

MINUTES

ALCOHOL AND TOBACCO COMMISSION

JANUARY 3, 2019

**CALL TO ORDER/NOTING OF QUORUM**

Chairman Cook called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Krauss, Commissioner Maginn and Commissioner Grubb. Commission Counsel Hyer and Prosecutor Harrison were also in attendance.

David Rothenberg, Glenn Seiden, Dyna Martinez, Mark Webb, Carmen Pratts Porter, George Douglas, Jenny Drewry and Matt Brase were present as observers.

**DISPOSITION OF MINUTES**

Vice Chairman Krauss moved to approve the minutes from the December 18, 2018 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

**PROSECUTOR'S RECOMMENDATIONS**

PARTIES' AGREED DISPOSITIONS – Prosecutor Harrison submitted 72 Parties' Agreed Dispositions, totaling \$22,450.00 in fines for the Commission's approval.

The Prosecutor highlighted a few of the dispositions: DL82-30117, 4<sup>th</sup> service to minors, 1 day suspension; RR89-92380, sale to intoxicated person, clerk was getting paid in alcohol by permittee, \$1,250 fine; and TC12351001, sales of single cigarettes (with prior), narcotics, \$1,150.00 fine.

Commissioner Maginn moved to approve the Dispositions submitted for the January 3, 2019 meeting. Vice Chairman Krauss 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 direct wine shipper permits. Commissioner Maginn seconded. The motion was unanimously approved.

Two hundred sixty-seven (267) renewals approved, seventeen (17) new and/or transfer applications approved, four (4) permits approved for catering, two (2) permits approved for first year escrow; three (3) permits approved for second year escrow, one (1) permit approved for third year escrow, two (2) permits approved for fourth year escrow, ten (10) new and renewal direct wine shipper permits approved, and thirteen (13) new and renewal carrier permits approved.

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

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

#### **APPLICATIONS FOR DISCUSSION**

RR29-34881 1235 KEYSTONE WAY, LLC – Chairman Cook stated Executive Secretary Allen provided information regarding this permittee's request to be designated as a catering hall. She recommended the Commission approve the request.

Vice Chairman Krauss moved to uphold the Executive Secretary's recommendation. Commissioner Maginn seconded. The motion was unanimously approved.

#### **INACTIVE FILES**

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

#### **OLD BUSINESS**

EXPIRED 5<sup>TH</sup> YEAR ESCROW PERMITS – See attached transcript of discussion and action taken by the Commission.

**NEW BUSINESS**

No New Business

**POLICY DETERMINATIONS**

No Policy Determinations

**ANNOUNCEMENTS**

PROPOSED ROUNDTABLE MEETINGS 2019 – Chairman Cook stated the proposed schedule of roundtable meetings is available.

**ADJOURNMENT**

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

Approved this 15 day of January, 2019.

  
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DAVID COOK, CHAIRMAN

  
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JOHN KRAUSS, VICE CHAIRMAN

  
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DALE GRUBB, COMMISSIONER

  
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MARJORIE MAGINN, COMMISSIONER