

ALCOHOL AND TOBACCO COMMISSION

OCTOBER 17, 2017

10:00 A.M.

1. Call to Order and Noting of Quorum –

2. Disposition of Minutes

October 3, 2017

3. Prosecutor's Recommendations –

PAD Forms

4. Hearing Judge's Recommendations –

5. Consideration of Applications -

397 renewals
64 new/transfer
9 catering
2 1st year escrow
6 2nd year escrow
2 3rd year escrow
5 new e-liquid
8 new/renewal direct wine shipper
11 new/renewal carrier

6. Renewal Letters and Waivers of Fees for Letters of Extension -

7. Applications for Discussion –

RR62-33099 Main Street Coffee Haus, LLC – New with LB voting 3-0 to deny

8. Inactive Files –

9. Old Business -

RR49-33153 Livery Entertainment LLC – Escrow for purposes of transfer (cont. from 10/3)

10. New Business –

Probationary status of employee permits –
VB1736244 DeAnne Maxwell – 1 conviction
BR1688783 Bryan A Stephens – 1 conviction

11. Policy Determinations –

12. Announcements -

13. Adjournment

MINUTES

ALCOHOL AND TOBACCO COMMISSION

OCTOBER 17, 2017

CALL TO ORDER/NOTING OF QUORUM

Chairman Cook called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Coleman, Commissioner Maginn and Commissioner Grubb. Executive Secretary Rothenberg, Industry Liaison Stewart and Prosecutor Mader, were also in attendance.

Brooke Burtnett, Katie Maddox, Patrick Sanders, Cody Eckert, Marc Carmichael, Davey Neal, and Dan deRoziere, were present as observers.

DISPOSITION OF MINUTES

Vice Chairman Coleman moved to approve the minutes from the October 3, 2017 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Prosecutor Mader recommended the Commission approve the 36 Parties' Agreed Dispositions that were submitted, totaling \$15,425.00 in fines.

Commissioner Maginn moved to approve the Dispositions that were submitted for the October 17, 2017 meeting. Commissioner Grubb seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

No Hearing Judge's Recommendations

CONSIDERATION OF APPLICATIONS

Commissioner Grubb moved to approve and incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by our staff with the authority of the commission and hereby move for approval of same and the inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve and incorporate by reference these lists of permit applications for a new permit, or applications for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two commissioners and hereby move for approval of same, pending final floor plan approval by the Indiana State Excise Police, and inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve and incorporate by reference these lists of applications for catering. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve and incorporate by reference these lists of permits to be placed in escrow for not more than five years, which have been reviewed and recommended by a commissioner as appropriate for escrow and hereby move for approval of same and the inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve the new e-liquid permit applications. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve the new and renewal direct wine shipper permits. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve the new and renewal carrier permits. Commissioner Maginn seconded. The motion was unanimously approved.

Three hundred ninety-seven (397) renewals approved, sixty-four (64) new and/or transfer applications approved, nine (9) permits approved for catering, two (2) permits approved for first year escrow, six (6) permits approved for second year escrow, two (2) permits approved for third year escrow, five (5) new e-liquid permits approved, eight (8) new and renewal direct wine shipper permits approved, and eleven (11) new and renewal carrier permits approved.

RENEWAL LETTERS AND WAIVERS OF FEES

Vice Chairman Coleman moved to approve the renewal and fee waived letters of extension for the preceding weeks. Commissioner Maginn seconded. The motion was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR62-33099 MAIN STREET COFFEE HAUS, LLC – Chairman Cook noted this is a new application with the local board voting 3-0 to deny.

Commissioner Maginn stated this application has been continued by the local board more than four times because they have not appeared at the meeting, as required.

Commissioner Maginn moved to uphold the local board's recommendation to deny the new permit. Vice Chairman Coleman seconded. The motion was unanimously approved.

INACTIVE FILES

No Inactive Files

OLD BUSINESS

RR49-33153 LIVERY ENTERTAINMENT, LLC – Chairman Cook noted this was continued from the last meeting, to allow time for a transfer to be filed.

Commissioner Maginn stated the transfer applications have been filed along with the letter stating there has been no speculation. Therefore, the transfer will be processed.

NEW BUSINESS

PROBATIONARY EMPLOYEE PERMITS - Commissioner Grubb moved, pursuant to IC 7.1-3-18-9.5, to order the following employee permit holder(s) to complete an alcohol evaluation and treatment program within the next six months and provide proof of same to the Commission. The Commissioner further moved to reschedule for the April 3, 2018 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

VB1736244 DeAnne Maxwell and BR1688783 Bryan A Stephens

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

No Announcements


ADJOURNMENT

Vice Chairman Coleman moved to adjourn the meeting. Commissioner Maginn seconded. The motion was unanimously approved.

Approved this 7th day of November, 2017.



DAVID COOK, CHAIRMAN



DAVID COLEMAN, VICE CHAIRMAN



DALE GRUBB, COMMISSIONER



MARJORIE MAGINN, COMMISSIONER