MINUTES

ALCOHOL AND TOBACCO COMMISSION
OCTOBER 6, 2026

CALL TO ORDER/NOTING OF QUORUM

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

DISPOSITION OF MINUTES

Commissioner Maginn moved to approve the minutes for the September 15, 2026 meeting. Chairwoman Allen seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES AGREED DISPOSITIONS – Commissioner Maginn moved to approve the Parties Agreed Dispositions, submitted by Prosecutor Wignall. Eighty-seven dispositions were submitted with fines totaling $62,350.00. Chairwoman Allen seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

RULE TO SHOW CAUSE ORDERS – Chairwoman Allen noted the following permittees were cited for violations. All failed to appear for prehearing conferences and for Show Cause Hearings. The Hearing Judge recommended revocation of the permits for failure to appear:

TC16798001 The Coughie Shop LLC, BR2075268 Antwan Jamar Thomas, RR82-40362 College Town Pizzaria LLC, TC17970001 Washington Smoke Hub LLC, BR1962026 Alexis Gavarrete, RR84-40907 Mis Tres Potrillos Inc #3

Chairwoman Allen moved to uphold the recommendation of the Hearing Judge to revoke the permits. Commissioner Maginn seconded. The motion was unanimously approved.

CONSIDERATION OF APPLICATIONS

Chairwoman Allen asked the Commission to continue permit #RR10-28028 to the October 20th meeting by consent. Consent was granted.

Commissioner Maginn 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.

Commissioner Maginn 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.

Commissioner Maginn moved to approve the catering applications. Commissioner Garver seconded. The motion was unanimously approved.

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

WAIVER OF FEES – LETTERS OF EXTENSION

Commissioner Maginn 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

RR49-38992 INDY SUPER MART – Commissioner Maginn moved to continue this matter until November 4th for further review. Chairwoman Allen seconded. The motion was unanimously approved.

RR45-14706 PALMIRA GOLF AND COUNTRY CLUB – Chairwoman Allen noted this is a renewal with the local board voting 4-0 to deny for failure to appear.

Commissioner Maginn stated the permittee had a violation that has been settled. Because of the violation, the permittee was required to attend the local board hearing. The permittee said he was unaware that attendance was required. A corrective action plan was submitted.

Commissioner Maginn moved to remand the renewal to the local board for one additional chance to appear. Commissioner Garver seconded. The motion was unanimously approved.

RR89-01895 DERG'S INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn moved to approve a 90-day extension conditioned upon receipt of a certificate of insurance. Commissioner Garver seconded. The motion was unanimously approved.

RR09-07389 HOKEY'S NEIGHBORHOOD TAVERN – Chairwoman Allen noted this is on for an extension request.

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

RR19-39975 TICKLEBELLY HILL LLC – Chairwoman Allen noted this is on for an extension request.

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

RR20-30343 DESSY CORPORATION – Chairwoman Allen noted this is on for an extension request. The renewal was denied, appealed and the Proposed Findings of Fact and Conclusions of Law were just mailed to the permittee.

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

RR49-42385 MARTINI EVENT CENTER CLUB INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated there is a pending violation. The permittee submitted an updated corrective action plan that satisfactorily addressed the questions from the Commission. They are currently operating on a limited extension.

Commissioner Maginn moved to approve an extension for the remainder of the 90 days. Commissioner Garver seconded. The motion was unanimously approved.

RR71-29890 CB&T LLC - Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn to approve a 90-day extension conditioned upon clearance of the tax protest. Commissioner Garver seconded. The motion was unanimously approved.

**** Chairwoman Allen noted the following permits were added to the agenda by consent.

RR71-30479 PANAMEX INC. – Chairwoman Allen noted this on for an extension request.

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

RR49-41100 HERLO LLC – Chairwoman Allen noted this is on for an extension request.

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

RR49-38778 THE JOLLOF BUKA LLC - Chairwoman Allen noted this is on for an extension request.

Chairwoman Allen stated there is a lengthy history with this permit beginning in 2023. The permit was revoked in 2023 for failure to address and settle violations. A Motion to Reconsider the Revocation was filed and accepted. The renewal was not issued because there was a tax protest from the Department of Revenue. The 2024 permit renewal was filed, missing a Form 1, tax protest not cleared and violations not settled. Because these matters were not taken care of, the permit expired and an expired letter was sent. The permittee filed a request to continue the consideration of the renewal while the issues were in the

process of trying to be resolved. Overtime, numerous notices were sent to the permittee regarding these issues without resolution. The request was granted, but the matter was mistakenly not rescheduled before the commission, so it has been pending for some time. Violations were finally resolved. In July 2026, renewals were filed with a Form 1, and an Extension Request, however, the tax protest is still unresolved. As part of the extension request, the permittee requested continuance of the local board date because she will be in Africa until December.

Chairwoman Allen moved to deny the request for extension and request proof of a tax clearance by October 19, 2026, or the 2023-2024 renewals may be reconsidered due to non-compliance. Alternatively, if proof is received and a valid Manager's Questionnaire is filed proving there is a manager operating the business during the absence of the owner, the denied extension may be reconsidered. Commissioner Maginn seconded. The motion was unanimously approved.

DL06-97172 LD VENTURES INC. - Chairwoman Allen noted this is on for an extension request.

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

DL49-32035 RAJA OIL INC. – Chairwoman Allen noted this is on for an extension request.

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

DL49-32087 ROYAL PETROLEUM INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated all missing items have been received.

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

INACTIVE FILES

Chairwoman Allen asked the Commission to consent to the removal permit #DL39-26542 from the list of permits to be made dead. Consent was granted.

Commissioner Maginn moved to make 33 permits dead that were previously posted on the September 15, 2026 meeting agenda. Commissioner Garver seconded. The motion was unanimously approved.

Commissioner Maginn stated there are 26 permits posted to be made dead at the October 20, 2026 meeting, that have failed to be renewed.

OLD BUSINESS

No Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

2026 AMENDED COMMISSION MEETING DATE – Chairwoman Allen stated the amended meeting date for 2026 is:

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

ADJOURNMENT

Commissioner Maginn moved to adjourn the meeting. Commissioner Garver seconded. The motion was unanimously approved.

Approved the 20th day of October 2026 by a vote of 4-0