

ALCOHOL AND TOBACCO COMMISSION

February 17, 2015

10:00 A.M.

1. Call to Order and Noting of Quorum –

2. Disposition of Minutes

February 10, 2015

3. Prosecutor's Recommendations –

PAD Forms

4. Hearing Judge's Recommendations –

5. Consideration of Applications -

127 Renewals

21 New/Transfers

6 Catering

1 1st Year Escrow

2 3rd Year Escrow

1 4th Year Escrow

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

7. Applications for Discussion –

RR41-31089 Morrison Management Specialists, Inc. – New Liquor, Beer and Wine application with the local board voting 1-1, with 1 abstention.

RR69-31086 The Saint Florian LLC – Transfer application with the local board voting 2-1 to approve.

8. Inactive Files –

9. Old Business -

RR71-00532 Christopher Russell – Continued from 1-20-15

10. New Business -

Revocation of Employee Permits

11. Policy Determinations –

12. Announcements -

13. Adjournment

MINUTES

ALCOHOL AND TOBACCO COMMISSION

FEBRUARY 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 Maginn and Commissioner Grubb. Also in attendance were Executive Secretary Rothenberg, Prosecutor Mader, and Superintendent Strittmatter.

Jenny Drewry, Alex Intermill, Mark Webb, Bart Herriman, Deb Scott, Alberta Fields, Greg Emig, and Jeff McKean were present as observers.

DISPOSITION OF MINUTES

Vice Chairman Coleman moved to approve the minutes from the February 10, 2015 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Prosecutor Mader recommended the Commission approve the 83 Parties' Agreed Dispositions that were submitted, totaling approximately \$37,750.00 in fines.

Commissioner Maginn moved to approve the Dispositions that were submitted for the February 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, 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. Vice Chairman Coleman 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 for approval by local boards or where a quorum was not present, and reviewed by at least two Commissioners. Commissioner Maginn seconded. The motion was unanimously approved.

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

One hundred twenty-seven (127) renewals approved, twenty-one (21) new and/or transfer applications approved, six (6) permits approved for catering, one (1) permit approved for first year escrow, two (2) permits approved for third year escrow and one (1) permit approved for fourth year escrow.

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 Grubb seconded. The motion was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR41-31089 MORRISON MANAGEMENT SPECIALISTS, INC. – Executive Secretary Rothenberg stated this is a new application with the local board voting 1-1, with one abstention. The board discussed the definition of a church at the meeting. The Executive Secretary recommended the Commission continue this matter so more research can be done regarding the issue of what constitutes a church.

Chairman Cook asked that Executive Secretary Rothenberg also research whether or not the Commission has ever dealt with this issue in the past.

Commissioner Grubb moved to uphold the Executive Secretary's recommendation to continue this matter. Vice Chairman Coleman seconded. The motion was unanimously approved.

RR69-31086 THE SAINT FLORIAN LLC – Executive Secretary Rothenberg stated the local board officer recorded the vote for this transfer as 2-1; however, it was actually 3-0 to approve, with no remonstrators.

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

INACTIVE FILES

No Inactive Files.

OLD BUSINESS

RR71-00532 CHRISTOPHER RUSSELL – Executive Secretary Rothenberg stated this matter was continued from January. This permit, which has open violations, has been made inactive and active by the Commission in the last few months. An Offer of Settlement for the violation has been mailed to and was received by the permittee. The permittee faxed the signed Offer to the Commission, but failed to send the fine payment. The Executive Secretary tried to get in touch with the permittee by leaving a message on the permittee's voicemail and by sending a letter, but the permittee has not responded. Executive Secretary Rothenberg recommended the Commission make this permit inactive.

Commissioner Grubb moved to uphold the recommendation. Vice Chairman Coleman seconded. The motion was unanimously approved.

NEW BUSINESS

REVOCAION OF EMPLOYEE PERMITS

--- Commissioner Maginn stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Jordan M. Ralstin, permit #BR1794047. Mr. Ralstin will not be eligible to hold an employee permit until August 11, 2015.

Commissioner Maginn moved to uphold the recommendation of Officer Swallow and revoke the employee permit. Vice Chairman Coleman seconded. The motion was unanimously approved.

--- Commissioner Maginn stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Eamonn F. Welch, permit #BR1781943. Mr. Welch will not be eligible to hold an employee permit until February 1, 2019.

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

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

No Announcements

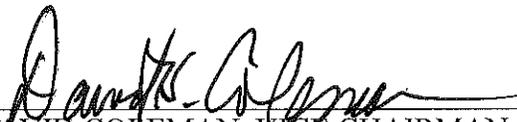
ADJOURNMENT

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

Approved this 3rd day of March, 2015.



DAVID COOK, CHAIRMAN



DAVID COLEMAN, VICE CHAIRMAN

DALE GRUBB, COMMISSIONER



MARJORIE MAGINN, COMMISSIONER