

ALCOHOL AND TOBACCO COMMISSION

January 22, 2020

10:00 A.M.

1. Call to Order and Noting of Quorum –

2. Disposition of Minutes –

January 7, 201~~9~~20

3. Prosecutor's Recommendations –

PAD Forms

4. Hearing Judge's Recommendations –

BR1810693 Grace McDonald – Proposed Findings of Fact

5. Consideration of Applications -

494 renewals

110 new/transfers

3 catering

15 new/renewal carriers

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

7. Applications for Discussion –

RR45-34866 Galaxie Properties, LLC – renewal with LB voting 4-0 to deny

DL49-05958 Ekjyot, LLC – renewal with LB voting 3-0 to deny

RR53-10239 Walnut Greeks, LLC – conversion from catering hall to restaurant

8. Inactive Files –

3 permits not subject to auction

2 permits subject to auction

9. Old Business -

10. New Business –

11. Policy Determinations –

12. Announcements -

Round Table Discussions

13. Adjournment

## MINUTES

### ALCOHOL AND TOBACCO COMMISSION

JANUARY 22, 2020

#### CALL TO ORDER/NOTING OF QUORUM

Chairman Cook called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Krauss, Commissioner Maginn and Commissioner Grubb. Prosecutor Harrison, Industry Liaison Stewart, Executive Secretary Allen and Commission Counsel Hyer were in attendance.

Mark Webb, Carmen Batts-Porter, Greg Genrich, Scott Bedwell, Sarah Quinn, David Rothenberg, Davey Neal and Gretchen White were present as observers.

#### DISPOSITION OF MINUTES

Vice Chairman Krauss moved to approve the minutes from the January 7, 2019 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

#### PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Prosecutor Harrison noted there are 59 Parties' Agreed Dispositions, totaling \$24,950.00 in fines, for the Commission's approval.

The Prosecutor highlighted a few dispositions: DL49-03933, 4<sup>th</sup> sale to minor, \$1,500.00 fine; DL69-04165, 2<sup>nd</sup> sale to minor in 2019, \$2,100.00 fine; RR49-04646, public nuisance---shooting inside business, \$1,000.00 fine and PACE notification; MM02-30110, self-distributing to business without permit, deferral; DL06-30659, sale of counterfeit Juul pods, \$1,000.00 fine; RR20-30934, falsification and failure to meet qualifications, revocation; RR87-32840, sale to intoxicated person, \$1,150.00 fine; RR52-33035, high and fine reputation, sales to intoxicated persons and public nuisance, \$1,150.00 fine; TC13405001, sale of e-liquid to minor, \$1,000.00 fine.

Commissioner Grubb moved to approve the PAD forms submitted by the Prosecutor. Commissioner Maginn seconded. The motion was unanimously approved.

#### HEARING JUDGE'S RECOMMENDATIONS

BR1810693 GRACE MCDONALD – Hearing Judge Allen noted this is a denial of permit due to the permittee having three convictions for OWI, which by statute makes her eligibility date to hold a permit September 16, 2025. Permittee filed an appeal and an appeal hearing was held. The Hearing Judge submits the Proposed Findings of Fact and Conclusions of Law for recommendation to the Commission.

Vice Chairman Krauss moved to uphold the Hearing Judge's recommendation to revoke the permit. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Maginn moved to remand this to the local board and ask that they deal with the alcohol violations and not the agreement. Vice Chairman Krauss seconded. The motion was unanimously approved.

RR53-10239 WALNUT GREEKS, LLC – Executive Secretary Allen stated this permittee is currently designated as a catering hall, but would like to change the designation to restaurant. This is normally done at renewal time, however, the business plan has changed. The Executive Secretary recommended this be approved and to make sure the permittee is aware that this cannot be changed back before time to renew.

Vice Chairman Krauss moved to uphold the Executive Secretary’s recommendation. Commissioner Maginn seconded. The motion was unanimously approved.

**INACTIVE FILES**

Vice Chairman Krauss moved to make three (3) permits inactive. All three are not subject to auction. Commissioner Maginn seconded. The motion was unanimously approved. There were two permits subject to auction, but they were continued to February 4, 2020 for consideration.

**OLD BUSINESS**

No Old Business

**NEW BUSINESS**

No New Business

**POLICY DETERMINATIONS**

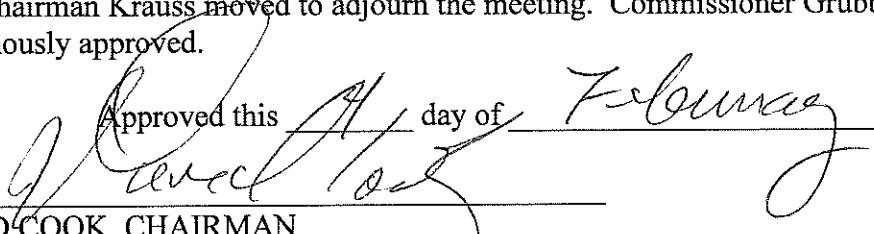
No Policy Determinations

**ANNOUNCEMENTS**

ROUND TABLE DISCUSSIONS - Commission Counsel Hyer provided the list of dates.

**ADJOURNMENT**

Vice Chairman Krauss moved to adjourn the meeting. Commissioner Grubb seconded. The motion was unanimously approved.

Approved this 14 day of February, 2020.  


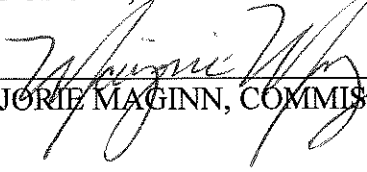
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DAVID COOK, CHAIRMAN

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JOHN KRAUSS, VICE CHAIRMAN



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DALE GRUBB, COMMISSIONER



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MARJORIE MAGINN, COMMISSIONER