



STATE OF INDIANA  
ALCOHOL AND TOBACCO COMMISSION

302 West Washington Street  
IGCS Room E114  
Indianapolis, IN 46204

Telephone (317) 232-2430  
Fax (317) 233-6114  
[www.IN.gov/atc](http://www.IN.gov/atc)

**MEETING MINUTES**

July 1, 2025

**CALL TO ORDER/NOTING OF QUORUM**

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

**DISPOSITION OF MINUTES**

Commissioner Maginn moved to approve the minutes of the June 17, 2025 meeting. Commissioner Jones seconded. The motion was unanimously approved.

**PROSECUTOR'S RECOMMENDATIONS**

PARTIES' AGREED DISPOSITIONS – Commissioner Jones moved to approve the Parties' Agreed Dispositions, submitted by Prosecutor Wignall. Eighty-two (82) dispositions were submitted with fines totaling \$51,500.00. Commissioner Maginn seconded. The motion was unanimously approved.

**CONSIDERATION OF APPLICATIONS**

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 moved for approval of the 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 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 moved 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 Jones moved to approve the catering applications. Commissioner Maginn seconded. The motion was unanimously approved.

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

**WAIVERS OF FEES – LETTERS OF EXTENSION**

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

## ITEMS FOR DISCUSSION

RR50-02170 MAYFLOWER INC. – Chair Allen noted this is a request for remand of a renewal application that was denied.

Commissioner Maginn stated this permittee failed to appear at the local board hearing to discuss criminal convictions. The permittee has retained counsel and is requesting another opportunity to appear before the local board.

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

RR41-86068 CARTER ICEHOUSE INC. II – Chair Allen noted this is a request to convert a type 209 permit to a type 210 permit due to annexation of the location.

Commissioner Maginn stated the annexation took place in 1998 and the business was open two years prior to that annexation.

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

DL49-33961 CENTRAL INDIANA PACKAGE GROUP I-1 LLC – Chair Allen noted this was continued from the June 17, 2025 meeting to allow time to investigate whether the tax clearance provided to the Commission was valid. The Chair stated the tax clearance was valid.

Commissioner Maginn stated an affidavit of purchase price and a corrected address still needs to be submitted. Commissioner Maginn moved to approve the transfer, but no one seconded the motion.

Chair Allen noted this is the same owner that was denied at the last meeting for character issues; however, this permit does not have the same forgeries. The local board did not have any of this information when the transfer was approved.

Commissioner Jones moved to remand the transfer to the local board for reinvestigation. Chair Allen seconded. The motion was unanimously approved.

RR92-35660 JK TATER RHA LLC – Chair Allen noted this was on for an extension request due to a hold on the permit. The hold has now been removed, so an extension is no longer needed. No action taken.

RR45-10574 PETER CYRIL KMETZ – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated there were missing items on the renewal, so it could not be scheduled for a local board hearing. Those items have been received.

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

RR49-38051 OHSR ENTERPRISE LLC – Chair Allen noted this is on for an extension request following denial of the permit.

Commissioner Maginn stated this business has been cited for several violations in the past. Those have been settled. A corrective plan has been submitted that should help with the problems, if the plan is followed.

Commissioner Maginn moved to approve the extension request, noting the expectation of strict compliance with laws and regulations. Commissioner Jones seconded with the caveat of strict compliance. Chair Allen stated keeping the extension is going to be based on strict compliance and if further violations or major incidents occur a reconsideration of the extension could be a possibility. The motion was unanimously approved.

Chair Allen and Commissioner Jones also noted approving the extension does not have any bearing on how they will vote on the appeal.

RR49-27664 EL CHISPAS NO. 2 LLC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated the renewal was denied and is currently under appeal. There is also a request to file a transfer to a new owner and to allow that transferee to be allowed to manage the business while the transfer is being processed. Because the Commission is not familiar with this new possible owner, the Commissioner asked legal staff to check into the applicant's knowledge of alcohol laws and how they would operate the business.

Commissioner Maginn moved to approve an extension until July 15<sup>th</sup> to allow time for this investigation. Commissioner Jones seconded.

Chair Allen stated she has similar questions. At this time, the only thing submitted is a company name that is asking to be allowed to manage a denied permit. Indiana Secretary of State records list an incorporator and an agent, but we have no records on file for them. There is a corrective action plan on file, but it is for the current owner/operator. There is no indication how the business may operate with new owners, security practices, de-escalation procedures, etc.

The motion was unanimously approved.

RR48-14318 BEARVON CORPORATION – Chair Allen noted this is on for an extension request.

Commissioner Jones stated there is a pending violation. Prosecutor Wignall stated the permittee failed to appear for the settlement conference, but he has been in contact with counsel since that time.

Commissioner Jones stated one of the owners of this permit is a party to an appeal that is being heard by him. He noted his vote on the extension request has no bearing on the pending appeal.

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

### **INACTIVE FILES**

Commissioner Maginn moved to make 13 permits dead that were previously posted on the June 17, 2025 meeting agenda. Commissioner Jones seconded. The motion was unanimously approved.

Chair Allen stated there are seven (7) permits posted to be made dead at the July 15, 2025 meeting for failure to submit renewals.

## ANNOUNCEMENTS

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

- Wednesday, September 3, 2025 (Commission meeting)
- December 2025 (no escrow hearings)

## ADJOURNMENT

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

Approved this 15<sup>th</sup> day of July, 2025.

DocuSigned by:

*Jessica Allen*

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Jessica Allen, Chair

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