

ALCOHOL AND TOBACCO COMMISSION

AUGUST 1, 2017

10:00 A.M.

1. Call to Order and Noting of Quorum –

2. Disposition of Minutes

July 18, 2017

3. Prosecutor's Recommendations –

PAD Forms

4. Hearing Judge's Recommendations –

5. Consideration of Applications -

340 renewals
40 new/transfer
12 catering
4 1st year escrow
3 2nd year escrow
2 3rd year escrow
4 4th year escrow
1 5th year escrow
15 new/renewal carrier
21 new/renewal direct wine shipper
7 new e-liquid

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

7. Applications for Discussion –

RR53-33210 Point Properties, LLC – Transfer with LB voting 2-2

DL47-28655 Jaskiran Corporation – Renewal with LB voting 4-0 to deny

8. Inactive Files –

8 permits not subject to auction
3 permits subject to auction

9. Old Business -

Removal of Probationary Status - Alcohol Treatment Program –
BR1777857 Evan Clark Lahee
BR1812351 Melanie Deenihan

10. New Business –

Probationary status of employee permits –
BR1791908 Monica F Sears – 1 conviction

11. Policy Determinations –

12. Announcements -

13. Adjournment

MINUTES

ALCOHOL AND TOBACCO COMMISSION

AUGUST 1, 2017

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. Commission Counsel Allen and Prosecutor Mader, were also in attendance.

Brooke Burtnett, Schuyler Culver, Matt Brase, Katie Maddox, Greg Genrich, Davey Neal, Marc Carmichael, Jeff McKean, and Jenny Drewry, were present as observers.

DISPOSITION OF MINUTES

Vice Chairman Coleman moved to approve the minutes from the July 18, 2017 meeting. Commissioner Grubb seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Prosecutor Mader recommended the Commission approve the 53 Parties' Agreed Dispositions that were submitted, totaling \$13,525.00 in fines.

Commissioner Grubb moved to approve the Dispositions that were submitted for the August 1, 2017 meeting. Commissioner Maginn 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, which have been recommended by local boards and reviewed by our staff with the authority of the commission and hereby move for approval of same and the inclusion of these lists as part of the minutes. 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 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 inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve and incorporate by reference these lists of 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 and hereby move for approval of same and the inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

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

Commissioner Grubb moved to approve the new and renewal direct wine shipper permits. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Grubb moved to approve the new e-liquid permit applications. Commissioner Maginn seconded. The motion was unanimously approved.

Three hundred forty (340) renewals approved, forty (40) new and/or transfer applications approved, twelve (12) permits approved for catering, four (4) permits approved for first year escrow, three (3) permits approved for second year escrow, two (2) permits approved for third year escrow, four (4) permits approved for fourth year escrow, one (1) permit approved for fifth year escrow, fifteen (15) new and renewal carrier permits approved, twenty-one (21) new and renewal direct wine shipper permits approved and seven (7) new e-liquid permits approved.

RENEWAL LETTERS AND WAIVERS OF FEES

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

APPLICATIONS FOR DISCUSSION

RR53-33210 POINTE PROPERTIES, LLC – Chairman Cook noted this is a transfer application with the local board voting 2-2.

Chairman Cook stated the local board seemed to focus on the criminal history of the applicant, who has a conviction that is over 10 years old for fraud. The applicant served his probation and paid back all of the money owed. The Chairman sees no reason not to approve this for one year.

Vice Chairman Coleman moved to approve the transfer for one year. Commissioner Maginn seconded. The motion was unanimously approved.

DL47-28655 JASKIRAN CORPORATION – Chairman Cook noted this is a renewal with the local board voting 4-0 to disapprove.

Chairman Cook stated this renewal was issued in error in June. The permittee was denied for not appearing before the local board due to a violation. The Chairman recommended the renewal be remanded to the local board because the permittee received the permit, which may be the reason for not appearing.

Commissioner Maginn asked that a letter be sent to the permittee to notify him of the situation and that it is a requirement to appear at the local board meeting.

Vice Chairman Coleman moved to remand the renewal to the local board. Commissioner Maginn seconded. The motion was unanimously approved.

INACTIVE FILES

Commissioner Grubb moved to make eleven (11) permits inactive. Eight permits are not subject to auction and three permits are subject to auction. Commissioner Maginn seconded. The motion was unanimously approved.

OLD BUSINESS

REMOVAL FROM PROBATIONARY STATUS – Commissioner Grubb moved to remove the following permittees from probationary status. They provided proof of completion of an alcohol treatment program. Commissioner Maginn seconded. The motion was unanimously approved.

BR1777857 Evan Clark Lahee and BR1812351 Melanie Deenihan

NEW BUSINESS

PROBATIONARY EMPLOYEE PERMITS - Commissioner Grubb moved, pursuant to IC 7.1-3-18-9.5, to order the following employee permit holder(s) to complete an alcohol evaluation and treatment program within the next six months and provide proof of same to the Commission. The Commissioner further moved to reschedule for the January 2, 2018 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

BR1791908 Monica F Sears

POLICY DETERMINATIONS

No Policy Determinations

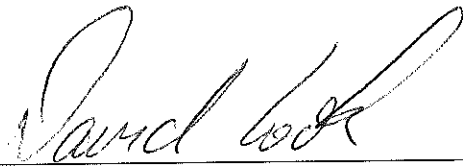
ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Vice Chairman Coleman moved to adjourn the meeting. Commissioner Maginn seconded. The motion was unanimously approved.

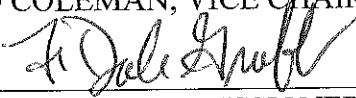
Approved this 15th day of August, 2017.



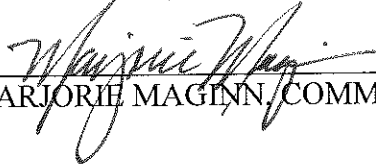
DAVID COOK, CHAIRMAN



DAVID COLEMAN, VICE CHAIRMAN



DALE GRUBB, COMMISSIONER



MARJORIE MAGINN, COMMISSIONER