

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

Minutes
August 20, 2009
1:30 p.m.

The regular meeting of the Tennessee Alcoholic Beverage Commission was held on Thursday, August 20, 2009 in Nashville, Tennessee at 1:30 p.m. Chairman Jones, Commissioner Harlan Mathews and Commissioner Cynthia Bond were present. Executive Director Danielle Elks, Assistant Director Carolyn Smith and CLEO Mark Hutchens were present.

1. The Minutes for July 21, 2009 Commission Meeting were approved.

2. RETAIL

**A. TINGLASS LIQUORS
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Claire Chioma Emesibe

Before the Commission is a request for a new retail store to be located at 469-A Bell Road, in Nashville, Tennessee. Ms. Emesibe intends to initially invest a total of \$10,000 to operate the business, and if approved, will operate as a sole proprietorship. Financing for Ms. Manuel is based upon personal gift from her uncle. Ms. Emesibe will be leasing the property from Nasser Zawia on three years at \$1500/month. All documentation has been submitted with the exception of the following:

- a. TABC Inspection
- b. Acknowledgment of the rules/regulations, and
- c. Use and Occupancy.

Discussion/Action Taken:

Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the TABC Inspection, Acknowledgment of the rules/regulations and Use and Occupancy Permit. Commissioner Mathews made a motion to approve upon submission of the pending documentation. Commissioner Bond seconded the motion and it passed with 3 ayes.

**B. DISCOUNT LIQUORS & WINE
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: N & K, INC.
Stockholders: Hitenderakumar Patel

Before the Commission is a request for a new retail store to be located at 2617 Franklin Pike, Suite 109, in Nashville, Tennessee. Mr. Patel initially intends to invest approximately \$100,000 to operate the business, and if approved, will operate the business as a corporation. Financing is based upon personal savings. The corporate applicant is leasing the property from Melrose Kroger Center for five years at \$5366.67/month. All documentation has been submitted with the exception of the following:

- a. TABC Inspection
- b. Use and Occupancy Permit
- c. Acknowledgement of the Rules/Regulations.

Discussion/Action Taken:

Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the TABC Inspection, Acknowledgment of the rules/regulations and Use and Occupancy Permit. Commissioner Mathews made a motion to approve upon submission of the pending documentation. Commissioner Bond seconded the motion and it passed with 3 ayes.

**C. BIG AL'S LIQUOR STORE
JACKSON, TENNESSEE (MADISON COUNTY)**

Licensee/Seller: Eastside, Inc. of Jackson
Stockholders: Anna Highfill
Applicant/Buyer: CSLS, LLC
Members: Bridget Turner, Carol Key, Patricia Smith

Before the Commission is a request for a transfer of ownership of the retail store located at 11 Cartmell Street in Jackson, Tennessee. Bridget Turner, Carol Key and Patricia Smith wish to purchase the business and the property upon which it is located for \$253,700. Each of the members will invest equal amounts and will each own one third of the LLC and the property. Financing is based upon personal funds and a loan and a line of credit (\$75,000) with Bank of Jackson. All documentation has been submitted with the exception of the following:

- a. Deed to property;
- b. Actual loan and line of credit documents.

Discussion/Action Taken:

Bridget Turner, Carol King and Patricia Smith were present at the meeting. Director Elks reviewed the application to the Commissioners and

recommended approval upon submission of the Deed to property and actual loan and line of credit documents. Commissioner Bond made a motion to approve upon submission of the pending documentation. Commissioner Mathews seconded the motion and it passed with 3 ayes.

**D. NORTH PLAZA PACKAGE
KINGSPORT, TENNESSEE (SULLIVAN COUNTY)**

Licensee: B.G. East and Nancy East
Applicant: Nancy East

Before the Commission is a request to transfer the ownership of the retail store located at 812 Lynn Garden Drive in Kingsport, Tennessee. Mr. East passed away in 2006; the license had been renewed in his estate's name and his wife. Pursuant to TABC's request, Mrs. East has submitted her application to place the license in her name as a sole proprietorship. All documentation has been submitted.

Discussion/Action Taken:

Director Elks reviewed the application to the Commissioners and recommended approval. Chairman Jones made a motion to approve. Commissioner Mathews seconded the motion and it passed with 3 ayes.

3. BUDGET

4. PERSONNEL

5. CONSENT ORDERS

6. MISCELLANEOUS: Update on Direct Shipper's licenses.

Director Elks stated that since the inception of Direct Shipment, the staff has received approximately 100 Direct Shipment applications. Director Elks stated that initially the Tennessee Department of Revenue was going to require the applicants to post a \$75,000 bond. After discussions with the Department of Revenue, it was determined that the requirement of a \$75,000 bond was cost prohibitive for a direct shipper, and Revenue agreed to eliminate such requirement.

Director Elks stated that all agency money is deposited through Edison software. Director Elks stated that the staff had submitted all the necessary requests to have Edison software amended to accommodate Direct Shippers permit and application fees. Director Elks stated that the requests had not been completed when the applications came into the office, therefore, the staff could not deposit the money. She further stated that she did not feel comfortable issuing the permits until the money could be deposited

because of audit issues. Director Elks stated that with the help of Senator Ketron's office, both of those issues were resolved. Director Elks stated that when more of those permits have been issued, the staff will add a list of approved permits to the monthly agenda material and the staff will post the list on the TABC web-site.

7. **DATE OF NEXT MEETING** – Thursday, September 17 and Thursday, October 15, 2009 at 1:30 p.m.

John A. Jones
Chairman

Shari Danielle Elks
Executive Director