



STATE OF ARIZONA
ARIZONA STATE LIQUOR BOARD
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DOUGLAS A. DUCEY
Governor

TROY L. CAMPBELL
Board Chair

TRACY UFFELMAN
Director

Arizona State Liquor Board Hearing Minutes
November 4, 2021

Members Present: Troy L. Campbell – Chair, Lynn Shulman – Vice Chair and Matthew Roemer
Members Absent: Jill Pernice
Counsel Present: Michael Raine, Assistant Attorney General
Monique Coady, Assistant Attorney General
Sunita Krishna, Assistant Attorney General
Staff Present: Denise Bale, Board Administrator
Arlene Moreno, Interim Board Administrator

A. Call to Order

The hearing of the Arizona State Liquor Board was called to order on November 4, 2021, at 9:02 a.m. with Mr. Campbell presiding via Google Meet. Other Board members, staff, and all parties participated either by Google Meet or telephonically.

Roll Call

Ms. Pernice was absent. All other members were present.

B. 9:00 a.m. Agenda: Review, consideration and action

Mr. Campbell called the second matter on the agenda first.

2. Restaurant Liquor License No. 1207B125, Application No. 131725 - Acquisition of Control Application

Jeffrey Craig Miller, Agent
Ardor Concepts LLC
Golden Margarita
330 E. Roosevelt Street
Phoenix, AZ 85004

This matter was continued from the October 7, 2021 hearings. This matter was set for hearing because of Department protest, and because the City of Phoenix recommended disapproval. The Applicant, Ardor Concepts LLC, and its Agent, Jeffrey Craig Miller, were represented by Peter H. Schelstraete. Assistant Attorney General Michael Raine appeared on behalf of the Department of Liquor Licenses and Control (Department). Assistant Attorney General Monique Coady was available to provide independent legal advice to the Board. Alexandra Lange appeared on behalf of the City of Phoenix. Subsequent to this

matter being set for hearing, the Department withdrew its protest. The City of Phoenix filed a Motion to Continue the hearing. The Applicant did not object to the City's request.

Due to technical difficulties with Ms. Lange's connection, Mr. Campbell called the first matter on the agenda.

1. In State Farm Winery Liquor License No. 013040002979

Robert Kenneth Mitchell Jr., Agent
Below The Rim Meadery LLC
Below The Rim Meadery
626 North Forest Service Road 199
Payson, AZ 85541

This matter is set for hearing because the Licensee requests that the Board lift and/or modify the stipulations ordered in Board Order No. B-033-18. Mr. Raine reported that he had emailed with Attorney Michael Harper moments ago. Mr. Harper was planning to participate in the meeting; however, he could be experiencing technical difficulties. Mr. Raine explained that he did not anticipate the matter being resolved today, and that Mr. Harper was planning to request the matter be placed on a future agenda. Mr. Raine noted that Ms. Bale would be providing notice to the other parties that were originally involved in that case.

Mr. Campbell called the second matter on the agenda.

2. Restaurant Liquor License No. 1207B125, Application No. 131725 - Acquisition of Control Application

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There were still technical difficulties with Ms. Lange's connection. The City of Phoenix filed Motion to Continue November 4, 2021 Hearing because the City's witness was ill and unable to testify. The Applicant did not object to the Motion to Continue.

| | |
|--|---------------------------------------|
| Motion to continue the hearing to the next meeting of the Board, on December 9, 2021 - | Shulman |
| Seconded - | Roemer |
| Yay - | Shulman, Roemer, Campbell |
| Nay - | None |
| Abstained - | None |
| Disposition - | Hearing continued to December 9, 2021 |

Mr. Campbell called the first matter on the agenda.

1. In State Farm Winery Liquor License No. 013040002979

Robert Kenneth Mitchell Jr., Agent
Below The Rim Meadery LLC
Below The Rim Meadery
626 North Forest Service Road 199
Payson, AZ 85541

The Licensee, Below The Rim Meadery LLC, and its Agent, Robert Kenneth Mitchell Jr., were represented by Michael J. Harper. This matter came before the Board on September 6, 2018. The decision of the Board was that Mr. Harper's client had to agree to certain land use restrictions and business restrictions as a condition of granting the license. As a practical matter, his client had to agree to the stipulations or not get the license. Now that the business is in operation, the owners would like to come back to the Board and ask the Board to reconsider these restrictions. Some of the restrictions have to do with business operation and the use of the property, which are arguably not within the scope of the function of the Liquor Board. There were Board questions.

Motion to consider the Licensee's request
on a future agenda -

Shulman

Seconded -

Roemer

Yay -

Shulman, Roemer, Campbell

Nay -

None

Abstained -

None

Disposition -

Matter will be placed on a future agenda and all parties will receive notice

3. Restaurant Liquor License No. 12074609 - Appeal of Director's Final Decision

Sushi Brokers, LLC
DBA Sushi Brokers
17025 N. Scottsdale Road, #190
Scottsdale, AZ 85255

This matter is set for hearing because the Respondent appeals the Director's Final Decision. The Respondent, Sushi Brokers, LLC, and its Agent, Jared M. Repinski, were represented by Dennis I. Wilenchik. Assistant Attorney General Michael Raine appeared on behalf of the Department. Assistant Attorney General Sunita Krishna was available to provide independent legal advice to the Board. The Respondent and the Department filed a Stipulated Motion to Extend Hearing on Director's Decision and to Establish Briefing Schedule. Petitioner's Opening Brief is due November 15, 2021. DLLC's Response Brief is due December 15, 2021. Petitioner's Reply Brief is due December 30, 2021. Mr. Wilenchik requested a hearing date in January or February 2022.

Motion to hear the briefing, accept the
timeline, and place this matter on a
future agenda -

Shulman

Seconded -

Roemer

Yay -

Shulman, Roemer, Campbell

Nay -

None

Abstained -

None

Disposition -

Motion to extend the hearing granted

C. Minutes: Review, Consideration and Action

Motion to approve minutes of
September 9, 2021 -

Campbell

Seconded -

Shulman

Yay -

Campbell, Shulman, Roemer

Nay -

None

Abstained -

None

Disposition -

Minutes of September 9, 2021 approved

D. Reports on Current Events, Matters of Board Procedure, Requests and Items for Future Agenda


The next Board meeting is scheduled for December 9, 2021. Two matters are set for hearing. Director Tracy Uffelman will be present. Mr. Raine will provide a PowerPoint presentation on Title 4 changes.

E. Call to the Public

None.

Motion to adjourn meeting -
Seconded -
Yay -
Nay -
Abstained -
Disposition -

Shulman
Roemer
Campbell, Shulman, Roemer
None
None
Meeting adjourned at 9:48 a.m.



Denise M. Bale
Administrator of the
Arizona State Liquor Board



Date