

MINUTES

ALCOHOL AND TOBACCO COMMISSION

MAY 1, 2012

CALL TO ORDER/NOTING OF QUORUM

Chairman Huskey called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Johnson, Commissioner Guthrie and Commissioner Sturtz.

Marc Carmichael, Bart Herriman, Greg Genrich, Grant Monahan, Mark Webb, Jeff McKean, and Debbie Rolfsen were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the April 17, 2012 meeting. Vice Chairman Johnson seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Vice Chairman Johnson moved to approve the parties' agreed dispositions that were submitted for the May 1, 2012 meeting. Commissioner Guthrie seconded. The motion was unanimously approved.

CONSIDERATION OF APPLICATIONS

Commissioner Sturtz 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. Commissioner Guthrie seconded. The motion was unanimously approved.

Commissioner Sturtz moved to approve and incorporate by reference these lists of permit applications for a new permit, which includes the tabled applications, 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. Vice Chairman Johnson seconded. The motion was unanimously approved.

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

Commissioner Sturtz 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. Vice Chairman Johnson seconded. The motion was unanimously approved.

Four hundred four (404) permits approved for renewal, sixty (60) new and/or transfer permits approved, twelve (12) permits approved for catering, three (3) permits approved for first year escrow, three (3)

permits approved for second year escrow, three (3) permits approved for third year escrow and two (2) permits approved for fourth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

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

APPLICATIONS FOR DISCUSSION

DL49-28515 DOLGENCORP, LLC – Commissioner Guthrie noted this is s new type 115 application with the local board voting three (3) to one (1) to approve.

Commissioner Guthrie moved to approve the new permit. Commissioner Sturtz seconded. The motion was unanimously approved.

DL49-28509 DOLGENCORP, LLC – Commissioner Guthrie noted this is s new type 115 application with the local board voting four (4) to zero (0) to approve.

Commissioner Guthrie moved to approve the new permit. Commissioner Sturtz seconded. The motion was unanimously approved.

DL49-28508 DOLGENCORP, LLC – Commissioner Guthrie noted this is s new type 115 application with the local board voting four (4) to zero (0) to approve.

Commissioner Guthrie moved to approve the new permit. Commissioner Sturtz seconded. The motion was unanimously approved.

DL49-28379 DOLGENCORP, LLC – Commissioner Guthrie noted this is s new type 115 application with the local board voting three (3) to zero (0) to approve. One member abstained from voting.

Commissioner Guthrie moved to approve the new permit. Commissioner Sturtz seconded. The motion was unanimously approved.

RR79-25648 ONE VENUE, INC. – Commissioner Guthrie noted this is a type 221-3 renewal application with the local board voting four (4) to zero (0) to disapprove.

Commissioner Guthrie stated the denial is based upon an ongoing problem between the permittee and Excise. Requests have been made and citations given regarding the permittee’s inability, or unwillingness to provide food figures.

Commissioner Guthrie moved to uphold the local board’s recommendation and deny renewal of the permit. Vice Chairman Johnson seconded. The motion was unanimously approved.

RR71-22023 ALMA VELA – Commissioner Guthrie noted this is a type 112 renewal application with the local board voting three (3) to zero (0) to disapprove.

Commissioner Guthrie stated the city and remonstrators provided information that this establishment has become the scene of various drug transactions.

Commissioner Guthrie moved to uphold the local board's recommendation and deny the renewal. Commissioner Sturtz seconded. The motion was unanimously approved.

INACTIVE FILES

INACTIVE FILES- Vice Chairman Johnson moved to make twenty (20) permits inactive. All twenty (20) permits are not subject to auction. Commissioner Guthrie seconded. The motion was unanimously approved.

OLD BUSINESS

No Old Business

NEW BUSINESS

RC64-06884 VALPARAISO GOLF CLUB - Commissioner Guthrie noted the commission received a request to convert this type 211-3 to a type 209.

Commissioner Guthrie moved to approve the request. Commissioner Sturtz seconded. The motion was unanimously approved.

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Commissioner Sturtz moved to adjourn the meeting. Commissioner Guthrie seconded. The motion was unanimously approved.

Approved this _____ day of _____, 2012.

ALEX HUSKEY, CHAIRMAN

DAVID JOHNSON, VICE CHAIR

DALE STURTZ, COMMISSIONER

FRANK GUTHRIE, COMMISSIONER