

ALCOHOL AND TOBACCO COMMISSION

November 17, 2015

10:00 A.M.

1. Call to Order and Noting of Quorum –
2. Disposition of Minutes

November 4, 2015

3. Prosecutor's Recommendations –

PAD Forms

4. Hearing Judge's Recommendations –

5. Consideration of Applications -

631 Renewals
50 New/Transfers
4 Catering
9 1st Year Escrow
3 2nd Year Escrow
3 3rd Year Escrow
11 New/Renewal Carriers

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

7. Applications for Discussion –

DL45-30290 Lincoln Highway Liquors, Inc. – Renewal and transfer with LB voting 2-1 to approve

RR49-31375 DKOI Entertainment Group, LLC – Transfer with the LB voting 4-0 to deny

DL76-30467 Dolgencorp, LLC – New application with LB voting 4-0 to approve

DL50-29224 Amrit One Stop, Inc. – Renewal with LB voting 3-1 to approve

8. Inactive Files –

9. Old Business -

10. New Business -

Revocation of Employee Permits

Laura Brinkmanis, BR1532879 – 1 conviction

Stephanie Vance, BR1780586 – 2 convictions

11. Policy Determinations –

12. Announcements -

13. Adjournment

MINUTES

ALCOHOL AND TOBACCO COMMISSION

NOVEMBER 17, 2015

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 Grubb and Commissioner Maginn. Executive Secretary Rothenberg, Commission Counsel Allen, Prosecutor Mader, Master Officer Bedwell and Superintendent Strittmatter were also in attendance.

Mark Webb, Katie Maddox, Patrick Tamm, Alex Intermill, Jane Gentry, Diane Masariu, Greg Genrich, Bart Herriman, Mike Maxwell, Schyler Culver, and Anthony Mitson were present as observers.

DISPOSITION OF MINUTES

Vice Chairman Coleman moved to approve the minutes from the November 4, 2015 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Prosecutor Mader recommended the Commission approve the 138 Parties' Agreed Dispositions that were submitted, totaling approximately \$41,900.00 in fines.

Commissioner Maginn moved to approve the Dispositions that were submitted for the November 17, 2015 meeting. Vice Chairman Coleman 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 and renewal carrier permits. Commissioner Maginn seconded. The motion was unanimously approved.

Six hundred thirty-one (631) renewals approved, fifty-one (51) new and/or transfer applications approved, four (4) permits approved for catering, nine (9) permits approved for first year escrow, three (3) permits approved for second year escrow, three (3) permits approved for third year escrow, two (2) new carrier permits approved and nine (9) renewal carrier permits approved.

RENEWAL LETTERS AND WAIVER 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

DL45-30290 LINCOLN HIGHWAY LIQUORS, INC. – Chairman Cook noted this is a renewal with the local board voting 2-1 to approve.

Vice Chairman Coleman moved to continue this renewal until the December 1, 2015 meeting, to allow time for further review. Commissioner Grubb seconded. The motion was unanimously approved.

RR49-31375 DKOI ENTERTAINMENT GROUP, LLC – Chairman Cook noted this is a transfer with the local board voting 4-0 to disapprove.

Commission Counsel Allen stated the applicant failed to appear at the local board meeting on multiple occasions even after being told personally that their attendance was required.

Vice Chairman Coleman moved to uphold the recommendation of the local board to deny the transfer. Commissioner Maginn seconded. The motion was unanimously approved.

DL76-30467 DOLGENCORP, LLC – Chairman Cook noted this is a new application with the local board voting 4-0 to approve.

Commissioner Maginn moved to uphold the local board's recommendation to approve the new permit. Vice Chairman Coleman seconded.

Commission Counsel Allen stated remonstrators were present at the local board meeting. Chairman Cook asked what their objections were to the issuance of this permit. Counsel Allen stated at this point we are unaware of those objections. Chairman Cook stated he would like to know what the objections are before voting.

Commissioner Maginn withdrew her motion to approve and moved to continue this until the December 1, 2015 meeting. Vice Chairman Coleman withdrew his motion to second the approval. Commissioner Grubb seconded the motion to continue. The motion to continue was unanimously approved.

DL50-29924 AMRIT ONE STOP, INC. – Chairman Cook stated this is a renewal with the local board voting 3-1 to approve.

Commission Counsel Allen stated eleven people appeared in favor of the renewal. During the last renewal period, the permittee was cited for violations involving sales of drugs at the permit premise. The local board recording was not received in time for review.

Vice Chairman Coleman moved to continue this until the December 1, 2015 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

Chairman Cook asked Superintendent Strittmatter to please advise the local board officers to submit the local board audio recordings as soon as possible to the Commission so there is adequate time to review the record before voting.

INACTIVE FILES

No Inactive Files

OLD BUSINESS

No Old Business

NEW BUSINESS

REVOCAION OF EMPLOYEE PERMITS - Commissioner Grubb moved, pursuant to IC 7.1-3-18-9.5, to order the following employee permit holders 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 that these revocations be rescheduled for the May 5, 2016 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

Laura Brinkmanis, BR1532879; Marlea Maynard, BR1797194; Glen Fields, BR1798767

Commissioner Grubb moved to revoke the following employee permit that does not fall under IC 7.1-3-18-9.5. Commissioner Maginn seconded. The motion was unanimously approved.

Stephanie Vance, BR1780586

POLICY DETERMINATIONS

No Policy Determinations

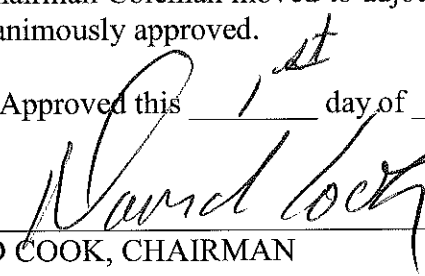
ANNOUNCEMENTS

No Announcements

ADJOURNMENT

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

Approved this 1st day of December, 2015.



DAVID COOK, CHAIRMAN



DAVID COLEMAN, VICE CHAIRMAN



DALE GRUBB, COMMISSIONER



MARJORIE MAGINN, COMMISSIONER