

MINUTES

ALCOHOL AND TOBACCO COMMISSION

AUGUST 14, 2013

CALL TO ORDER/NOTING OF QUORUM

Chairman Huskey called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Johnson and Commissioner Grubb. Also in attendance were Staff Attorney Coxey and Officer Bedwell.

Matt Brase, Diane Masariu, Jeff McKean, Marc Carmichael, Mark Webb, and Debbie Rolfson were present as observers.

DISPOSITION OF MINUTES

Commissioner Grubb moved to approve the minutes that were submitted for the July 23, 2013 meeting. Vice Chairman Johnson seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Staff Attorney Coxey recommended approval of the parties' agreed disposition forms (PAD) that were submitted for the August 14, 2013 meeting.

Chairman Huskey stated he would like to remand the PAD for permit #RR49-95344 to Prosecutor Drewry for further review.

Commissioner Grubb moved to approve the PAD forms that were submitted, but remand the PAD for permit #RR49-95344. Vice Chairman Johnson seconded. The motion was unanimously approved.

CONSIDERATION OF APPLICATIONS

Vice Chairman Johnson 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 Grubb seconded. The motion was unanimously approved.

Vice Chairman Johnson 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. Commissioner Grubb seconded. The motion was unanimously approved.

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

Vice Chairman Johnson 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. Commissioner Grubb seconded. The motion was unanimously approved.

Seven hundred sixty-four (764) renewals approved, twenty-one (21) new and/or transfer applications approved, seventeen (17) catering applications approved, six (6) permits approved for first year escrow, twelve (12) permits approved for second year escrow and two (2) permits approved for third year escrow.

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 Johnson seconded. The motion was unanimously approved.

APPLICATIONS FOR DISCUSSION

DL08-29860 DOLGENCORP, LLC – Vice Chairman Johnson noted this is a new beer and wine grocery application with the local board voting four (4) to zero (0) to approve.

Vice Chairman Johnson moved to uphold the local board and approval the new permit. Commissioner Grubb seconded. The motion was unanimously approved.

INACTIVE FILES

No Inactive files

OLD BUSINESS

No Old Business

NEW BUSINESS

REVOCATION OF EMPLOYEE PERMITS

-- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Sabrina L. Allen, permit #BR1747149. Ms. Allen is on probation for 359 days and will not be eligible to hold an employee permit until July 27, 2014.

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 Johnson seconded. The motion was unanimously approved.

-- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Jessica L. Stone, permit #BR1578370. Ms. Stone is on probation for 180 days and will not be eligible to hold an employee permit until February 8, 2014.

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 Johnson 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 Strohl, permit #BR1530426. Ms. Strohl is on probation for 335 days and will not be eligible to hold an employee permit until March 16, 2014.

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 Johnson seconded. The motion was unanimously approved.

POLICY DETERMINATIONS

SERVER TRAINING PROGRAMS – Officer Heather Lynch came before the Commission regarding three (3) different companies that wish to have their server training programs approved by the Commission. The companies are: TIPS, Serve Safe and 360 Training.com. Officer Lynch reviewed all three programs and stated with just a few minor adjustments, she would recommend all of them to be approved by the Commission. She felt some of them even went over and above what is required by us.

Vice Chairman Johnson moved to approve the server training programs that were recommended by Officer Lynch. Commissioner Grubb seconded. The motion was unanimously approved.

ANNOUNCEMENTS

ALL PERMITS MAILED – Chairman Huskey stated it is no longer possible for permits to be picked up from this office. All permits are mailed directly from Pitney Bose.

LETTERS OF AUTHORITY – Chairman Huskey stated that due to the new operating system used by this Commission and the speed by which permits are now issued, the Commission, as a rule, will no longer be issuing Letters of Authority for permits recommended to be approved at the local board, but not yet approved by the Commission. This office is trying to streamline the process to better serve the public, but these requests cause processors and those who type the letters to stop the normal flow of work to do something else. And, there is not statutory authority for the issuance of these letters. The Chairman also said that the Commission will consider issuing Letters of Authority after Commission approval under unusual circumstances. The requests must be made in writing.

Chairman Huskey approved the requests that were made prior to this meeting regarding permits approved at this meeting because this policy had not been clarified.

ADJOURNMENT

Commissioner Grubb moved to adjourn the meeting. Chairman Huskey adjourned the meeting.

Approved this _____ day of _____, 2013.

ALEX HUSKEY, CHAIRMAN

DAVID JOHNSON, VICE CHAIRMAN

DALE GRUBB, COMMISSIONER