

MINUTES
ALCOHOL AND TOBACCO COMMISSION
MAY 19, 2026

CALL TO ORDER/NOTING OF QUORUM

Chairwoman Allen called the meeting to order and noted the quorum and the attendance. Vice Chairman Payne, Commissioner Maginn, Prosecutor Wignall, Deputy Director Serak, General Counsel Beaucaire and Senior Attorney Daphne Whitmire were in attendance.

Chairwoman Allen introduced and welcomed Commissioner Megan Garver, who is replacing Commissioner Mark Jones. She will be observing today's meeting.

DISPOSITION OF MINUTES

Vice Chairman Payne moved to approve the minutes from the May 6, 2026 meeting. Commissioner Maginn seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS - Vice Chairman Payne moved to approve the Parties' Agreed Dispositions, submitted by Prosecutor Wignall. Thirty-five dispositions were submitted with fines totaling \$24,500.00. Commissioner Maginn seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

No Hearing Judge's Recommendations

CONSIDERATION OF APPLICATIONS

Vice Chairman Payne moved to approve and incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of the same, pending any escrow hearings, and the inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Vice Chairman Payne moved to approve and incorporate by reference these lists of permit applications for a new permit or application for changes in location, 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 escrow, if needed, and inclusion of these lists as part of the minutes. Commissioner Maginn seconded. The motion was unanimously approved.

Vice Chairman Payne moved to approve the catering applications. Commissioner Maginn seconded. The motion was unanimously approved.

Vice Chairman Payne moved to approve the direct wine shipper applications. Commissioner Maginn seconded. The motion was unanimously approved.

WAIVER OF FEES – LETTERS OF EXTENSION

Vice Chairman Payne moved to approve the fee-waived letters of extension that were issued the preceding weeks. Commissioner Maginn seconded. The motion was unanimously approved.

ITEMS FOR DISCUSSION

RC84-00191 WAYNE NEWTON POST NUMBER 346 OF THE AMERICAN LEGION, INC. - Chairwoman Allen noted this is a renewal with the local board voting 2-2, continued from May 6th.

Commissioner Maginn stated a corrective action plan was submitted but it was not detailed enough regarding how to prevent future violations, so she requested an addition letter to be sent requesting more detail.

Commissioner Maginn moved to continue this to allow more time to submit an amended corrective action plan. Vice Chairman Payne seconded.

Vice Chairman Payne stated he understands that this is a veteran's organization that probably staffs with volunteers, but they need to do better at complying with rules and regulations.

Chairwoman Allen would like to see specific business practices in the plan that will be followed moving forward.

The motion was unanimously approved.

RR18-02644 BIG SHOTS PUB, INC. – Chairwoman Allen noted this is a renewal with the local board voting 3-0 to deny.

Commissioner Maginn stated the permittee was given a 1 yr renewal last year. Problems are still occurring at the business causing a third public nuisance violation to be issued.

Commissioner Maginn moved to uphold the local board recommendation to deny the renewal. Vice Chairman Payne seconded. The motion was unanimously approved.

RR28-43176 BARBARY'S LLC – Chairwoman Allen noted this is a transfer with the local board voting 3-0 to deny for failure to appear.

Commissioner Maginn moved to uphold the local board's recommendation to deny the transfer. Vice Chairman Payne seconded. The motion was unanimously approved.

RR49-43207 THE POINT 2.0 LLC – Chairwoman Allen noted this is a transfer with the local board voting 4-0 to deny.

Commissioner Maginn moved to uphold the local board’s recommendation to deny for failure to appear. Vice Chairman Payne seconded. The motion was unanimously approved.

RR49-43672 TRIXX LLC – Chairwoman Allen noted this is a transfer with the local board voting 3-1 to approve for one year.

Commissioner Maginn stated the local board had questions regarding ownership.

Commissioner Maginn moved to uphold the local board’s recommendation to approve for 1 year, expecting strict compliance. Vice Chairman Payne seconded. The motion was unanimously approved.

RR71-41006 DORBIN INC. – Chairwoman Allen noted this is on for a request to reinstate the permit.

Commissioner Maginn stated this permit was made dead due to non-renewal. Renewals have now been filed, and another is due soon.

Commissioner Maginn moved to approve the reinstatement. Vice Chairman Payne seconded. The motion was unanimously approved.

RR11-23795 MARIO BROS INC. – Chairwoman Allen noted this is on for an extension request, continued from April 21, 2026.

Commissioner Maginn stated all paperwork has been filed.

Commissioner Maginn moved to approve an extension until June 16th, noting the permittee must attend the local board hearing on June 8th. Vice Chairman Payne reluctantly seconded.

Vice Chairman Payne restated his issues with granting more than two extensions, but because the renewal is scheduled for a local board hearing, he will vote to approve.

Chairwoman Allen agreed with the reluctance to grant the request. The permittee failed to appear at the May local board hearing, which is required because of the violations. If no one appears at the June local board hearing, she will not vote to approve any additional extensions.

The motion was unanimously approved.

RR49-38160 N-ZONE BAR AND GRILL LLC – Chairwoman Allen noted this on for reconsideration of extension. It was continued from the last meeting.

Commissioner Maginn stated an updated corrective action plan was received. However, the business received two new violations over the last couple of months while the Commission has been dealing with the renewal and extension requests, even after filing the corrective action plan.

Commissioner Maginn moved to rescind the current extension. Vice Chairman Payne seconded.

Vice Chairman Payne stated there have been too many violations in a short period of time.

Chairwoman Allen expects when a permittee files a corrective action plan and swears to the Commission the business will operate in a lawful manner, because there is a level of trust that is expected.

The motion was unanimously approved.

RR02-01550 SUNSET CATERING INCORPORATED - Chairwoman Allen noted this is on for reinstatement, continued from April 7, 2026.

Chairwoman Allen stated the permit was reinstated on April 7th. That was the second time the permit was reinstated due to non-renewal. The permit was placed in escrow because before it can be issued it needs a final inspection and proof of insurance. A complaint was filed stating the business was operating without a permit. The Chairwoman noted that on April 7, Commissioner Maginn was clear that the permittee could not operate while the permit was in escrow.

Chairwoman Allen moved to schedule a revocation hearing, before Vice Chairman Payne on June 4, 2026 at 11 am, pursuant to IC 7.1-3-23-5, IC 7.1-3-1-6.4(f) and refusing to comply with a direct order from the Commission. Commissioner Maginn seconded. Vice Chairman Payne abstained. The motion passed 2-0.

RR49-04389 RCI DINING SERVICES (INDIANA) INC. - Chairwoman Allen stated this is on for an extension request, continued from April 21, 2026.

Commissioner Maginn stated the violations have been settled and the renewal is scheduled for local board.

Commissioner Maginn moved to grant the rest of the 90-day extension. Vice Chairman Payne seconded.

Chairwoman Allen stressed that the permittee is expected to be present at the local board hearing.

The motion was unanimously approved.

DL13-33650 VARDAN, INC. - Chairwoman Allen noted this is on for reconsideration of renewal due to denial of escrow.

Commissioner Maginn moved to deny the renewal due to the denial of escrow for failure to appear at hearings. Vice Chairman Payne seconded. The motion was unanimously approved.

Chairwoman Allen stated the Commission has not received any documents or inquiries regarding this issue between the denial of escrow and today's meeting

The permittee wanted to speak, stating he thought he was to appear at this meeting.

Chairwoman Allen continued with the meeting, but stated if the permittee had questions, he could ask the legal staff after the meeting.

RR22-04079 TW-INDIANA LLC – Chairwoman Allen noted this is on for reconsideration of renewal due to denial of escrow.

Commissioner Maginn moved to deny the renewal due to denial of escrow. Vice Chairman Payne seconded. The motion was unanimously approved.

RR29-34444 LARX, INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the corporation has been dissolved with the Secretary of State.

Commissioner Maginn moved to approve a 90-day extension to allow time to settle matters of the corporation with the Secretary of State. Vice Chairman Payne seconded.

Vice Chairman Payne stated there are legal consequences when your corporation is dissolved with the Secretary of State, so it is important that these matters are addressed.

The motion was unanimously approved.

RR64-37015 REDD LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension. Vice Chairman Payne seconded. The motion was unanimously approved.

WH49-30104 & WH49-30105 D & E SPIRITS LLC – Chairwoman Allen noted this is on for an extension request.

Chairwoman Allen moved to approve 90-day extensions for both and to place them on the July 21st agenda for consideration of the renewals. Commissioner Maginn seconded. The motion was unanimously approved.

RR29-21430 EL RODEO #18, LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension. Vice Chairman Payne seconded. The motion was unanimously approved.

RR49-05850 MON AMI, INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated a corrective action plan was submitted and the renewal is set for the local board.

Commissioner Maginn moved to approve an extension until June 16th. Vice Chairman Payne seconded.

Chairwoman Allen noted the local board has continued this five times, so she expects the permittee to be present at the June 1st local board hearing.

The motion was unanimously approved.

DL29-34270 INDY LIQUORS LLC – Chairwoman Allen noted this is on for an extension request following denial of the renewal and the filing of a timely appeal.

Commissioner Maginn stated a corrective action plan was submitted.

Commissioner Maginn moved to approve a 90-day extension. Vice Chairman Payne seconded.

Vice Chairman Payne withdrew the second because he is the hearing judge for the appeal.

Chairwoman Allen seconded. Vice Chairman Payne abstained.

Chairwoman Allen stated the appeal document appears to imply a request for remand. If that is the case, she would like that request filed prior to the June 11th prehearing and if that is not the case, the final hearing date should be scheduled at that prehearing.

The motion passed 2-0.

MM08-29942 DTA FARMS LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn noted the 60% owner is deceased and the will and trust is being contested in court. The Commissioner would like the legal staff to check on the court filings and what may be holding it up.

Commissioner Maginn moved to approve a 90-day extension. Vice Chairman Payne seconded.

Vice Chairman Payne restated his reluctance to issue more than two extensions. However, he understands that sometimes when the courts are involved there are complications, so he reluctantly supports the extension.

Chairwoman Allen noted that in the past the Commission has allowed the permit to be placed into an estate of an individual to renew, with all persons who will be running and managing the business disclosed. That may be something to look into for this permit.

The motion was unanimously approved.

RR36-41968 THE BROOKLYN PIZZA COMPANY LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension. Vice Chairman Payne seconded. The motion was unanimously approved.

RR43-32120 JST SOLUTIONS, LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated there is a tax protest, the entity has been dissolved with the Secretary of State, and the Form 1 needs to be submitted.

Commissioner Maginn moved to approve a 90-day extension when the tax protest is cleared. Vice Chairman Payne seconded.

Vice Chairman Payne reiterated his previous statements regarding the dissolved corporation.

The motion was unanimously approved.

RR29-33748 THE NAIL STUDIO AT FISHERS STATION LLC – Chairwoman Allen noted the extension is no longer needed.

DL49-34224 BRADBURY PETROLEUM INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension. Vice Chairman Payne seconded. The motion was unanimously approved.

RR29-41830 Q'S WINE BAR LLC – Chairwoman Allen noted this is on for an extension request,

Commissioner Maginn moved to approve a 90-day extension. Vice Chairman Payne seconded. The motion was unanimously approved.

RR30-41836 DEPOT STREET INVESTMENTS LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension. Vice Chairman Payne seconded. The motion was unanimously approved.

RR91-41188 ROUTE 421 DINER LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension. Vice Chairman Payne seconded. The motion was unanimously approved.

***Chairwoman Allen asked the Commission to add the following permits to the agenda. Consent was granted.

DL45-33805 NIRMAL INC. – Chairwoman Allen noted this is on for a request to reinstate.

Commissioner Maginn stated the expiration date of this permit is October 17, 2026. An affidavit signed by the owner was submitted that surrendered the permit. The permit was made dead (pending auction).

The owner recently submitted a request to reinstate the permit, due to the fact that he knew nothing about the permit being surrendered and did not sign the affidavit.

Commissioner Maginn moved to reinstate the permit. Vice Chairman Payne seconded.

Vice Chairman Payne voiced his concern that someone may have submitted forged documents. He would like something in writing to show that this matter is being referred to law enforcement and the prosecutor's office and that they are pursuing the matter of forged documents being submitted to a governmental agency.

Chairwoman Allen stated this matter can be forwarded to Excise for investigation. She also noted that it is becoming a problem with individuals filling out paperwork and signing someone else's name and when called out, the person says they have permission to do so. Those people have been told several times that it is not allowed, but they continue to do it. The Chair also stated she may begin a policy of asking for ID when paperwork is submitted.

Vice Chairman Payne noted that he has also noticed that attorneys sign and submit documents that should be signed by the permittee---a permittee promising A, B, C will happen but signed by the attorney.

Chairwoman Allen questioned whether to continue this to allow time to check to see if the permit is being used, whether or not the matter has been referred to law enforcement by the permittee, due to the nature of the crime and if not, refer it to Excise.

Commissioner Maginn withdrew original motion and moved to continue this to June 16th and send the matter to Excise to investigate. Vice Chairman Payne seconded.

Vice Chairman Payne requested Excise visit the location to see if the permit is being used.

The motion was unanimously approved.

RH20-30051 AUM HOSPITALITY INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the Form 1 needs to be submitted.

Commissioner Maginn moved to approve a 90-day extension. Vice Chairman Payne seconded. The motion was unanimously approved.

RR33-42004 THE PARCEL LLC – Chairwoman Allen noted this is on for an extension request.

Chairwoman Allen stated there were issues with the ownership and documents have been submitted that are being reviewed.

Chairwoman Allen moved to approve a 90-day extension. Vice Chairman Payne seconded. The motion was unanimously approved.

RR22-04079 TW-INDIANA LLC – Chairwoman Allen recalled this permit that was discussed earlier. It was a failure to appear twice for escrow. Staff Attorney Whitmire received documentation from the permittee showing they requested an extension and that they have a buyer prior to our final decision to deny the permit.

Commissioner Maginn moved to allow one additional opportunity to appear for an escrow hearing on either May 27th or June 23rd. Vice Chairman Payne seconded. The motion was unanimously approved.

INACTIVE FILES

Chairwoman Allen stated permit #RR71-42805 was removed from the list.

Vice Chairman Payne moved to make 24 permits dead that were previously posted on the May 6, 2026 meeting agenda. Commissioner Maginn seconded. The motion was unanimously approved.

Chairwoman Allen stated there are 15 permits posted to be made dead at the June 6, 2026 meeting, who have failed to submit renewals.

OLD BUSINESS

No Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

READOPTION OF RULE 32.1 (905 IAC 1-32.1) – Chairwoman Allen noted the public hearing regarding this matter was held on March 12, 2026. The majority of feedback provided by the industry was in support of readoption of this rule.

Chairwoman Allen moved to proceed with the readoption without changes. Vice Chairman Payne seconded. The motion was unanimously approved.

ANNOUNCEMENTS

2026 AMENDED COMMISSION MEETING DATES – Chairwoman Allen stated the amended meeting dates for 2026 are:

Wednesday, May 27 (Memorial Day on the 25th) - Escrow Hearing
Wednesday, November 4 (General Election Day on the 3)

ADJOURNMENT

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

Approved the 16th day of June 2026 by a vote of 4-0