

MINUTES

ALCOHOL AND TOBACCO COMMISSION

APRIL 19, 2016

CALL TO ORDER/NOTING OF QUORUM

Vice Chairman Coleman called the meeting to order and noted the quorum and the attendance. Present were Commissioner Maginn and Commissioner Grubb. Executive Secretary Rothenberg, Commission Counsel Allen, Prosecutor Mader, Master Officer Bedwell and Superintendent Strittmatter were also in attendance.

Michael Leppert, Jim Purucker, Mark Webb, John McCollough, Zak Larken, Mike Cline, Jenny Drewry, Melissa Coxey, Greg Emig, Tony Mitson, Brooke Burnett, Bart Herriman, Greg Genrich, and Patrick Tamm were present as observers.

DISPOSITION OF MINUTES

Commissioner Grubb moved to approve the minutes from the April 5, 2016 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Prosecutor Mader recommended the Commission approve the 41 Parties' Agreed Dispositions that were submitted, totaling approximately \$9,875.00 in fines.

Commissioner Maginn moved to approve the Dispositions that were submitted for the April 19, 2016 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 and renewal carrier permits. 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 e-liquid manufacturer permits. Commissioner Maginn seconded. The motion was unanimously approved.

Eight hundred two (802) renewals approved, sixty-six (66) new and/or transfer applications approved, sixteen (16) permits approved for catering, eleven (11) permits approved for first year escrow, five (5) permits approved for second year escrow, three (3) permits approved for third year escrow, four (4) permits approved for fourth year escrow, three (3) permits approved for fifth year escrow, one (1) permit approved for sixth year escrow, sixteen (16) new and renewal carrier permits approved, forty-four (44) new and renewal direct wine shipper permits approved, and four (4) new e-liquid manufacturer permits approved.

RENEWAL LETTERS AND WAIVER OF FEES

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

APPLICATIONS FOR DISCUSSION

LANCE NATHANIEL HYPES – Vice Chairman Coleman noted this is an applicant for an employee permit.

Prosecutor Mader stated Mr. Hypes applied for an employee permit. He has two convictions for OWI in the last 10 years and a lengthy record of criminal activity. The Prosecutor recommended the Commission deny the application for employee permit.

Commissioner Maginn moved to uphold the recommendation of the prosecutor and deny the application. Commissioner Grubb seconded. The motion was unanimously approved.

DL43-30707 PAUL EXPRESS, INC. – Vice Chairman Coleman noted this is a new application with the local board voting 2-1 to deny.

Commissioner Maginn stated the local board recommended the permit be denied based on no need or desire for the services; however, there were no remonstrators present to present evidence in support of that reason. The Excise officer sitting on the board voted to approve the new application.

Commissioner Maginn moved to overturn the local board's recommendation and approve the new permit. Commissioner Grubb seconded. The motion was unanimously approved.

DL29-30662 BAPSHREE, LLC – Commissioner Maginn moved to continue this until May 4, 2016, to allow time for review of the record. Commissioner Grubb seconded. The motion was unanimously approved.

INACTIVE FILES

Commissioner Grubb moved to make six non-auction permits inactive. Commissioner Maginn seconded. The motion was unanimously approved.

OLD BUSINESS

There is no Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

Vice Chairman Coleman noted the next Commission meeting will be Wednesday, May 4, 2016.

ADJOURNMENT

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

Approved this 4th day of May, 2016.



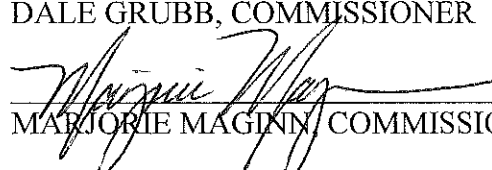
DAVID COOK, CHAIRMAN



DAVID COLEMAN, VICE CHAIRMAN



DALE GRUBB, COMMISSIONER



MARJORIE MAGINN, COMMISSIONER