

ALCOHOL AND TOBACCO COMMISSION

October 21, 2014

10:00 A.M.

1. Call to Order and Noting of Quorum –

2. Disposition of Minutes

October 7, 2014

3. Prosecutor's Recommendations –

PAD Forms

4. Hearing Judge's Recommendations –

5. Consideration of Applications -

666 Renewals

75 New/Transfers

1 Catering

3 1st Year Escrow

2 5th Year Escrow

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

7. Applications for Discussion –

RR45-30621 Ichibahn, Inc. -- Transfer of ownership and location with the local board voting 1-1
with 1 abstention

8. Inactive Files –

6 Permits Not Subject to Auction

9. Old Business -

10. New Business -

Revocation of employee permits

11. Policy Determinations –

12. Announcements -

1st November Commission Meeting – Wednesday, November 5th

13. Adjournment

MINUTES

ALCOHOL AND TOBACCO COMMISSION

OCTOBER 21, 2014

CALL TO ORDER/NOTING OF QUORUM

Chairman Johnson called the meeting to order and noted the quorum and the attendance. Present were Commissioner Coxey and Commissioner Grubb. Also in attendance were Executive Secretary Rothenberg, Commission Counsel Allen, Prosecutor Mader, Master Officer Bedwell and Superintendent Strittmatter.

Bart Herriman, Marc Carmichael, Patrick Tamm, Alex Intermill, Grant Monahan, Mark Webb, Joe Kovera, Diane Masariu, Matt Brase and Jeff McKean were present as observers.

DISPOSITION OF MINUTES

Commissioner Grubb moved to approve the minutes for the October 7, 2014 meeting. Commissioner Coxey seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Prosecutor Mader recommended the Commission approve the 96 Parties' Agreed Dispositions that were submitted.

Commissioner Grubb moved to approve the Dispositions that were submitted for the October 21, 2014 meeting. Commissioner Coxey seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

No Hearing Judge's Recommendations

CONSIDERATION OF APPLICATIONS

Commissioner Coxey 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.

Commissioner Coxey 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 by local boards or where a quorum was not present, and reviewed by at least two Commissioners. Commissioner Grubb seconded. The motion was unanimously approved.

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

Commissioner Coxey 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.

Six hundred sixty-six (666) renewals approved, seventy-five (75) new and/or transfer applications approved, one (1) permit approved for catering, three (3) permits approved for first year escrow and two (2) permits approved for fifth 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. Commissioner Coxey seconded. The motion was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR45-30621 ICHIBAHN, INC. – Commissioner Coxey stated this is a transfer of ownership and location with the local board voting 1-1, with one member abstaining.

Commissioner Coxey noted that when there is a tie vote of the local board, no recommendation is made to the Commission. She also stated that after reviewing the evidence, the Excise officer voted to approve the transfers.

Commissioner Coxey moved to approve the transfer of location and ownership of the permit. Commissioner Grubb seconded. The motion was unanimously approved.

INACTIVE FILES

Commissioner Grubb moved to make six (6) permits inactive. All six (6) permits are not subject to auction. Commissioner Coxey 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: Patrick T. Cawley, permit #BR1786330. Mr. Cawley will not be eligible to hold an employee permit until April 13, 2015.

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 Coxey seconded. The motion was unanimously approved.

--- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Payton M. Mabrey, permit #BR1769334. Ms. Mabrey will not be eligible to hold an employee permit until October 15, 2015.

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 Coxey seconded. The motion was unanimously approved.

--- Commissioner Grubb stated the following permittee was convicted of a disqualifying crime after this employee permit was issued: Christine N. Journay, permit #BR1774307. Ms. Journay will not be eligible to hold an employee permit until October 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 Coxey seconded. The motion was unanimously approved.

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

NOVEMBER ATC COMMISSION MEETING – Vice Chairman Johnson stated that due to Election Day, the first meeting in November will be held on Wednesday, November 5th, instead of Tuesday, November 4th.

ATC PERMIT AUCTION – Executive Secretary Rothenberg stated the auction is scheduled for Monday, October 27, 2014 at 11:00 am.

ADJOURNMENT

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

Approved this 5th day of November, 2014.



DAVID JOHNSON, CHAIRMAN

To Dale Grubb

DALE GRUBB, COMMISSIONER

Melissa Coxey

MELISSA COXEY, COMMISSIONER