

## MINUTES

### ALCOHOL AND TOBACCO COMMISSION

SEPTEMBER 16, 2025

### 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 Jones, Deputy Director Serak, Prosecutor Wignall and Senior Attorney Beaucaire were in attendance.

### DISPOSITION OF MINUTES

Vice Chairman Payne moved to approve the minutes from the September 3, 2025 meeting. Commissioner Jones 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-nine dispositions were submitted with fines totaling \$41,550.00. Commissioner Jones seconded. The motion was unanimously approved.

### HEARING JUDGE'S RECOMMENDATIONS

RR82-41323 1313 NEWTON HOLDINGS LLC – Chairwoman Allen noted this is on for Proposed Findings of Fact.

Commissioner Jones, who sat as hearing judge, stated he has submitted Proposed Findings of Fact, and the permittee has submitted objections to those findings and a request to transfer the permit.

Commissioner Jones moved to uphold the Proposed Findings of Fact to deny the renewal, overturning the prior recommendation of the local board to approve. Commissioner Maginn seconded.

Chairwoman Allen stated she was not persuaded by the objections filed by the permittee to overturn the Findings.

The motion was unanimously approved.

Commissioner Jones stressed that because the Findings were upheld, the objections are overruled.

RR49-33618 JOHALRAN INC – Commissioner Jones, who sat as hearing judge, stated this was an appeal of a denied renewal. At the appeal hearing, testimony and evidence were provided that was not presented to the local board during the hearing on the renewal. That information was favorable to the permittee and the appeal.

Commissioner Jones moved to approve a 1-year renewal based on the information provided at the appeal hearing. He also noted that one member of the local board voted for a 1-year renewal but was overruled. Commissioner Maginn seconded. The motion was unanimously approved.

### **CONSIDERATION OF APPLICATIONS**

By consent, the Commission removed permit RR82-39518 from the list of renewal applications and continued it to the October 7, 2025 meeting.

Commissioner Jones 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. Vice Chairman Payne seconded. The motion was unanimously approved.

By consent, the Commission added DW0001555 and MM79-30897 to the list of new and transfer applications to be approved.

Commissioner Jones 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. Vice Chairman Payne seconded. The motion was unanimously approved.

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

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

### **WAIVERS OF FEES – LETTERS OF EXTENSION**

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

### **ITEMS FOR DISCUSSION**

RR45-36364 PLAYO'S NIGHTCLUB LLC – Chairwoman Allen noted this is a renewal with the local board voting 3-1 to approve for 1 year and an extension request.

Commissioner Maginn stated the Commission considered an extension request for this permittee at the last meeting. A request was made for submission of a corrective action plan that states when the new operating plan would be completed. The submission was incomplete. The commissioner would like legal to reach out again to request that the permittee submit copies of employee permits and training certificates for all employees, including the security employees who check IDs at the door. Commissioner Maginn stated this permittee has a history of violations and she wants to make sure they are operating lawfully.

Commissioner Jones stated he agreed with Commissioner Maginn's comments.

Commissioner Maginn moved to continue the renewal and extension request to the October 7, 2025 meeting. Commissioner Jones seconded. The motion was unanimously approved.

DL08-34214 BURLINGTON PETROLEUM INC – Chairwoman Allen noted this is a new application with the local board voting 3-0 to approve.

Commissioner Maginn stated there was a remonstrator at the local board, who felt alcohol would create problems in the neighborhood. There was no complaint about the applicant.

Commissioner Maginn moved to uphold the local board's recommendation to approve the new permit. Commissioner Jones seconded. The motion was unanimously approved.

RR29-42359 FORTUNE'S FOOL RETAIL, LLC – Chairwoman Allen noted this is a new application 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 new permit. Commissioner Jones seconded. The motion was unanimously approved.

RR61-35600 MANSFIELD VILLAGE LLC – Chairwoman Allen noted this is a renewal with the local board voting 3-0 to deny.

Commissioner Maginn stated there are problems with the behavior of this owner. A transfer of ownership is on file; however, it is incomplete needing a signed consent to transfer form.

Commissioner Maginn moved to uphold the local board's recommendation to deny the renewal. Commissioner Jones seconded. The motion was unanimously approved.

RR02-37841 LCASTILLO ENTERPRISES LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated there is a tax protest on file. Also, there is a history of violations so she would like a corrective action plan filed.

Commissioner Maginn moved to conditionally approve an extension when the protest is clear and an approved corrective action plan is filed. Commissioner Jones seconded. The motion was unanimously approved.

Commissioner Jones stressed that the business cannot sell alcoholic beverages until the protest is clear and the extension is issued.

RR32-41558 DEER CREEK MANAGEMENT LLC – Chairwoman Allen noted this is a request for an extension.

Commission Maginn stated the missing ownership information was submitted.

Commissioner Maginn moved to approve the remainder of the 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR49-34824 SL MANAGEMENT CORPORATION – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated this permittee needs to provide proof of insurance.

Commissioner Maginn moved to approve an extension conditioned upon the submission of proof of insurance. Commissioner Jones seconded. The motion was unanimously approved.

RR34-37286 GRAYSON BLYE LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated this permittee needs to provide proof of insurance and a corrective action plan, due to a violation in 2023 of sales to an intoxicated person.

Commissioner Maginn moved to approve a 90-day extension conditioned upon receipt of proof of insurance and a corrective action plan. Commissioner Jones seconded. The motion was unanimously approved.

RR02-34179 THE FAT KID LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated this permittee has a tax protest.

Commissioner Maginn moved to approve a 90-day extension conditioned upon receipt of a tax clearance. Commissioner Jones seconded. The motion was unanimously approved.

RR71-06278 SBCC PARTNER LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated all missing paperwork has been submitted.

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

RC61-89315 AMVETS PARKE COUNTY POST #61 INC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated this permit is currently under appeal. The Proposed Findings of Fact have been sent to the permittee.

Commissioner Maginn moved to approve the remainder of the 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR79-26967 TRUSTEES OF PURDUE UNIVERSITY – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the missing documents have been submitted.

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

\*\*\*Chairwoman Allen asked the Commission to allow the following permits to be placed on the agenda by consent. Consent was granted.

RR90-30513 JERRY REINHARD/LISA OWENS – Chairwoman Allen noted this is on for denial of escrow.

Commissioner Maginn stated the permittee failed to attend the required escrow hearings.

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

RC23-03991 LOYAL ORDER OF MOOSE 1482 – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the missing items have been submitted.

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

#### **INACTIVE FILES**

Chairwoman Allen asked the Commission to remove RR53-34129 from the list of permits to be made dead. Renewals were submitted. Consent was granted.

Commissioner Maginn moved to make 15 permits dead that were previously posted on the September 3, 2025 meeting agenda. Commissioner Jones seconded. The motion was unanimously approved.

Chairwoman Allen stated there are 10 permits posted to be made dead at the October 7, 2025 meeting, who have failed to submit renewals.

#### **OLD BUSINESS**

No Old Business

#### **NEW BUSINESS**

No New Business

#### **POLICY DETERMINATIONS**

No Policy Determinations

## ANNOUNCEMENTS

2025 AMENDED COMMISSION MEETING DATE - Chairwoman Allen stated the next 2025 Amended Meeting Dates are:

December 2025 (no escrow hearing)

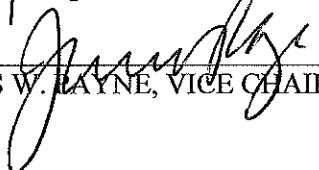
## ADJOURNMENT

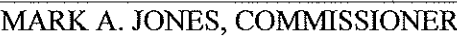
Commissioner Jones moved to adjourn the meeting. Commissioner Maginn seconded. The motion was unanimously approved.

Approved this 7<sup>th</sup> day of October, 2025.

  
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JESSICA ALLEN, CHAIRWOMAN

  
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MARTORIE MAGINN, COMMISSIONER

  
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JAMES W. LAYNE, VICE CHAIRMAN

  
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MARK A. JONES, COMMISSIONER