



**TENNESSEE ALCOHOLIC BEVERAGE COMMISSION  
MINUTES  
THURSDAY, FEBRUARY 22, 2018  
1:30 p.m.**

The meeting was held on February 22, 2018, in Nashville, Tennessee. Chairman Skiles and Commissioner Jones were present. Present on behalf of TABC staff were the following: Director Byrd, Zack Blair, Bond Tubbs, Mark Reineke, Joshua Stepp, Keith Hollingshead-Cook, Christopher Dowell, Nancy Townsend, Nichelle Dorroh, Coty Shadowens, and Brandy Crissman.

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**1. REVIEW/APPROVAL OF THE JANUARY 25, 2018, COMMISSION MEETING MINUTES**

**Discussion/Action Taken:** Commissioner Jones motioned to accept the minutes as presented and Chairman Skiles seconded the motion; it passed with two ayes.

**2. RETAIL MATTERS**

**A. OLD BUSINESS** - none

**B. NEW BUSINESS**

**1. MOSSY CREEK WINES & SPIRITS LLC (LICENSE NO. 4000)  
JEFFERSON CITY, TENNESSEE (JEFFERSON COUNTY)**

Applicant: Mossy Creek Wines & Spirits LLC

Member(s):	<u>Current (%)</u>	<u>Proposed (%)</u>
	Russel G. Turner, 51	Russel G. Turner, 100
	Julie L. Greene, 49	

Retail package store licensee no. 4000 located at 110 W. Broadway Blvd., Jefferson City, TN 37760 has two requests before the Commission. The first request is for approval of a change in members and member interest. Russel G. Turner is acquiring Julie Greene's ownership interest in the LLC. Secondly, applicant is requesting approval to expand the premises of the store to include the adjacent space next to the existing premises. The TABC staff recommends approval of the ownership change and staff recommends conditional approval of the expansion request subject to receipt of the certificate of occupancy and TABC inspection.



**Discussion/Action Taken:** Director Byrd reviewed the matter to the Commission and noted there were two requests. Director Byrd recommended approval of the ownership change. Commissioner Jones motioned for approval and Chairman Skiles seconded the motion. The motion passed with two ayes. Director Byrd recommended conditional approval of the expansion request subject to the c/o and the inspection. Commissioner Jones moved for approval subject to receipt of any missing items. Chairman Skiles seconded the motion and the motion passed with two ayes.

## **2. THE GROVE WINE & SPIRITS LOUDON, TENNESSEE (LOUDON COUNTY)**

Applicant: Loudon Package LLC  
Member(s): Kevin Byrd,<sup>1</sup> 33.3% and Amir Boghani, 66.7%

Current licensee: James P. Purdy d/b/a The Grove Wine and Spirits  
(license no. 3673)  
Proposed licensee: Loudon Package LLC d/b/a The Grove Wine & Spirits

Before the Commission is a request for approval of a new retail package store licensee at 403 Grove Street, Loudon, TN 37774. Applicant is purchasing the business from the existing owner<sup>2</sup> and the applicant will lease the premises from Loudon Properties, LLC. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. agent report
- b. deed and lease
- c. inspection and acknowledgment of rules & regulations
- d. certificate of occupancy
- e. responsible vendor certification
- f. license fee

**Discussion/Action Taken:** Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to receipt of the listed conditional items (item a. through item f.). Commissioner Jones moved the application be approved subject to receipt of the items as stated. Chairman Skiles seconded the motion and it passed with two ayes.

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<sup>1</sup> Kevin Byrd is also an owner of Lonsdale Package LLC d/b/a Palace Package Store (license no. 4093) doing business at 3204 Rudy Street, Knoxville, TN 37921.

<sup>2</sup> 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. WAREHOUSE LIQUORS KNOXVILLE, TENNESSEE (KNOX COUNTY)**

Applicant: Rocky Hill Liquors, LLC  
Member(s): Teresa Lynn Hosenfeld, 50%  
John Tweedall,<sup>3</sup> 50%

Current licensee: Warehouse Liquors Inc. d/b/a Warehouse Liquors  
(license no. 4165)

Proposed licensee: Rocky Hill Liquors, LLC d/b/a Warehouse Liquors

Before the Commission is a request for approval of a new package store licensee to be located at 7587 S. Northshore Dr., Knoxville, TN 37919. Applicant is purchasing the business from the current licensee<sup>4</sup> and the landlord has consented to the assignment of the lease to the new owner. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. certificate of occupancy
- b. license fee
- c. ~~responsible vendor fee (received)~~
- d. ~~acknowledgment of rules and regulations (received)~~

**Discussion/Action Taken:** Director Byrd reviewed the matter to the Commission and noted it was the first RLPS application to be considered by the Commission. Director Byrd recommended conditional approval of the request subject to the c/o and the license fee. Director Byrd commented briefly on the RLPS application process. A brief discussion was held on the RLPS application review process. Commissioner Jones moved for approval and Chairman Skiles seconded the motion; it passed with two ayes.

### **4. SUNSET WINE & SPIRITS MADISONVILLE, TENNESSEE (MONROE COUNTY)**

Applicant: Lack Enterprises, LLC  
Member(s): Kyle Lack, 50% and Susan Lack, 50%

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<sup>3</sup> John Tweedall is also the owner of Tip's Package Store Inc. d/b/a Lange's Liquor Store (license no. 0850) located at 8878 Kingston Pike, Knoxville, TN 37923.

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



Current licensee: TLM Inc. (Timothy L. Maxwell, 100%) d/b/a Sunset Wine & Spirits (permit 3804)  
Proposed licensee: Lack Enterprises, LLC d/b/a Sunset Wine & Spirits

Before the Commission is a request for approval of a new licensee to be located at 4435 Highway 411, Madisonville, TN 37354. Applicant is purchasing the business from the existing owner<sup>5</sup> and will lease the premises from the landlord, Timothy Maxwell. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. license fee
- b. responsible vendor fee

**Discussion/Action Taken:** Director Byrd reviewed the matter to the Commission and noted it was an RLPS application. Director Byrd recommended conditional approval of the request subject to the license fee and responsible vendor fee. Commissioner Jones moved for approval subject to receipt of the items as stated. Chairman Skiles seconded the motion and it the motion passed with two ayes.

## **5. SEQUATCHIE LIQUOR DUNLAP, TENNESSEE (SEQUATCHIE COUNTY)**

Applicant: Mahant Swami Inc.  
Shareholder(s): Himanshu M. Patel, 100%

Current: SBP Inc. d/b/a Sequatchie Valley Wine & Spirits (license no. 3928)  
Proposed: Mahant Swami Inc. d/b/a Sequatchie Liquor

Before the Commission is a request for approval of a new licensee to be located at 36B Hickey Circle, Dunlap, TN 37327. Applicant is purchasing the business from the existing owner and will lease the premises from Brenda & Rayburn Lambert. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- c. license fee
- d. ~~responsible vendor fee~~ (received)

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<sup>5</sup> 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:** Director Byrd reviewed the matter to the Commission and noted this was an RLPS application. Director Byrd recommends conditional approval of the request subject to the license fee. Commissioner Jones motioned for approval subject to receipt of the items as stated. Chairman Skiles seconded the motion and it passed with two ayes.

**6. RED CARPET LIQUORS (LICENSE NO. 4161)  
GALLATIN, TENNESSEE (SUMNER COUNTY)**

Applicant: Aarya Enterprises LLC  
Member(s): Kunal Patel, 100%

Current location: 226 North Locust Ave., Gallatin, TN 37066  
Proposed location: 509 Garnet Court, Gallatin, TN 37066

Retail package store licensee no. 4161 is requesting approval to transfer its location from 226 North Locust Ave., Gallatin, TN 37066 to 509 Garnet Court, Gallatin, TN 37066. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. deed and lease
- b. certificate of occupancy
- c. inspection

**Discussion/Action Taken:** Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to receipt of the listed conditional items. A brief discussion was held concerning the application process and Director Byrd clarified that until a licensee has an RLPS license there is not a record or license to "amend" in RLPS and as such those types of changes for licensees that do not yet have an RLPS license will be processed through a paper process. Commissioner Jones moved for approval with receipt of any items as stated and Chairman Skiles seconded the motion. The motion was approved with two ayes.

**3. WINERY MATTERS**

**A. OLD BUSINESS – none**

**B. NEW BUSINESS**



**1. BOOTLEGGERS HOMEMADE WINE LLC (SF PERMIT NO. 1)  
PIGEON FORGE, TENNESSEE (SEVIER COUNTY)**

Applicant: Bootleggers Homemade Wine, LLC<sup>6</sup>

Current satellite facility location: 130/131 Island Dr. Bldg I3/Ste #9117

Proposed satellite facility location: 130/131 Island Dr. Bldg. I/Ste. #9109

Satellite facility permittee no. 1 is requesting Commission approval to transfer its location as specified above. The TABC staff recommends approval of the request subject to receipt of the following:

- a. certificate of occupancy
- b. inspection

**Discussion/Action Taken:** Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to receipt of the listed conditional items. Commissioner Jones moved for approval and Chairman Skiles seconded the motion and it passed with two ayes.

**4. FARM WINERY MATTERS – none**

**5. WHOLESALE MATTERS - none**

**6. DISTILLERY/BREWERY**

**A. OLD BUSINESS – none**

**B. NEW BUSINESS**

**1. OLD GLORY DISTILLING CO. (LICENSE NO. 144)  
CLARKSVILLE, TENNESSEE (MONTGOMERY COUNTY)**

Applicant: Cunningham Spirits LLC

Member(s):	<u>Current(%)</u>	<u>Proposed (%)</u>
Matthew Cunningham	100	90.1

<sup>6</sup> Bootleggers Homemade Wine LLC is a TABC licensed winery (W-70) at 903 Parkway, Suite 108, Gatlinburg, TN 37738.



Wesley Cunningham

9.9

Licensee no. 144 doing business at 451 Alfred Thun. Rd., Clarksville, Tennessee 37040, is requesting approval for a change in LLC members and member interest. If approved, Wesley Cunningham will be added as a member. The TABC staff recommends approval of this request.

**Discussion/Action Taken:** Director Byrd reviewed the matter to the Commission and recommended approval of the request. Commissioner Jones moved for approval and Chairman Skiles seconded the motion and it passed with three ayes.

## **2. BRANCHWATER DISTILLERY WINCHESTER, TENNESSEE (FRANKLIN COUNTY)**

Applicant: Branchwater Distillery, LLC  
Member(s): Bryan Kelley, 70%; Bonnie Kelley, 10%; Amanda Lieble, 10%; Sara Logan, 5%; Loren Henley, 5%

Before the Commission is a request for approval of a new manufacturer to be located at 115 2<sup>nd</sup> Avenue Northwest, Winchester, TN 37938. The applicant is the owner of the real property where the business will be located. The TABC staff recommends approval of this request subject to payment of the license fee.

**Discussion/Action Taken:** Director Byrd reviewed the matter to the Commission and noted it was an RLPS application. Director Byrd noted that because RLPS requires documentation to be submitted on the front end and as such we would likely see applications come to the Commission with fewer conditions and that it is not in the best interest of the industry to submit incomplete applications as that will only result in a delay. Commissioner Jones moved for approval of the application and Chairman Skiles seconded the motion and it was approved with two ayes.

## **7. PRIVATE CLUBS - none**

## **8. MISCELLANEOUS**

### **A. RLPS Update**

**Discussion/Action Taken:** Director Byrd asked Chris Dowell to provide an RLPS update and Chris Dowell updated the Commission on RLPS.





## B. Rules - Update

- **Manager Permit Rules Effective 2/19/2018**  
[http://publications.tnsosfiles.com/rules\\_filings/11-14-17.pdf](http://publications.tnsosfiles.com/rules_filings/11-14-17.pdf)
- **Rule Amendments Relating to Airport Terminals to be Effective 4/11/2018**  
[http://publications.tnsosfiles.com/rules\\_filings/01-11-18.pdf](http://publications.tnsosfiles.com/rules_filings/01-11-18.pdf)

**Discussion/Action Taken:** Director Byrd updated the Commission on the above listed rules.

## C. Update - *Clayton Byrd, et al v. TN Wine & Spirits Retailers, Case No. 17-5552*

**Discussion/Action Taken:** Director Byrd updated the Commission on this matter and commented that the 6<sup>th</sup> Circuit Court of Appeals affirmed the District Court's decision and held that the statute that created the residency requirement for retail package stores was unconstitutional.

## 9. BUDGET - Update

**Discussion/Action Taken:** Assistant Director Zack Blair updated the Commission on the budget and commented that staff had completed three budget hearings and that no changes were made to the budget as presented.

**10. NEXT MEETING -** Thursday, March 22, 2018, at 1:30 p.m.

## 11. UPCOMING MEETINGS

- Thursday, March 22, 2018, at 1:30 p.m.
- Thursday, April 26, 2018 (~~Tentative Meeting Date~~)
- May (TBD)

**Discussion/Action Taken:** The Thursday, April 26, 2018, meeting date was confirmed.

The meeting adjourned.

**APPROVED FOR ENTRY UPON THE MINUTE BOOKS OF THE TENNESSEE ALCOHOLIC  
BEVERAGE COMMISSION THIS THE 22<sup>ND</sup> DAY OF MARCH, 2018.**

  
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COMMISSIONER

  
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CLAYTON BYRD, DIRECTOR