrew Collier, Deputy Commissioner; Wesley Lawrence, Board Counsel; Jacob Humbert, Assistant Attorney General; Brian Evans, Financial Director; Skyler Genest, Director of Compliance & Enforcement; Tonia Pryce, Purchasing Manager; Katie Fleury, Program Technician; Martin Prevost, Director of Licensing; Jacqueline Poseley, Legislative & Communications Liaison; Cheryl Mowel, Executive Staff Assistant; Matthew Gonyo, Investigator; Patrick Ross, Investigator; Brandon King, Lt. Investigator; Michael Welch, Sgt. Investigator; John Stoughton, Investigator; Jennifer Norton-Magnan, Investigator; Melanie Gaiotti, Sgt. Investigator; Rich Morey, Director of Retail Operations; Sylvia Buzzell, Lottery Games & Systems Manager; Skip Whitman, Marketing Manager; Bor Yang, Director at Human Rights Commission ; Amanda Garces; Human Rights Commission; Xusanna Davis, Racial Equity; Garrett Martin; Spencer Ault; Michael Drake,; Curt Smith, Park Place Tavern, Briana Dattilio; Adam Werth, Officer at Essex Police Department (witness);

Meeting Start: 9:02 am.

Additions/Deletions to the Agenda:

None

Board Actions on Consent Agenda Items:

- Approve minutes from May 11, 2022 & May 27, 2022 Board Meetings – Moved and approved. motion Ed Flanagan and Megan Cicio unanimous
- Approve licenses issued May 1, 2022 – May 31, 2022 – Moved and approved.

Public Comment:

None

Licensing:

- New licenses for May 2022 approved
- Inndeavors Inc. – Outside Consumption Amendment
 - Requesting extension of outside consumption permit would like to operate on grass to free roam where they would have to cross a city road

- Certified employee must bring drink to OCP area and physical barriers must be in use. Local clerk has approved upon this. Motion by Marty Manahan Second Ed Flanagan – unanimous.

Enforcement:

- Docket # 2022-006 : SE & NP Inc. – DBA Park Place Tavern
 - Re: Alleged violation of G.R. 17 resulting in DUI
 - Traffic stop conducted by Officer Werth (Essex PD) resulted in DUI arrest on patron who's POLD was at Park Place Tavern
 - Witness Officer Adam Worth sworn in for witness testimony
 - Admission of DLL Exhibit 4 accepted by Marty Manahan Chair
 - Timothy Donolynn admitted to officer Werth to having 4-5 budlights in Exhibit 4
 - Admission of DLL Exhibit 5 accepted by Marty Manahan, Chair
 - Request to do a dexterity test shown in exhibit 5
 - Admission of DLL Exhibit 6 accepted by Marty Manahan, Chair
 - Dexterity tests done and arrest in exhibit 6
 - Witness DLL Investigator John Stoughton sworn in for witness testimony
 - Admission of DLL Exhibit 7 accepted by Marty Manahan
 - Surveillance footage showing patron at Park Place Tavern in exhibit 7
 - Admission of DLL Exhibit 3 accepted by Marty Manahan
 - Yellow card history showing other violations at Park Place Tavern in Exhibit 3
 - Admission of DLL Exhibit 1 accepted by Marty Manahan , Chair
 - Notice of hearing shown in exhibit 1
 - Admission of DLL Exhibit 2 accepted by Marty Manahan, Chair
 - Administrative ticket given to Park Place Tavern shown in exhibit 2
 - Business owner, Curt Smith, sworn in for testimony.
 - Proposed findings deadline of 14 days

Commissioner Comments:

- H730 Summary
 - signed by Governor yesterday (6/7), RTD Beverage are their own category 5 alcohol categories, cider has its own category and taxation category. If RTD higher than 12% ABV and above 24oz containers are considered spirits. \$985 for RTD certificate of approval. Change in special event permits to allow movement within event boundaries. Staggered licenses approved for 2023/2024, taxation changes for cider effective July 2023.
- Lottery sales down 15.73% for week ending 5/28. YTD sales down 6%. Sales are trending down due to worker shortages and inflation.

- May YTD liquor sales exceeded \$92M, up 6.86% from last fiscal. On track to sell \$100M this fiscal.
- Licensing department issued 193 licenses last week, including 114 requests to cater and 23 special event permits. In the past month, we've issues over 400 request to cater permits.
- SciGames conversion going well – Team is doing User testing the next two weeks.
- Launching online license portal set for August, developing communications plan to communicate to licensees, stakeholders, and trade groups.
- Launched 5 new instant tickets
- 4 lottery sponsored events coming up: two Mountaineers games, Thunder Road racing event, and Lake Monsters
- Licensee only rare spirits sweepstakes will open 6/13. Drawing will be 6/20.
- Barrell select of Barr Hill Tom Cat bottles will be at 802Spirits stores soon.
- On-premise sales program begins July 1 to provide discounted prices for third-class licensees
- Working on implementation of H730 and RTD spirits transition
- Received 2 NABCA grants: on to issue micro-grants to support for licensees who can't afford seminars and a \$50K grant to develop and DTC shipping compliance pilot program
- Finance office busy with end of year close out and audits
- DLL Move set for mid-July to one department

Other Business:

- Regulation 29
 - Requesting board approval of non-enforcement of English language requirement of Gen Reg 29 Concerns of reading ID's
 - Board mandates the department to translate educational/ training material and existing regulations into materials predominantly used languages in the state of Vermont. motion Megan Cicio Second Sam Guy Unanimous
- Tri state moved for megabucks to 3 times a week set for next year 2023

Executive session began: 12:00pm

Executive session end: 12:20pm

Meeting Adjourned: 12:32pm

Next Meeting: July 13, 2022