

MINUTES

ALCOHOL AND TOBACCO COMMISSION

May 20, 2014

CALL TO ORDER/NOTING OF QUORUM

Vice Chairman Johnson called the meeting to order and noted the quorum and the attendance. Present were Commissioner Coxey and Commissioner Grubb. Also in attendance were Executive Secretary Rothenberg, Staff Attorney Allen, Superintendent Strittmatter and Officer Bedwell.

Marc Carmichael, Connie Vickery, Greg Genrich, Jenny Drewry, Marc Carmichael, Matt Brase, Bart Herriman, Steve Badger, and Mark Webb were present as observers.

DISPOSITION OF MINUTES

Commissioner Grubb moved to approve the minutes for the May 7, 2014 meeting. Commissioner Coxey seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Executive Secretary Rothenberg recommended the Commission approve the Parties' Agreed Dispositions that were submitted.

Commissioner Grubb moved to approve the PAD forms that were submitted for the May 20, 2014 meeting. Commissioner Coxey 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, either with or without a quorum at the local board meeting, which have been recommended by local boards and reviewed by our staff with the authority of the Commission. Commissioner Coxey 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 were either recommended by local boards or where a quorum was not present, and reviewed by at least two Commissioners. Commissioner Coxey seconded. The motion was unanimously approved.

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

Four hundred sixty-one (461) renewals approved, sixty (60) new and/or transfer applications approved, fourteen (14) permits approved for catering, seven (7) permits approved for second year escrow, five (5) permits approved for third year escrow, two (2) permits approved for fourth year escrow and one (1) permit approved for sixth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Commissioner Grubb moved to approve the renewal and fee waived letters of extension for the preceding weeks. Commissioner Coxey seconded. The motion was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR41-30098 T.THOMPSON PROPERTIES, LLC – Commission Counsel Allen stated this transfer was filed as a three-way, but was mistakenly processed as a two-way. She recommended the Commission remand the transfer to the local board for reinvestigation.

Commissioner Coxey moved to remand the transfer to the local board. Commissioner Grubb seconded. The motion was unanimously approved.

RR49-30118 PRIME BAR CORP. – Commission Counsel Allen stated this transfer was filed as a three-way, but was mistakenly processed as a two-way. She recommended the Commission remand the transfer to the local board for reinvestigation. Counsel also stated if the Chairman approves, she wants to have this manually advertised.

Commissioner Coxey moved to remand the transfer to the local board. Commissioner Grubb seconded. The motion was unanimously approved.

INACTIVE FILES

Commissioner Grubb moved to make 41 permits inactive. Twelve permits are subject to auction and 29 permits are not subject to auction. Commissioner Coxey seconded. The motion was unanimously approved.

OLD BUSINESS

WH49-29931 SPIRITED SALES – Executive Secretary Rothenberg stated the hearing is rescheduled to June 24, 2014. The witness lists and other evidentiary information should be filed by June 10, 2014.

NEW BUSINESS

REVOCATION OF EMPLOYEE PERMITS

--- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Tyler S. Akers, permit #BR1665125. Mr. Akers will not be eligible to hold an employee permit until May 10, 2015.

Commissioner Grubb stated after conducting an investigation of the permittee, Senior Officer Rich Swallow recommended the Commission revoke the permit.

Commissioner Grubb moved to uphold the recommendation of Officer Swallow and revoke the employee permit. Commissioner Coxey seconded. The motion was unanimously approved.

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Commissioner Grubb moved to adjourn the meeting. Commissioner Coxey seconded. The motion was unanimously approved.

Approved this 3rd day of June, 2014.

ALEX HUSKEY, CHAIRMAN

David Johnson

DAVID JOHNSON, VICE CHAIRMAN

Dale Grubb

DALE GRUBB, COMMISSIONER

Melissa Coxey

MELISSA COXEY, COMMISSIONER