



STATE OF INDIANA  
ALCOHOL AND TOBACCO COMMISSION

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Indianapolis, IN 46204

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**MEETING MINUTES**

March 4, 2025 | 10:00 A.M.

**CALL TO ORDER/NOTING OF QUORUM**

Chair Allen called the meeting to order and noted the quorum and the attendance. Vice Chair Payne, Commissioner Maginn, Commissioner Jones, Prosecutor Wignall, Deputy Director Serak, General Counsel Merritt, and Senior Attorney Beaucaire were also in attendance.

**DISPOSITION OF MINUTES**

Vice Chair Payne moved to approve the minutes from the February 18, 2025 meeting. Commissioner Jones seconded. The motion was unanimously approved.

**PROSECUTOR'S RECOMMENDATIONS**

PARTIES' AGREED DISPOSITIONS – Vice Chair Payne moved to approve the Parties' Agreed Dispositions, submitted by Prosecutor Wignall. Sixty-six (66) dispositions were submitted with fines totaling \$56,000.00. Commissioner Jones seconded. The motion was unanimously approved.

**CONSIDERATION OF APPLICATIONS**

Chair Allen asked the Commission to add permit #RR49-30984 and remove permit #DL10-31648 from the permit renewal list. Commission approved by consent.

Commissioner Jones 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 the same, pending any escrow hearings, and the inclusion of these lists as part of the minutes. Vice Chair Payne seconded. The motion was unanimously approved.

Commissioner Jones 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. Vice Chair Payne seconded. The motion was unanimously approved.

Commissioner Jones moved to approve the catering applications. Vice Chair Payne seconded. The motion was unanimously approved.

Commissioner Jones moved to approve the carrier applications. Vice Chair Payne seconded. The motion was unanimously approved.

Commissioner Jones moved to approve the direct wine shipper applications. Vice Chair Payne seconded. The motion was unanimously approved.

## **WAIVERS OF FEES – LETTERS OF EXTENSION**

Vice Chair Payne moved to approve the fee waived letters of extension issued in the preceding weeks. Commissioner Jones seconded. The motion was unanimously approved.

## **ITEMS FOR DISCUSSION**

RR29-41923 PVIEW GOLF – Chair Allen noted this is a request to convert this type 209 permit to a type 210 permit, due to annexation.

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

RR43-42100 HERITAGE HOUSE ENTERPRISES LLC – Chair Allen noted this is a request for a catering hall designation.

Commissioner Maginn moved to approve the request to be designated as a catering hall. Commissioner Jones seconded. The motion was unanimously approved.

RR49-41791 SISTAS EVENT CENTER LLC – Chair Allen noted this is a request to be designated as a catering hall.

Commissioner Maginn moved to approve the request to be designated as a catering hall. Commissioner Jones seconded. The motion was unanimously approved.

RR49-40670 P & R ENTERTAINMENT LLC – Chair Allen noted this is on for a Motion to Reinstate Transfer and Remand.

Commissioner Maginn stated the Consent to Transfer this permit was withdrawn, however, the transferee did not withdraw the transfer application. The transfer was denied. The parties have agreed to terms and are requesting approval to refile the transfer and remand it to the local board for investigation. The Commissioner stated the \$250 fee for the transfer must be resubmitted because the previous fee was refunded.

Commissioner Maginn moved to approve the request to file and remand the transfer, pending payment of the \$250 fee. Commissioner Jones seconded. The motion was unanimously approved.

RR67-36816 727 MAIN LLC – Chair Allen noted that this is a renewal with the local board voting 3-0 to deny.

Commissioner Maginn stated this permittee has had violations for serving minors and minors loitering. The owner allows a manager to operate the business. The business is near a college campus. No one was checking identification at the door. The crowds were large enough that Excise had to pull 3-4 other law enforcement agencies to assist.

Commissioner Maginn moved to uphold the local board's recommendation to deny the renewal. Commissioner Jones seconded. The motion was unanimously approved.

RR84-38999 P & PARNITAS LLC – Chair Allen noted this is a renewal with the local board voting 4-0 to deny for failure to appear.

Commissioner Maginn moved to uphold the local board's recommendation to deny. Commissioner Jones seconded. The motion was unanimously approved.

RH34-30011 FH-HOTEL KOKOMO OPCO LLC – Chair Allen stated this is on for an extension request.

Commissioner Maginn stated there were ownership issues with this permit that the commission did not relay to the permittee in a timely manner.

Commissioner Maginn moved to approve a fee-waived extension. Commissioner Jones seconded. The motion was unanimously approved.

RR49-37266 CARNICERIA Y TIENDA MI MEXICO 1 LLC - Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this permittee was operating on a permit extension, but the subsequent extension request was denied. There is a pending violation, a tax protest, and no corrective action plan on file. The business should not be operating, but it appears that it may be. The Commissioner would like Excise to check the status of operations of this business.

Commissioner Maginn moved to deny the extension request. Commissioner Jones seconded. The motion was unanimously approved.

Chair Allen stated it does appear the business may be operating since the tax protest is still not cleared up and a new request for extension has been filed.

RR49-40288 CARNICERIA MI MEXICO LLC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this permittee was granted one extension with the tax protest, but the tax protest is not clear, and a corrective action plan has not been filed. There is a question as to whether this business is operating, so the Commissioner requested that Excise go to the location to check if it is operating.

Commissioner Maginn moved to deny the extension. Commissioner Jones seconded. The motion was unanimously approved.

DL41-32220 FRANKLIN SMOKE TIME INC. – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this business has a grocery permit but appears to be operating as a tobacco store. No grocery store items are being sold. Also, the renewal is missing a property tax clearance form (Form 1).

Commissioner Maginn moved to continue this to March 18, 2025, to allow time for submitting a Form 1 and checking on whether the store is operating as a grocery. The Commissioner also requested a letter be sent from our legal counsel detailing the Commissioner's request.

Commissioner Jones stated he will vote to continue, but he also considered denying given what is going on with the operations of the business.

Chair Allen stated she is in favor of the continuance noting she would like the submission of a corrective action plan demonstrating, since the Excise visit, how they've shifted from a tobacco store to a grocery store.

Vice Chair Payne noted the permittee's name suggests this is a tobacco store and not a grocery.

Vice Chair Payne seconded the motion to continue. The motion was unanimously approved.

RR53-31583 & CT53-32248 KILROY'S ON KIRKWOOD LLC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated the permittee is working on ownership issues.

Commissioner Maginn moved to approve the extension request. Commissioner Jones seconded. The motion was unanimously approved.

RR53-31585 KILROY'S SPORTS LLC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this permittee had a violation last year which is settled.

Commissioner Maginn moved to approve the extension request. Commissioner Jones seconded. The motion was unanimously approved.

RH32-22725 SOUTHWEST HOTEL PARTNERS, LLC – Chair Allen asked that this extension request be added to the agenda by consent. Consent was granted.

Commissioner Maginn stated the ownership paperwork has been submitted but has not yet been reviewed.

Commissioner Maginn moved to approve the extension request pending payment of the fee. Commissioner Jones seconded. The motion was unanimously approved.

RR49-94330 TAYLOR INC – Chair Allen asked that this extension request be added to the agenda by consent. Consent was granted.

Commissioner Maginn stated the permittee had a violation last year that was settled, so they must attend the local board hearing regarding renewal of the permit.

Chair Allen noted the local board was set for March 3, 2025, but was continued due to the violation.

Commissioner Maginn moved to approve the extension. Vice Chair Payne seconded. The motion was unanimously approved.

### **INACTIVE FILES**

Commissioner Maginn moved to make 14 permits dead that were previously announced on the February 18, 2025 meeting agenda. Commissioner Jones seconded. The motion was unanimously approved.

Chair Allen stated that there are 25 permits to be made dead at the March 18, 2025 meeting which are posted on the agenda for today's meeting.

### **ANNOUNCEMENTS**

2025 AMENDED COMMISSION MEETING DATES - Chair Allen stated the next 2025 Amended Meeting Dates are:

Wednesday, May 28, 2025 (escrow hearing)  
Wednesday, September 3, 2025 (commission meeting)  
December 2025 (no escrow hearing)

TRACKING HOLDS ON PERMITS – Chair Allen stated that the Commission is beginning to track permit holds to help in efficiency with processing applications. As of today's date, there are 122 holds on the permits for approval on the agenda, which is 23.7% of the total. The last meeting was 23.3%. The Commission will continue to track these.

### ADJOURNMENT

Vice Chair Payne moved to adjourn the meeting. Commissioner Jones seconded. The motion was unanimously approved.

Approved this 18<sup>th</sup> day of March, 2025.

DocuSigned by:

*Jessica Allen*

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Jessica Allen, Chair

Signed by:

*James Payne*

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James W. Payne, Vice Chair

Signed by:

*Marjorie Maginn*

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Marjorie Maginn, Commissioner

Signed by:

*Mark Jones*

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Mark A. Jones, Commissioner