

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
MINUTES
December 16, 2014
1:30 pm

The regular meeting of the Tennessee Alcoholic Beverage Commission was held on Tuesday, December 16, 2014, in Nashville, Tennessee at 1:30 pm. Although Commissioner Kaegi was not present, a quorum was present with Chairperson Mary McDaniel and John A. Jones, and the meeting was conducted. Director Keith Bell, Assistant Director Ginna Winfree, CLEO Mark Hutchens, and Staff Attorney Joshua Stepp were present.

1. Approval of November 18, 2014 Commission Meeting Minutes

Discussion/Action Taken: Commissioner Jones motioned for approval and Chairperson McDaniel seconded the motion; the motion was approved with 2 ayes.

2. RETAIL

A. New Business

**1. FLAG CITY LIQUORS
MILLINGTON, TENNESSEE (SHELBY COUNTY)**

Applicant: Howard Retailers, LLC
Member(s): William Stuart Howard Jr., 100%

Current Location: 8580 Highway 51 North
Proposed Location: 8052 Highway 51 North

Before the Commission is a request for Flag City Liquors to transfer from its current location at 8580 Highway 51 North to 8052 Highway 51 North, also in Millington, Tennessee. A land lease is not required as Mr. Howard owns the property where the store will be located. The TABC staff recommends conditional approval of this request subject to receipt of the following:

- a. Certificate of Occupancy (Permanent)
- b. TABC Agent Inspection

Discussion/Action Taken: Commissioner Jones motioned for conditional approval and Chairperson McDaniel seconded the motion. The motion was approved with 2 ayes.

**2. OOLTEWAH DISCOUNT LIQUOR
OOLTEWAH, TENNESSEE (HAMILTON COUNTY)**

Applicant: Bailey's, LLC

Current: Vicki W. Cooke 50%
Tracy Cooke 50%

Proposed: Vicki Cooke 100%

Before the Commission is a request for a change in ownership in the retail business located at 9207 Lee Highway in Ooltewah, Tennessee 37363. Vicki Cooke was awarded all right, title & interest in the LLC

per a Marital Dissolution Agreement with Mr. Tracy Cooke. The TABC staff recommends approval of this request.

Discussion/Action Taken: Commissioner Jones motioned for approval and Chairperson McDaniel seconded the motion; the motion passed with 2 ayes.

**3. DISCOUNT LIQUOR & BEVERAGES
DUNLAP, TENNESSEE (SEQUATCHIE COUNTY)**

Applicant: Day One, LLC

Member(s): Krishna S. Patel, President 50 %
Ronak H. Patel, Secretary 50 %

Before the Commission is a request for licensing of a retail business to be located at 15187 Rankin Avenue, in Dunlap, Tennessee 37327. Krishna Patel is borrowing \$80,000 from Sangita Patel, mother, to invest into the business and Ronak Patel is investing \$80,000 of personal savings, as verified by TABC staff. The applicant has agreed to purchase the real property from Willard & Marina Gore and closing is expected on December 4, 2014. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. Certificate of Occupancy
- b. ~~Copy of Deed (showing new owner)~~ received
- c. Copy of Lease (between new owners and applicant)
- d. \$850.00 License Fee

Discussion/Action Taken: Commissioner Jones motioned for conditional approval, subject to receipt of missing items, and Chairperson McDaniel seconded the motion; the motion passed with 2 ayes. **Update: License #3973 effective 1/5/15**

**4. TOAST WINE & SPIRITS
JONESBOROUGH, TENNESSEE (WASHINGTON COUNTY)**

Applicant: Tortoise Race II, LLC

Member(s): Toni Davenport Lori 50%
Matthew Edward Williams 50%

Applicant, LLC is requesting approval from the Commission to utilize storage space on the second floor of the store. There is no change in the lease or in the actual square footage of the business. The TABC staff recommends approval of this request.

Discussion/Action Taken: Commissioner Jones motioned for approval and Chairperson McDaniel seconded the motion; the motion passed with 2 ayes.

**5. UNIVERSITY PACKAGE WINE & LIQUOR WAREHOUSE
MURFREESBORO, TENNESSEE (RUTHERFORD COUNTY)**

Applicant: ISHA, Inc.

Stockholder(s): Jigna G. Patel, President 40 %
Vipul A. Patel, Partner 20 %
Nikunjhai S. Patel, Partner 40 %

Before the Commission is a request for licensing of a retail business to be located at 2834 Middle Tennessee Blvd., Murfreesboro, Tennessee 37130. Applicant, ISHA Inc. is purchasing the business assets from University Liquors, Inc. for \$100.00, plus the cost of inventory.¹ The applicant is leasing the premises from Godal, LLC for an initial term of five years for \$6,000, payable per month.

Bhartiben Patel, the seller of the business, previously held an off-premise license at the same location, and the license was revoked in June of 2014. T.C.A § 57-3-215 reads:

- (a) Where a license is revoked, no new license shall be issued to permit the sale of alcoholic beverages on the same premises until after the expiration of one (1) year from the date such revocation becomes final and effective.
- (b) If the premises are owned by a person, firm or corporation not the licensee, **the commission may, in its discretion, waive subsection (a) or reduce the time within which no new license may be granted with respect to the same premises.**

Should the Commission decide to waive subsection (a) as stated above, the TABC staff recommends conditional approval of this request for licensing subject to receipt of the following items:

- a. TABC Inspection
- b. Acknowledgement of TABC Rules & Regulations
- c. License Fee
- d. Inventory is to be transferred via TABC licensed wholesalers' involvement

Discussion/Action Taken: There were two motions regarding this item. First, Commissioner Jones motioned to waive 57-3-215(a), and Chairperson McDaniel seconded the motion; motion passed with 2 ayes. Secondly, Commissioner Jones motioned for conditional approval of the request for licensing, subject to receipt of missing items. Chairperson McDaniel seconded the motion and the motion passed with 2 ayes. **Update: License 3970 issued 12/22/14**

**6. RADDY'S LIQUOR CENTER, LLC
KNOXVILLE, TENNESSEE (KNOX COUNTY)**

Applicant:	Raddy's Liquor Center, LLC	
Member(s):	Gavin Radcliffe	20 %
	Granvil W. Radcliffe	80 %
Current Ownership:	G.W. Radcliffe (Sole Proprietor); d/b/a Raddy's Liquor Center	
Proposed:	Raddy's Liquor, LLC; d/b/a Raddy's Liquor Center	

Before the Commission is a request for a transfer of ownership in the retail establishment located at 2022 Broadway, Knoxville, Tennessee. Granvil Radcliffe is giving his son, Gavin Radcliffe, 20% ownership in the LLC. Granvil Radcliffe owns the property and is leasing the premises to the Applicant for \$3,000 per month. The TABC recommends conditional approval of this request subject to receipt of the following items:

- a. License Fee

¹ In accordance with Tennessee law, Sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

Discussion/Action Taken: Commissioner Jones motioned for conditional approval subject to receipt of missing item. Chairperson McDaniel seconded the motion, and motion passed with 2 ayes. **Update: License #3968 issued 12/18/14; effective 1/1/15**

**7. SINKERS WINE, SPIRITS AND BEER, LLC
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Sinkers Wine, Spirits and Beer LLC
 Member(s): William R. Sinks, Managing Member 100%

Current: Sinkers Wine & Spirits, LLC (R. Timothy Sinks, 99%; Darlene Sinks, 1%)
 Proposed: Sinkers Wine, Spirits and Beer LLC (William Sinks, 100%)

Before the Commission is a request for a transfer of ownership in the retail store located at 3304 Gallatin Rd., Nashville, Tennessee 37072. The Applicant is purchasing the business assets of Sinkers Wine & Spirits, LLC for \$150,000, via seller financing.² The applicant will lease the premises from Sinks Investment Group, LLC for an initial 4 year term for approximately \$5,000 per month. William Sinks also holds a license for Bluegrass Beverages Wine & Spirits in Hendersonville.³ The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. Copy of signed contract
- ~~b. Statement from Bill Sinks spouse that she is not involved in the business~~
- c. License Fee
- ~~d. Sales Tax Number~~
- ~~e. Applicant/DBA name to be corrected on documents~~

Discussion/Action Taken: Commissioner Jones motioned for conditional approval, subject to receipt of any missing documentation. Chairperson McDaniel seconded the motion, and the motion passed with 2 ayes. Applicant provided a number of requested documents immediately preceding the meeting on Dec 16, 2014. **Update: License #3971 issued; effective 12/23/14**

**8. BACCHUS WINE & SPIRITS
HIXSON, TENNESSEE (HAMILTON COUNTY)**

Applicant: Diann P. Georgetso and Lori A. Sharp, Informal Partnership

Current: Diann Georgetso (100%)
 Proposed: Diann P. Georgetso and Lori A. Sharp (50% each)

Before the Commission is a request for a change in ownership in the retail business located in 5721 Hwy 153 #119, Hixson, Tennessee 37343. Mr. Georgetso, now deceased, left all of his estate (including his 50% interest in the applicant) to his wife, Diann Georgetso (owing a 50% interest in applicant prior to her husband's passing and 100% afterwards). Ms. Georgetso is now requesting approval to partner with her daughter, Lori A. Sharp. The applicants will lease the premises from H&K Properties, LLC for an initial term of five years for approximately \$6,000 per month. The TABC staff recommends approval of this request.

Discussion/Action Taken: Commissioner Jones motioned for approval and Chairperson McDaniel seconded the motion; the motion was approved with 2 ayes. **Update: Database updated 12/17/14**

² In accordance with Tennessee law, Sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

³ Bluegrass Beverages Inc., d/b/a Bluegrass Beverages Wine, Spirits & Beer (Permit 0793) located at 555 E. Main St., Hendersonville, TN.

**9. BROADWAY DISCOUNT LIQUORS
GALLATIN, TENNESSEE (SUMNER COUNTY)**

Applicant: Surati Retail Investments, LLC

Member(s): Sonika Hemel Surati, President 99%
Hemel Ramesh Surati, Secretary 1%

Current: Duke Enterprises, Inc. (Guy D. Chapman, 100%), d/b/a Broadway Discount Liquors
Proposed: Surati Retail Investments, LLC, d/b/a Broadway Discount Liquors

Before the Commission is a request for a transfer of ownership in the retail business located at 415 E. Broadway, Gallatin, Tennessee 37066. Applicant, LLC plans to purchase the assets of Duke Enterprises, Inc., for approximately \$225,000.⁴ Applicant members are investing \$300,000 of personal funds into the business, as verified by TABC staff. The applicant will rent the premises from Surati Capital Investments, LLC for an initial five year term for \$7,000 per month. The TABC staff recommends conditional approval of this request subject to receipt of the following:

- a. TABC Agent Inspection
- b. Acknowledgement of TABC Rules & Regulations
- c. License Fee

Discussion/Action Taken: Commissioner Jones motioned for conditional approval, subject to receipt of missing items. Chairperson McDaniel seconded the motion, and the motion passed with 2 ayes. **Update: License 3969 issued 12/22/14; effective 12/23/14**

**10. DONELSON LIQUORS
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Donelson Liquor Store, Inc.
Shareholder(s): James Ronald Hobbs 100%

Proposed: James R. Hobbs 100%
Current: James R. Hobbs 50%
Michael A. Hobbs 50%

Before the Commission is a request for a transfer of ownership in the retail business located at 2501 Lebanon Pike, Nashville, Tennessee. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. Proof that James R. Hobbs purchased the 500 shares of common stock of corporate applicant at Sheriff's sale. **Update: Received 12/8/14**

Discussion/Action Taken: Commissioner Jones motioned for conditional approval subject to receipt of missing item, and Chairperson McDaniel seconded the motion. The motion passed with 2 ayes. **Database Updated**

**11. DISCOUNT LIQUORS
PULAKSI, TENNESSEE (GILES COUNTY)**

⁴ In accordance with Tennessee law, Sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

Applicant: Discount Liquors Acquisition, LLC

Member(s): David Ryan Harris 1/3 ownership interest
 Holley Harris Lawson 1/3 ownership interest
 Jace Allen Harris 1/3 ownership interest

Current: Discount Liquors, LLC (Dennis McDonald, 100%), d/b/a Discount Liquors
 Proposed: Discount Liquors Acquisition, LLC, d/b/a Discount Liquors

Before the Commission is a request for a transfer of ownership in the retail business located at 992 Mill St., Pulaski, Tennessee. The applicant plans to purchase the assets of Discount Liquors, LLC for \$175,000, including inventory.⁵ The applicant has been approved for a \$250,000 bank loan, and will lease the premises from Randall & Clela Cain for \$1,500 per month, for an initial term of one year. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. TABC Inspection
- b. Acknowledgment of TABC Rules & Regulations
- c. License Fee

Discussion/Action Taken: Commissioner Jones motioned for conditional approval, subject to receipt of missing items. Chairperson McDaniel seconded the motion; the motion passed with 2 ayes. **Update: License # 3972 issued 12/23/14; effective 12/29/14**

B. OLD BUSINESS

1. AIRPORT CHAMPION DISCOUNT LIQUOR & WINE NASHVILLE, TENNESSEE (DAVIDSON COUNTY)

Applicant: Airport Champion Discount Liquor & Wine, Inc.

Member(s): Adel Halaka, 100%

Current: Champion Discount Liquors, Inc. (Teresa Ragheb, 100%), d/b/a Champion Discount Liquors

Proposed: Airport Champion Discount Liquor & Wine, Inc. (Adel Halaka, 100%), d/b/a Airport Champion Discount Liquor & Wine

This matter was continued from the November 18, 2014 Commission Meeting.

Before the Commission is a request for a transfer of ownership in the establishment located at 152 Donelson Pike, Nashville, Tennessee. If approved, the Applicant would purchase the business from Champion Discount Liquors, Inc.⁶ Mr. Emad Kaldess is loaning Adel Halaka \$50,000 (at 7% per annum) to purchase the business. The Applicant will lease the premises from Samir Aramanuou and Heba Rezk for approximately \$2,700 per month. After thorough review of supplemental documents, bank statements, interviews with buyer, seller, and TABC special agents, the TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. Contract for Purchase of Business
- b. Naturalization papers of Shareholder

⁵ In accordance with Tennessee law, Sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

⁶ In accordance with Tennessee law, Sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

- c. TABC Agent Investigation/Inspection Report
- d. Acknowledgement of TABC Rules & Regulations
- e. License Fee

Discussion/Action Taken: Commissioner Jones motioned for conditional approval, subject to receipt of missing items and Chairperson McDaniel seconded the motion. The motion passed with 2 ayes. **Update: License #3974 issued 1/16/15**

3. WINERIES

A. New Business

**1. NATCHEZ HILLS VINEYARD
NASHVILLE, TENNESSEE (DAVIDSION COUNTY)**

Applicant: JKO Enterprises, Inc.
 Primary Location: 109 Overhead Bridge Rd., Hampshire, Tennessee 38461
 Stockholder(s): James M. Odom 51 %
 Karen A. Odom 49 %

The applicant is requesting approval to operate a satellite facility at 4225 Whites Creek Pike in Nashville, Tennessee, as allowed under T.C.A. § 57-3-207.⁷ Mr. Odom is investing \$100,000 into the business. JSM Holdings, Inc. is leasing the premises from Fontanel Attractions, LLC, but has assigned its interest in the lease to JKO Enterprises, Inc. The term of the lease is for five years with a monthly rental of \$9,000. The TABC staff recommends conditional approval of this request subject to receipt of the following:

- a. TABC Agent Report and Inspection
- b. Acknowledgement of TABC Rules & Regulations
- e. ~~\$150.00 License Fee~~

Discussion/Action Taken: Commissioner Jones motioned for conditional approval, subject to receipt of missing items. Chairperson McDaniel seconded the motion, and it passed with 2 ayes.

4. FARM WINERIES – None

5. WHOLESALERS

A. New Business

**1. CLARK DISTRIBUTING CO., INC.
DYERSBURG, TENNESSEE (DYER COUNTY)**

Applicant: Clark Distributing Co., Inc.
 Stockholder(s)/Officers: Kay Clark Crews, President 51 %
 Carol Clark Harris, Vice-Preseident 49 %
 William Travis Davis Jr., Secretary/Treasurer 0 %

Before the Commission is a request for licensing of a alcoholic beverage wholesale business located at 1300 Hwy 51 Bypass South, Dyersburg, Tennessee 38024. No funds are planned to be

⁷ Pursuant to Public Chapter No. 1015, “[a] winery [at its satellite location] may conduct any business that is authorized at the licensed winery, except for the manufacturing and bottling of wine.”

invested as this is an established beer wholesale business. A land lease is not required as the applicant owns the real property. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. TABC Agent Inspection Report
- b. Acknowledgement of TABC Rules & Regulations
- c. License Fee

Discussion/Action Taken: Commissioner Jones motioned for conditional approval, subject to receipt of any missing items, and Chairperson McDaniel seconded the motion. The motion passed with 2 ayes. **Update: License # 55 issued 1/5/15**

**2. WEST TENNESSEE BEVERAGE, LLC
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant: West Tennessee Beverage, LLC

Current:	Charles W. Hand Sr., Chairman, Director, & Co-CFO	25 %
	Charles W. Hand Jr., President, Director, and COO	25 %
	Raymond D. Hand, Director and Co-CFO	50 %
	Michael D. Craig, Director and Secretary	0 %
	William T. Moseley, Assistant Secretary	0 %
Proposed:	Raymond D. Hand, President	100 %
	Michael Craig, Secretary/Treasurer	0 %

Before the Commission is a request for a transfer of ownership in the alcoholic beverage wholesale business located at 45 EH Crump Blvd. in Memphis, Tennessee. Charles W. Hand, Sr. and Charles W. Hand Jr. assigned their interest, collectively 50%, to Raymond D. Hand, leaving him with 100% ownership in the business. The TABC staff recommends approval of this request.

Discussion/Action Taken: Commissioner Jones motioned for approval, Chairperson McDaniel seconded the motion, and it passed with 2 ayes.

**3. CARDIN DISTRIBUTING CO., INC.
PULASKI, TENNESSEE (GILES COUNTY)**

Applicant: Cardin Distributing Co., Inc.

Shareholder(s):	James Thomas Cardin	49.02 %
	Karen Cardin Spivey	50.98 %

Before the Commission is a request for licensing of a alcoholic beverage wholesale business located at 1219 West College Street, Pulaski, Tennessee 38478. No funds are planned to be invested at this time as this is already an established beer wholesale business. The applicant is leasing the premises from Cardin Properties, LLC for approximately \$11,000 per month. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. TABC Agent Inspection
- b. Acknowledgment of TABC Rules & Regulations
- c. License Fee

Discussion/Action Taken: Commissioner Jones motioned for conditional approval, subject to receipt of any missing items. Chairperson McDaniel seconded the motion and it passed with 2 ayes. **Update: License # 64 issued 1/12/15**

**4. ATHENS DISTRIBUTING CO. OF CHATTANOOGA
HIXSON, TENNESSEE (HAMILTON COUNTY)**

Applicant: Athens Distributing Co. of Chattanooga

Current Location: 4126 South Creek Road, Chattanooga, Tennessee 37406

Proposed Location: 2735 Kanasita Drive, Hixson, Tennessee 37343

Partners:	Current %	Proposed %
T.H. White III	13.8889	18.8889
Thomas H. White Jr.	20.0000	15.0000
John P. Donnelly, Jr.	2.7777	2.7777
John H. Aaron Trust	5.5556	5.5556
Donald J. White	11.1112	11.1112
Eleven Associates Partnership	41.6666	41.6666
T.H. White III Family Partnership	5.0000	5.0000

Before the Commission are two requests: the first is for a transfer of location and the second is a request for a change in ownership among the partners (5% ownership transfer from Thomas H. White Jr. to T.H. White III). The applicant purchased the real property where the alcoholic beverage wholesale business is transferring to and the TABC staff recommends conditional approval of both requests subject to receipt of the following items:

- a. ~~TABC Agent Inspection~~
- b. Certificate of Occupancy
- c. Certificate of Zoning

Discussion/Action Taken: There were two motions regarding this item. First, Commissioner Jones motioned for approval of ownership change, and Chairperson McDaniel seconded the motion; it passed with 2 ayes. Second, Commissioner Jones motioned for conditional approval for a change of location, and Chairperson McDaniel seconded the motion. The motion was conditionally approved (with two ayes), subject to receipt of missing items.

**5. AJAX DISTRIBUTING COMPANY INC
CLARKSVILLE, TENNESSEE (MONTGOMERY COUNTY)**

Applicant: Ajax Distributing Co. Inc.

Shareholder(s): Jeff Turner, President 91%
Jack Turner, Chairman/Secretary 9%

Before the Commission is a request for licensing of the alcoholic beverage wholesale business located at 330 Warfield Boulevard, Clarksville, Tennessee. Applicant is already established as a beer wholesaler and no additional funds are planned to be invested at this time. The applicant is leasing the premises from Ajax Properties, LLC for approximately \$30,000 per month. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. Acknowledgement of TABC Rules & Regulations
- b. TABC Inspection of premises
- c. ~~Waiver of Administrative Hearing~~
- d. License Fee

Discussion/Action Taken: Commissioner Jones motioned for conditional approval, subject to receipt of any missing items. Chairperson McDaniel seconded the motion, and the motion passed with 2 ayes.

Update: License # 54 effective 1/1/15

B. Old Business - None

6. DISTILLERIES

A. New Business

**1. TENNESSEE HILLS DISTILLERY
JONESBOROUGH, TENNESSEE (WASHINGTON COUNTY)**

Applicant: Tennessee Hills Distillery, LLC
 Member(s): Stephen Callahan, Managing Member 100 %

Before the Commission is a request for licensing of a distillery to be located at 127 Fox St. in Jonesborough, Tennessee 37659. Mr. Callahan has secured a bank loan for \$30,000 to invest into the business, and is also investing approximately \$20,000 of personal funds. Applicant, LLC is leasing the premises from Jonesborough Construction, L.L.C. for an initial term of three years for approximately \$1500 per month.⁸ The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. License Fee

Discussion/Action Taken: Commissioner Jones motioned for conditional approval, subject to receipt of the missing item. Chairperson McDaniel seconded the motion and it passed with 2 ayes.

**2. DOC COLLIER MOONSHINE
GATLINBURG, TENNESSEE (SEVIER COUNTY)**

Applicant: Great Smoky Mtn. Distillery, Inc.
 Current DBA: Great Smoky Mtn. Distillery, Inc.
 Proposed DBA: Doc Collier Moonshine

Before the Commission is a request for a d/b/a name change for the distillery located at 519 Parkway in Gatlinburg, Tennessee. The TABC staff recommends approval of this request.

Discussion/Action Taken: Commissioner Jones motioned for approval of the request and Chairperson McDaniel seconded the motion; the motion passed with 2 ayes. **Database updated 12/16/14**

**3. SUGARLANDS DISTILLING COMPANY
GATLINBURG, TENNESSEE (SEVIER COUNTY)**

Applicant: Sugarlands Distilling Company, LLC

<u>Members</u>	<u>Current</u>	<u>Proposed</u>
Edward C. Vickers	55 %	53 %
Douglass K. Swaggerty	40 %	38 %
R. David McMahan	5 %	9 %

Before the Commission is a request for a transfer of ownership in the distillery located at 805 Parkway in Gatlinburg, Tennessee 37738. Mr. Vickers and Mr. Swaggerty are each planning to transfer 2% of their respective interest in the stock of applicant to Mr. McMahan for \$60,000. The TABC staff recommends approval of this request.

⁸ The lessee will also pay \$10,000 to the landlord in eight equal monthly installments until the entire \$10,000 is paid.

Discussion/Action Taken: Commissioner Jones motioned for approval of the request and Chairperson McDaniel seconded the motion; the motion passed with 2 ayes.

**4. SPEAKEASY SPIRITS
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Speakeasy Spirits, LLC
 Primary Location: 900 44th Ave. North, Suite 101, Nashville, Tennessee
 Non-Contiguous Storage Location: 5901 California Avenue, Nashville, Tennessee

<u>Members</u>	<u>Current %</u>	<u>Proposed %</u>
Jeff and Jenny Pennington	47.1532 %	27.716878%
Thomas E. Bernard	0.00 %	30.00000%
Laurie C. Pennington	3.854%	2.565836%
Frank Walton & Sharon Lee Debolt	12.8900%	8.571850%
Cream Share, LLC	6.7560%	4.492740%
Nancy Inman	1.1024%	0.733096%
Michael E. & Louise L. Collins	13.3600%	8.884400%
James Albert Murphy, Jr.	9.50%	6.317500%
Elizabeth Wynne Schenk	0.50%	0.475000%
Lisa L. Renneke	4.00%	2.660000%
Roy Michael & Virginia Gail Kuzma	2.00%	1.330000%
James Albert Murphy, Sr. & Elizabeth D. Murphy	2.00%	1.330000%
Jennifer M. Khazanov	2.88%	1.915200%
Abra Oswald	0.00%	0.700000%
Mary Joan Pennington	0.00%	0.875000%
Julia Kay Pennington	0.00%	0.875000%

The Applicant has two belated requests to be heard before the Commission. The first request is for a transfer of ownership/addition of new members. The second request is for approval to store products at 5901 California Avenue, Nashville, Tennessee, as permitted under T.C.A. § 57-2-104.⁹ The TABC staff recommends conditional approval of both belated requests subject to receipt of the following items.¹⁰

- a. Payment of Citation for transfer of ownership prior to Commission approval
- b. Payment of Citation for addition and use of non-contiguous storage warehouse without Commission approval
- c. TABC Agent Inspection of non-contiguous premises

Discussion/Action Taken: There were two motion regarding this item: First, Commissioner Jones motioned for change of ownership, and it was approved with 2 ayes. Second, Commissioner Jones motioned for approval of non-contiguous storage; the motion was approved with 2 ayes. **Database updated 12/16/14**

7. PRIVATE CLUBS

A. New Business

1. VFW POST 6975

⁹ Tenn. Code Ann. § 57-2-104: It is lawful for the holder of a license issued pursuant to § 57-2-102, or the authorized agent of such licensee, to possess, store or transport the products of the manufacturing plant within, over and across the state; provided, that any alcoholic beverages or wine produced at a plant located within this state shall be stored by the licensee only within the county authorizing the operation or in a county adjacent to the county authorizing the manufacturing operation, and such possession shall be limited to storage facilities of such manufacturer; and further provided, that such licensee may also possess such alcoholic beverages or wine while being transported, whether within or outside of the state. It is lawful for common carriers to transport the products of such manufacturing plant only pursuant to an agreement or contract with a licensee under this title.

¹⁰ Speakeasy Spirits, LLC is licensed under T.C.A. § 57-2-102, the proposed storage facility is located within the same city/county as the original facility, and the Applicant has obtained TTB approval for the non-contiguous premises as an extension of the original premises.

BRISTOL, TENNESSEE (SULLIVAN COUNTY)

Applicant: Veterans of Foreign Wars Patton-Crosswhite VFW Post 6975, Inc.

Club Officers: Harold Kitchens, Commander
 Donald Trinkle, Vice Commander
 Clinton Combs, Vice Commander
 Roger Smith, Quartermaster

Before the Commission is a request for licensing pursuant to T.C.A. 57-4-102(8) (A)¹¹, of a not-for-profit private club located at 14 16th Street in Bristol, Tennessee. The applicant is a nonprofit organization organized and existing under the laws of the State of Tennessee and designated as a 501(c)(3) by the Internal Revenue Service and has approximately 450 members with each member paying approximately \$40.00 in annual dues. A land lease is not required as the applicant owns the real property. The applicant meets the remaining requirements of being a private club under the Tennessee Code and the TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. Certificate of Authorization
- b. Employee Permit Applications

Discussion/Action Taken: Commissioner Jones motioned for conditional approval, subject to receipt of any missing items. Chairperson McDaniel seconded the motion; the motion passed with 2 ayes. **License # 99482 issued 12/17/14**

8. SERVER APPEAL – Initial Order to be reviewed by Tennessee Alcoholic Beverage Commission

1. TABC v. Sara C. Allen

On November 21, 2014 Judge Thomas G. Stovall issued an Initial Order ordering Ms. Allen’s application for server permit to be granted. Pursuant to T.C.A. 4-5-315, the Initial Order is to be reviewed by the TABC. The TABC Staff does not oppose the Commission’s affirmation and confirmation of Judge Stovall’s Initial Order

Discussion/Action Taken: Commissioner Jones motioned to uphold Judge Stovall’s order granting Ms. Allen a permit. Chairperson McDaniel seconded the motion, and it passed with 2 ayes.

9. PERSONNEL - None

10. DATE OF NEXT MEETING – January 27, 2015

11. UPCOMING MEETING DATES

- January 27, 2015

Discussion/Action Taken: The February date was set at the December 2014 Commission Meeting - The February meeting will be held on February 24, 2015.

¹¹ "Club" means a nonprofit association organized and existing under the laws of the state of Tennessee, which has been in existence and operating as a nonprofit association for at least two (2) years prior to the application for a license hereunder, having at least one hundred (100) members regularly paying dues, organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any shareholder or member; and owning, hiring or leasing a building or space therein for the reasonable use of its members with suitable kitchen and dining room space and equipment and maintaining and using a sufficient number of employees for cooking, preparing and serving meals for its members and guests; provided, that no member or officer, agent or employee of the club is paid, or directly or indirectly receives, in the form of salary or other compensation, any profits from the sale of spirituous liquors, wines, champagnes or malt beverages beyond the amount of such salary as may be fixed by its members at an annual meeting or by its governing body out of the general revenue of the club. For the purpose of this section, tips which are added to the bills under club regulations shall not be considered as profits hereunder. The premises, as provided in § 57-4-101(a)(2) for a club, shall also include the golf course, tennis courts and the area immediately surrounding the swimming pool, if a club offers such amenities. The alcoholic beverage commission shall have specific authority through rules and regulations to define with specificity the terms used herein and to impose additional requirements upon applicants seeking a club license not inconsistent with the definition above;

End of Agenda

Matter of Ms. Elks' Motion for Reconsideration (Riverstone) to be placed on February agenda.

**APPROVED FOR ENTRY UPON THE MINUTE BOOKS OF THE TENNESSEE ALCOHOLIC BEVERAGE
COMMISSION THIS THE _____ DAY OF JANUARY, 2015.**



**Mary McDaniel
Chairperson**



**Keith Bell
Executive Director**

