

ALCOHOL AND TOBACCO COMMISSION

February 10, 2015

10:00 A.M.

1. Call to Order and Noting of Quorum –

2. Disposition of Minutes

January 20, 2015

3. Prosecutor's Recommendations –

PAD Forms

4. Hearing Judge's Recommendations –

5. Consideration of Applications -

860 Renewals
58 New/Transfers
14 Catering
9 1st Year Escrow
8 2nd Year Escrow
1 3rd Year Escrow
7 4th Year Escrow
1 5th Year Escrow
2 New Carriers
8 Renewal Carriers

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

7. Applications for Discussion –

RR35-30939 Emily's Restaurant, LLC – New beer and wine application with the local board recommending denial.

8. Inactive Files –

15 Permits Subject to Auction
34 Permits Not Subject to Auction

9. Old Business -

10. New Business -

Revocation of Employee Permits

11. Policy Determinations –

12. Announcements -

13. Adjournment

MINUTES

ALCOHOL AND TOBACCO COMMISSION

FEBRUARY 10, 2015

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. Also in attendance were Commission Counsel Allen, Prosecutor Mader, and Superintendent Strittmatter.

Chairman Cook introduced and welcomed new commissioners, David Coleman and Marjorie Maginn.

Jenny Drewry, Melissa Coxey, Matt Bell, Matt Brase, Mark Webb, Deb Scott, Bart Herriman, Diane Masariu, and Greg Genrich were present as observers.

DISPOSITION OF MINUTES

Commissioner Grubb moved to approve the minutes from the January 20, 2015 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Prosecutor Mader recommended the Commission approve the 77 Parties' Agreed Dispositions that were submitted, totaling approximately \$34,275.00 in fines.

Commissioner Grubb moved to approve the Dispositions that were submitted for the February 10, 2015 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, either with or without a quorum at the local board meeting, which have been recommended by local boards and reviewed by our staff with the authority of the Commission. 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 were either recommended for approval by local boards or where a quorum was not present, and reviewed by at least two Commissioners. Vice Chairman Coleman seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve and incorporate by reference these lists of permit 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. Vice Chairman Coleman seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve the new and renewal permits for carriers. Commissioner Maginn seconded. The motion was unanimously approved.

Eight hundred sixty (860) renewals approved, fifty-eight (58) new and/or transfer applications approved, fourteen (14) permits approved for catering, nine (9) permits approved for first year escrow, eight (8) permits approved for second year escrow, one (1) permit approved for third year escrow, seven (7) permits approved for fourth year escrow, one (1) permit approved for fifth year escrow, two (2) new permits for carriers and eight (8) renewal permits for carriers.

RENEWAL LETTERS AND WAIVER OF FEES

Commissioner Grubb moved to approve the renewal and fee waived letters of extension for the preceding weeks. Vice Chairman Coleman seconded. The motion was unanimously approved.

APPLICATIONS FOR DISCUSSION

R35-30939 EMILY'S RESTAURANT, LLC – Commission Counsel Allen noted this is a new beer and wine application. The local board recommended denial of the permit because the applicant did not appear at the meeting. The board also noted the business appears to be closed.

Commissioner Grubb moved to uphold the local board's recommendation and deny the new permit. Commissioner Maginn seconded. The motion was unanimously approved.

INACTIVE FILES

Commissioner Grubb moved to make forty-nine (49) permits inactive. Fifteen permits are subject to auction and thirty-four permits are not subject to auction. Vice Chairman Coleman seconded. The motion was unanimously approved.

OLD BUSINESS

No Old Business

NEW BUSINESS

REVOCAION OF EMPLOYEE PERMITS

--- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Cindy L. Bowers, permit #BR1667082. Ms. Bowers will not be eligible to hold an employee permit until July 28, 2017.

Commissioner Grubb stated after conducting an investigation of the permittee, Senior Officer Rich Swallow recommended the Commission revoke the permit.

Commissioner Grubb moved to uphold the recommendation of Officer Swallow and revoke the employee permit. Commissioner Maginn seconded. The motion was unanimously approved.

--- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Evan R. Egelhoff, permit #BR1771733. Mr. Egelhoff will not be eligible to hold an employee permit until July 20, 2018.

Commissioner Grubb stated after conducting an investigation of the permittee, Senior Officer Rich Swallow recommended the Commission revoke the permit.

Commissioner Grubb moved to uphold the recommendation of Officer Swallow and revoke the employee permit. Vice Chairman Coleman seconded. The motion was unanimously approved.

--- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Cari L. Clark, permit #BR1465098. Ms. Clark will not be eligible to hold an employee permit until January 12, 2016.

Commissioner Grubb stated after conducting an investigation of the permittee, Senior Officer Rich Swallow recommended the Commission revoke the permit.

Commissioner Grubb moved to uphold the recommendation of Officer Swallow and revoke the employee permit. Commissioner Maginn seconded. The motion was unanimously approved.

--- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Thomas J. Sajda, permit #BR1657945. Mr. Sajda will not be eligible to hold an employee permit until July 24, 2016.

Commissioner Grubb stated after conducting an investigation of the permittee, Senior Officer Rich Swallow recommended the Commission revoke the permit.

Commissioner Grubb moved to uphold the recommendation of Officer Swallow and revoke the employee permit. Vice Chairman Coleman seconded. The motion was unanimously approved.

--- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Christina M. Stiles, permit #BR1721314. Ms. Stiles will not be eligible to hold an employee permit until July 14, 2017.

Commissioner Grubb stated after conducting an investigation of the permittee, Senior Officer Rich Swallow recommended the Commission revoke the permit.

Commissioner Grubb moved to uphold the recommendation of Officer Swallow and revoke the employee permit. Commissioner Maginn seconded. The motion was unanimously approved.

--- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Ashley C. Garrett, permit #BR1786936. Ms. Garrett will not be eligible to hold an employee permit until February 2, 2016.

Commissioner Grubb stated after conducting an investigation of the permittee, Senior Officer Rich Swallow recommended the Commission revoke the permit.

Commissioner Grubb moved to uphold the recommendation of Officer Swallow and revoke the employee permit. Vice Chairman Coleman seconded. The motion was unanimously approved.

--- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Shannon M. Weiss, permit #BR1479577. Ms. Weiss will not be eligible to hold an employee permit until January 14, 2016.

Commissioner Grubb stated after conducting an investigation of the permittee, Senior Officer Rich Swallow recommended the Commission revoke the permit.

Commissioner Grubb moved to uphold the recommendation of Officer Swallow and revoke the employee permit. Commissioner Maginn seconded. The motion was unanimously approved.

--- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Jennifer R. Rickett, permit #BR1705865. Ms. Rickett will not be eligible to hold an employee permit until January 26, 2018.

Commissioner Grubb stated after conducting an investigation of the permittee, Senior Officer Rich Swallow recommended the Commission revoke the permit.

Commissioner Grubb moved to uphold the recommendation of Officer Swallow and revoke the employee permit. Vice Chairman Coleman seconded. The motion was unanimously approved.

POLICY DETERMINATIONS

No Policy Determinations

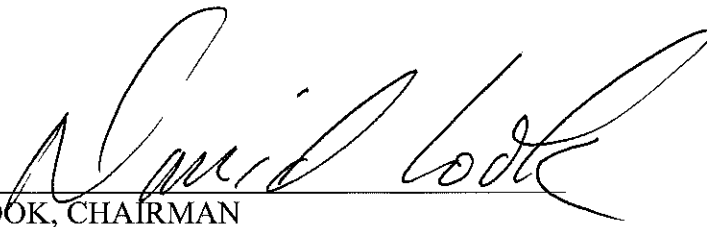
ANNOUNCEMENTS

No Announcements

ADJOURNMENT

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

Approved this _____ day of _____, 2015.



DAVID COOK, CHAIRMAN



DAVID COLEMAN, VICE CHAIRMAN



DALE GRUBB, COMMISSIONER



MARJORIE MAGINN, COMMISSIONER