

ALCOHOL AND TOBACCO COMMISSION

August 2, 2016

10:00 A.M.

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

July 19, 2016

3. Prosecutor's Recommendations –

PAD Forms

4. Hearing Judge's Recommendations –

5. Consideration of Applications -

877 Renewals
36 New/Transfers
15 Catering
14 1st Year Escrow
4 2nd Year Escrow
1 3rd Year Escrow
3 4th Year Escrow
1 5th Year Escrow
6 Carrier Renewals

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

7. Applications for Discussion –

RR01-24277 Filiberto Morales Inc. – Conversion from 210 to social club

8. Inactive Files –

104 Permits Not Subject to Auction
15 Permits Subject to Auction

9. Old Business -

Bradley Coursel, BR1722957; Christopher Koepp, BR1709879 – provided proof of alcohol treatment

Probationary Employees – alcohol treatment proof not provided

10. New Business –

11. Policy Determinations –

12. Announcements -

INDUSTRY ROUNDTABLE DISCUSSIONS

July 19, 3:00 pm, Vintner's Roundtable (Brown County)

August 9, 1:30 pm, Package Store Roundtable (ATC)

August 23, 1:30 pm, C-Store Roundtable (ATC)

September 20, 1:30 pm, Pharmacy/Grocery Store Roundtable (ATC)

October 4, 1:30 pm, RR Permit Roundtable (ATC)

13. Adjournment

MINUTES

ALCOHOL AND TOBACCO COMMISSION

AUGUST 2, 2016

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. Prosecutor Mader, Commission Counsel Allen, Superintendent Strittmatter, Master Officer Bedwell and Corporal Lynch were also in attendance.

Jeff McKean, Jenny Drewry, Tony Mitson, Greg Genrich, Mark Webb, Brooke Barnett, Bart Herriman, Marc Carmichael, Davey Neal, Mindy Westrick, Diane Masariu and Deb Scott were present as observers.

DISPOSITION OF MINUTES

Vice Chairman Coleman moved to approve the minutes from the July 19, 2016 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Prosecutor Mader recommended the Commission approve the 87 Parties' Agreed Dispositions that were submitted, totaling approximately \$32,350.00 in fines.

Commissioner Maginn moved to approve the Dispositions that were submitted for the August 2, 2016 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 renewal carrier permits. Commissioner Maginn seconded. The motion was unanimously approved.

Eight hundred seventy-six (876) renewals approved, thirty-six (36) new and/or transfer applications approved, fifteen (15) permits approved for catering, fourteen (14) permits approved for first year escrow, four (4) permits approved for second year escrow, one (1) permit approved for third year escrow, three (3) permits approved for fourth year escrow, one (1) permit approved for fifth year escrow and six (6) 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

RR01-24277 FILIBERTO MORALES, INC. – Commission Counsel Allen stated this permittee requests a conversion from a type 209 permit to a type 210 permit, due to annexation into the city limits.

Commission Counsel Allen stated the permit was issued prior to the publishing of the Notice of Annexation.

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

RR68-22537 EL CARRETON MEXICAN RESTAURANT, INC. – Commission Counsel Allen stated the renewal of this permit was not properly advertised in the newspaper, but was voted on by the local board. She recommended the Commission remand this renewal to the local board so it can be properly advertised, prior to the local board vote.

Vice Chairman Coleman moved to remand this renewal. Commissioner Maginn seconded. The motion was unanimously approved.

INACTIVE FILES

Commissioner Grubb moved to make one hundred nineteen (119) permits inactive. One hundred four of the permits are not subject to auction and fifteen permits are subject to auction. Commissioner Maginn seconded. The motion was unanimously approved.

OLD BUSINESS

BRADLEY COURSEL, BR1722957 AND CHRISTOPHER KOEPP, BR1709879 – Commissioner Grubb moved to remove these employees from probationary status because they have provided proof of completing an alcohol treatment program. Commissioner Maginn seconded. The motion was unanimously approved.

REVOCAION OF PROBATIONARY EMPLOYEE PERMITTEES – Commissioner Grubb moved to revoke the employee permits of the following permittees, due to the fact no proof of completion of an alcohol treatment program was provided to the Commission, as required. Commissioner Maginn seconded. The motion was unanimously approved.

BR1507277 Bethelyn Morris; BR1799593 Taylor Isaac; BR1760687 Lauren Drake; BR1795900 Blake Thomas; BR1718341 David Miles; BR1810806 Devin Sipes; BR1743349 Robert W Ellis II; BR1784659 Andrew B Gillies; BR1803474 Kyle Allen Miller; BR1797194 Marlea Y Maynard; BR1798767 Glen R Fields; BR1817413 Tina M Morgan; BR1744529 Alaina Hembree; BR1773971 Telma Alfaro; BR1821257 Trevor J Schiro; BR1823145 Letitia Dowdell.

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

INDUSTRY ROUNDTABLE DISCUSSIONS – Chairman Cook stated the schedule for the remainder of the discussions is as follows:

- August 9, 1:30 pm, Package Store Roundtable (ATC)
- August 23, 1:30 pm, C-Store Roundtable (ATC)
- September 20, 1:30 pm, Pharmacy/Grocery Store Roundtable (ATC)
- October 4, 1:30 pm, RR Permit Roundtable (ATC)

ADJOURNMENT

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

Approved this 16th day of August, 2016.

David Cook
DAVID COOK, CHAIRMAN

David H. Coleman
DAVID COLEMAN, VICE CHAIRMAN

Fr Dale Grubb

DALE GRUBB, COMMISSIONER

Marjorie Maginn

MARJORIE MAGINN, COMMISSIONER