

ALCOHOL AND TOBACCO COMMISSION  
FEBRUARY 1, 2022  
10:00 A.M.

1. Call to Order and Noting of Quorum –
2. Disposition of Minutes –  
January 19, 2021
3. Prosecutor's Recommendations –  
PAD Forms  
RR53-34129 Cuahuizo-Group, LLC
4. Hearing Judge's Recommendations –
5. Consideration of Applications -  
235 renewals  
15 new/transfers  
8 catering  
1 direct wine seller  
12 new/renewal carriers
6. Renewal Letters and Waivers of Fees for Letters of Extension -
7. Applications for Discussion –  
RR10-93339 Golf Club Management, Inc. – conversion from 209 to 210  
MM53-30596 Lost in the Woods, LLC - remand
8. Inactive Files –  
487 permits to be made dead  
69 permits subject to auction
9. Old Business -
10. New Business –
11. Policy Determinations –
12. Announcements -  
2022 Spring Permit Auction – April 7, 2022
13. Adjournment

MINUTES

ALCOHOL AND TOBACCO COMMISSION

FEBRUARY 1, 2022

**CALL TO ORDER/NOTING OF QUORUM**

Chair Allen called the meeting to order and noted the quorum and the attendance. Vice Chairman Payne, Commissioner Maginn, Commissioner Grubb, General Counsel Harrison, Executive Secretary Kirkman, and Prosecutor Wignall were present.

Chair Allen introduced the new Vice Chairman, Jim Payne. He brings a background in both state government and judicial leadership to the role. Vice Chairman Payne served as director of the Indiana Department of Child Services for 8 years and presided over the Marion Superior Court Juvenile Division for 20 years. In addition to involvement with many other professional and civic organizations, Vice Chairman Payne previously served on the National Advisory Council on Alcohol Abuse and Alcoholism. We welcome him to the role of Vice Chairman and look forward to working with him.

**DISPOSITION OF MINUTES**

Commissioner Grubb moved to approve the minutes from the January 19, 2022 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

**PROSECUTOR'S RECOMMENDATIONS**

PARTIES' AGREED DISPOSITIONS – Commissioner Maginn moved to approve the 42 Parties' Agreed Dispositions, submitted by Prosecutor Wignall. There were 42 dispositions with fines totaling \$28,050.00. Commissioner Grubb seconded. The motion was unanimously approved.

RR53-34129 CUAHUIZO-GROUP, LLC – Commissioner Maginn noted this business had a signed agreement with the Prosecutor to cease alcohol sales for a minimum of 120 days and before being allowed to begin alcohol service, would have to provide the Commission with a plan for improving their operations and ask for reinstatement of these privileges. Part of the plan includes only one entrance, removal of deck on the back, more employee training.

Commissioner Maginn moved to reinstate service of alcohol sales to this permittee. Commissioner Grubb 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.

Commissioner Grubb moved to approve and incorporate by reference these lists of permit applications 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 and renewal direct wine seller applications. Commissioner Maginn seconded. The motion was unanimously approved.

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

Commissioner Maginn 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**

RR10-93339 GOLF CLUB MANAGEMENT, INC. – Chair Allen noted this is a request to convert the permit from a type 209 permit to a type 210 permit, due to annexation into the city limits.

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

MM53-30596 LOST IN THE WOODS, LLC – Chair Allen noted this is an application for a farm winery permit that was denied by the Commission due to several concerns at the location. The denial was appealed. The Chair held a prehearing conference with the applicant and discussed the concerns of the Commission. Based on the discussion, Chair Allen recommended the Commission reverse the denial and move the application back to a pending status, while further construction and completion of the permit premises happens and for the applicant to contact the Indiana State Excise Police when the business is ready for a final inspection.

Commissioner Maginn stated that she would like to see more of a permanent structure, running water and utilities before a permit can be granted. Commissioner Grubb agreed.

Commissioner Maginn moved to uphold the Chair's recommendation to reverse the denial and place the permit back to a pending status. Commissioner Grubb seconded. The motion was unanimously approved.

**INACTIVE FILES**

By consent, the Commission approved the changes to the list of inactive files since the posting of the agenda.

Commissioner Grubb moved to make 487 permits that are not subject to auction and 69 permits that are subject to auction dead. Commissioner Maginn seconded. The motion was unanimously approved.

**OLD BUSINESS**

No Old Business

**NEW BUSINESS**

No New Business

**POLICY DETERMINATIONS**

No Policy Determinations

**ANNOUNCEMENTS**

2022 SPRING PERMIT AUCTION – Chair Allen stated the permit auction is scheduled for April 7, 2022 at 10:00 am.

INTRODUCTION OF PROSECUTOR DREW WIGNALL – Chair Allen introduced Drew Wignall, who has been appointed as Prosecutor of the Commission. He came from the Marion County Prosecutor’s Office where he worked for 17 years. Chair Allen welcomed Drew to the Commission.


COMMISSION GENERAL COUNSEL JOSH HARRISON – Chair Allen noted prior ATC Prosecutor Josh Harrison has been appointed as the new General Counsel to the Commission.

**ADJOURNMENT**

Commissioner Grubb moved to adjourn the meeting. Commissioner Maginn seconded. The motion was unanimously approved.

Approved this 15th day of February, 2022.

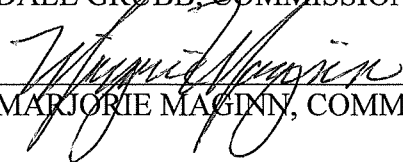
  
\_\_\_\_\_  
JESSICA ALLEN, CHAIR

  
\_\_\_\_\_  
JIM PAYNE, VICE CHAIRMAN



---

DALE GRUBB, COMMISSIONER



---

MARJORIE MAGINN, COMMISSIONER