

ALCOHOL AND TOBACCO COMMISSION

February 16, 2021

10:00 A.M.

1. Call to Order and Noting of Quorum –

2. Disposition of Minutes –

February 2, 2021

3. Prosecutor's Recommendations –

PAD Forms

4. Hearing Judge's Recommendations –

5. Consideration of Applications -

531 renewals

63 new/transfers

7 catering

47 new/renewal catering carrier

6 new direct wine shippers

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

7. Applications for Discussion –

RR20-36402 2930 Elkhart Mancinos, LLC – new with LB voting 3-0 to deny. FTA

---

8. Inactive Files –

7 permits not subject to auction

9. Old Business -

10. New Business –

11. Policy Determinations –

12. Announcements -

13. Adjournment

MINUTES

ALCOHOL AND TOBACCO COMMISSION

FEBRUARY 16, 2021

**CALL TO ORDER/NOTING OF QUORUM**

Chair Allen called the meeting to order and noted the quorum and the attendance. Vice Chairman Krauss, Commissioner Maginn, Commissioner Grubb, Commission Counsel Hyer, and Sgt. Stewart were present virtually.

By consent, the Commission gave Kim Chew permission to initial approval for the commissioners.

**DISPOSITION OF MINUTES**

Vice Chairman Krauss moved to approve the minutes from the February 2, 2021 meeting. Commissioner Grubb seconded. The motion was unanimously approved.

**PROSECUTOR'S RECOMMENDATIONS**

PARTIES' AGREED DISPOSITIONS – Chair Allen stated Prosecutor Harrison submitted 3 Parties' Agreed Dispositions, with fines totaling \$850.00, for the Commission's approval.

Vice Chairman Krauss moved to approve the PAD forms submitted by the Prosecutor. Commissioner Maginn 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 said staff with the authority of the Commission, and hereby move for approval of same, pending any escrow hearings, and the inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

By consent, the Commission added permit #MM4930548 to the new/transfer list for approval.

Commissioner Grubb moved to approve and incorporate by reference these lists of permit applications, noting there was an additional application that was not on the agenda, for a new permit or application for changes in location, 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 escrow, if needed, and inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve the catering applications. Commissioner Maginn seconded. The motion was unanimously approved.

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

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

### **RENEWAL LETTERS AND WAIVERS OF FEES**

Vice Chairman Krauss moved to approve the renewal and fee waived letters of extension issued the preceding weeks. Commissioner Grubb seconded. The motion was unanimously approved.

### **APPLICATIONS FOR DISCUSSION**

RR20-36402 2930 ELKHART MANCINOS, LLC – Chair Allen noted this is a new application with the local board voting 3-0 to deny.

Commissioner Maginn stated this application was previously denied by the local board and the Commission for failure to appear. It was discovered that the mailing address was entered into our system incorrectly, which could have caused the failure to appear, so the application was remanded. However, the applicant failed to appear before the local board, after correction of the mailing address.

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

### **INACTIVE FILES**

Vice Chairman Krauss moved to make seven (7) permits inactive that are not subject to auction. Commissioner Grubb seconded. The motion was unanimously approved.

### **OLD BUSINESS**

No Old Business

### **NEW BUSINESS**

No New Business

### **ANNOUNCEMENTS**

No Announcements


**ADJOURNMENT**

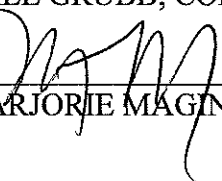
Vice Chairman Krauss moved to adjourn the meeting. Commissioner Maginn seconded. The motion was unanimously approved.

Approved this 2<sup>nd</sup> day of March, 2021.

  
\_\_\_\_\_  
JESSICA ALLEN, CHAIR

  
\_\_\_\_\_  
JOHN KRAUSS, VICE CHAIRMAN

  
\_\_\_\_\_  
DALE GRUBB, COMMISSIONER

  
\_\_\_\_\_  
MARJORIE MAGINN, COMMISSIONER