

MINUTES
ALCOHOL AND TOBACCO COMMISSION
JUNE 2, 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, Commissioner Garver, Prosecutor Wignall, Deputy Director Serak, General Counsel Beaucaire and Senior Attorney Daphne Whitmire were in attendance.

DISPOSITION OF MINUTES

Vice Chairman Payne moved to continue this until the June 16, 2026 meeting. Commissioner Garver 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. Fifty-three dispositions were submitted with fines totaling \$32,250.00. Commissioner Garver 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 Garver 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 Garver seconded. The motion was unanimously approved.

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

Vice Chairman Payne moved to approve the direct wine shipper applications. Commissioner Garver 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 Garver 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. This has been continued several times.

Commissioner Maginn stated an updated corrective action plan was submitted. There is also a question regarding a possible change in the floor plan, so she reminded the permittee that if changes are made those need to be added to the record and inspected by Excise.

Commissioner Maginn moved to approve the renewal, with strict compliance with the rules and regulations of Commission. Vice Chairman Payne seconded.

Vice Chairman Payne noted even though this is a veteran's organization, they must follow the rules and regulations. He also questioned whether the floor plan included the outside, as well as the inside.

Commissioner Maginn stated it depends on what is on the floor plan. That is why she requested an updated floor plan if there have been changes.

Chairwoman Allen asked if Commissioner Maginn would consider a one-year renewal.

Commissioner Maginn moved to amend her motion to only approve a one-year renewal. Vice Chairman Payne seconded. The motion was unanimously approved.

RR49-04646 BUCKEYE BEVERAGE CORP – Chairwoman Allen noted this is on for an extension request that was continued from the May 6th meeting.

Commissioner Maginn stated we received a new corrective action plan and there have been discussions between the prosecutor and permittee regarding the two pending violations but no date for a prehearing or hearing.

Commissioner Maginn moved to approve a 90-day extension and to include scheduling the violations for hearings in July or August. Vice Chairman Payne seconded.

Chairwoman Allen noted the Vice Chairman will be the hearing judge for the violations.

Commissioner Garver seconded the motion. Chairwoman Allen voted to approve. Vice Chairman Payne abstained. The motion passed 3-0.

RR48-32291 TERRY BURTON & DEBRA BAIR – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated this was continued from May 27th. A corrective action plan was submitted and the permittee provided additional information on the Extension Request Form regarding the health of the permittee and the need for the extension.

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

RR29-42596 CALIENTE CARMEL 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,

RC17-09049 BPO ELKS LODGE NO 1978 – 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.

RR45-20125 MUNSTER FOOD & BEVERAGE LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the permittee failed to appear at the local board hearing as required due to a violation last year.

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

Chairwoman Allen noted if the permittee fails to appear at the June local board hearing, she may not vote to approve any additional extensions.

The motion was unanimously approved.

RR20-30343 DESSY CORPORATION – Chairwoman Allen noted this is on for an extension request.

Chairwoman Allen stated the renewal was denied and a timely appeal was filed. A corrective action plan was filed, and a prehearing conference is scheduled for June 11th.

Chairwoman Allen moved to approve a 90-day extension and request the final hearing be scheduled at the prehearing conference. Commissioner Maginn seconded. Commissioner Garver voted to approve. Vice Chairman Payne abstained. The motion passed 3-0.

INACTIVE FILES

Chairwoman Allen stated permit #RH49-30161 was continued from the April 21st meeting because renewals were filed and there was a tax protest. The tax protest has not been cleared.

Commissioner Maginn moved to make the permit dead. Vice Chairman Payne seconded. The motion was unanimously approved,

Chairwoman Allen stated permits #RR32-38975, RR06-38898 and RR06-38899 were removed from the list by consent.

Vice Chairman Payne moved to make 12 permits dead that were previously posted on the May 19, 2026 meeting agenda. Commissioner Garver seconded. The motion was unanimously approved.

Chairwoman Allen stated there are 27 permits posted to be made dead at the June 16, 2026 meeting, who have failed to submit renewals.

Chairwoman Allen noted staff has been working through a backlog of conditionally approved permits where numerous notices were sent, but conditions still have never been met by the permittee. Therefore, in August, those approvals will be on the agenda for reconsideration of the approval if the conditions are still not met.

OLD BUSINESS

No Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

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

Wednesday, November 4 (General Election Day on the 3)

ADJOURNMENT

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

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