



**TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
MEETING MINUTES
THURSDAY, JANUARY 25, 2018
1:30 p.m.**

The meeting was held on Thursday, January 25, 2018, in Nashville, Tennessee. Commissioner Jones and Commissioner Skiles were present and constituted a quorum. Present on behalf of staff were the following: Director Byrd, Assistant Director Blair, CLEO Tubbs, Joshua Stepp, Keith Hollingshead-Cook, Mark Reineke, Nancy Townsend, John Pallas, Nichelle Dorroh, Nancy Townsend, and Christopher Dowell.

Discussion/Action Taken: Commissioner Jones called the meeting to order and made a motion to nominate Richard Skiles to serve as Chairman of the Commission. Commissioner Skiles seconded the motion. The motion passed with two ayes.

1. REVIEW/APPROVAL OF THE DECEMBER 19, 2018, COMMISSION MEETING MINUTES

Discussion/Action Taken: Commissioner Jones noted that the requested addendum to the December meeting minutes was included as part of the minutes and Commissioner Jones made a motion to accept the minutes as presented. Chairman Skiles seconded the motion and it passed with two ayes.

2. RETAIL MATTERS

A. OLD BUSINESS - none

B. NEW BUSINESS

**1. SOUTHSIDE BEVERAGE
RIPLEY, TENNESSEE (LAUDERDALE COUNTY)**

Applicant: Michael A. Pike Sr.

Before the Commission is a request for licensing of a new retail package store to be located at 500 S. Washington St., Ripley, TN 38063. The applicant is the owner of the real property where the store will be located. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. certificate of occupancy
- b. inspection & acknowledgment of rules & regulations



Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval subject to receipt of the conditional items listed. Commissioner Jones moved to approve the application subject to receipt of the items as stated. Chairman Skiles seconded the motion. The motion passed with two ayes.

2. TOTAL WINE SPIRITS BEER & MORE KNOXVILLE, TENNESSEE (KNOX COUNTY)

Applicant: Tennessee Fine Wines & Spirits, LLC

Member(s): David J. Trone, 5%
Robert L. Trone, 45%
SPT 2015 LLC Receiving Trust, 5%
NRT 2013 LLC Receiving Trust, 11.25%
MCT 2013 LLC Receiving Trust, 11.25%
RJT 2013 LLC Receiving Trust, 11.25%
JET 2013 LLC Receiving Trust, 11.25%

Before the Commission is a request for approval of a new retail package store to be located at 11370 Parkside Dr., Knoxville, TN 37934. The applicant is leasing the premises from Hart TC I-III, LLC. The TABC staff recommends conditional approval of the license subject to receipt of the following items:

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

Discussion/Action Taken: Director Byrd introduced the matter to the Commission and asked Commission Counsel, Keith Hollingshead-Cook, to provide background on the litigation and Mr. Hollingshead-Cook then addressed the Commission before turning the floor back over to Director Byrd.

Director Byrd recommended conditional of the license subject to receipt of the agent report, inspection which includes the acknowledgment of rules & regulations, certificate of occupancy, license fee, and responsible vendor certification.



A brief discussion was held regarding the certificate of occupancy and inspection requirement.

Attorney Bill Hubbard addressed the Commission on behalf of the applicant and commented that he did not anticipate any issues with the certificate of occupancy.

Representatives of the Tennessee Wine and Spirits Retailer's Association requested to address the Commission in opposition of the application. Attorney Rick Colburt then addressed the Commission and argued several points relating to the applicant's alleged non-disclosure of violations, the pending residency case in the Court of Appeals, and the trust beneficiaries being minors.

A discussion was held.

Commissioner Jones motioned to approve the license subject to satisfactory performance of those items that are listed and all the proper paperwork being presented and moved to approve the license upon acceptance of those items as stated. Chairman Skiles seconded the motion. The motion was approved with two ayes.

3. THE NEW CORKSCREW MEMPHIS, TENNESSEE (SHELBY COUNTY)

Applicant: The New Corkscrew LLC
Member(s): Barbara S. Cowles, 100%

Before: Henry B. Cowles d/b/a The New Corkscrew (license no. 3608)
Proposed: The New Corkscrew LLC (Barbara S. Cowles, 100%) d/b/a The New Corkscrew

Before the Commission is a request for approval of a complete change of ownership in the package store located at 1 Mina Avenue, Memphis, TN 38103. Mr. Cowles passed away in the fall of 2017 and his spouse is seeking to obtain a license to operate the store as an LLC. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. inspection & acknowledgment of rules & regulations
- b. license fee
- c. responsible vendor certification

Discussion/Action Taken: Director Byrd reviewed the matter and recommended conditional approval of the license subject to receipt of the listed



conditional items. Commissioner Jones moved to approve and Chairman Skiles seconded the motion. The motion passed with two ayes.

**4. THE SPIGOT WINE & LIQUORS
MONTEREY, TENNESSEE (PUTNAM COUNTY)**

Applicant: Sherry Lawson, 100%

The applicant is requesting approval of a new retail package store to be located at 507 E. Stratton, Monterey, TN 38574. Ms. Lawson is the owner of the real property where the store will be located. The TABC staff recommends conditional approval of this request, subject to receipt of the following:

- a. inspection & acknowledgment of rules & regulations
- b. license fee
- c. responsible vendor certification

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the license subject to receipt of the listed conditional items. Commissioner Jones moved to approve subject to receipt of any items as stated and Chairman Skiles seconded the motion. The motion passed with two ayes.

**5. DIXIE LEE WINES & LIQUORS
KNOXVILLE, TENNESSEE (KNOX COUNTY)**

Applicant: Dixie Lee Wines & Liquors Inc.

Shareholder(s):	<u>Current (%)</u>	<u>Proposed (%)</u>
	Andrew Taylor, 19.53	Andrew Taylor, 33.33
	Sam Taylor III, 19.53	Sam Taylor III, 33.33
	Ellen T. Jones, 19.53	Ellen T. Jones, 33.33
	Linda G. Taylor, 41.41	-----

Current d/b/a name: Dixie Lee Liquors

Requested d/b/a name: Dixie Lee Wines & Liquors

Retail package store licensee no. 1064 located at 13044 Kingston Pike, Knoxville, TN 37934 has two requests before the Commission. First, the applicant is requesting approval for changes in shareholders and shareholder interest. After the transfers Linda G. Taylor will no longer be a shareholder in the corporation.



Additionally, the applicant would like to change the d/b/a name. The TABC staff recommends approval of both requests.

Discussion/Action Taken: Director Byrd reviewed the matter and recommended approval of the change in shareholders and shareholder interest. Commissioner Jones moved for approval and Chairman Skiles seconded the motion. The motion passed with two ayes.

Director Byrd recommended approval of the d/b/a name change. Commissioner Jones motioned for approval and Chairman Skiles seconded the motion. The motion passed with two ayes.

6. RICHLAND WINE AND SPIRITS DAYTON, TENNESSEE (RHEA COUNTY)

Applicant: Titan Management Inc.
Shareholder(s): John Richard Vaughn, 100%

Before the Commission is a request for licensing of a new retail package store to be located at 260 16th Avenue Suite 138, Dayton, TN 37321. While a local Certificate of Compliance has not been granted by the city of Dayton, the applicant contends the Certificate should be deemed granted pursuant to T.C.A. § 57-3-208(d)¹. This matter is currently the subject of a legal action in the city of Dayton. The TABC staff recommends that this matter be continued until such time as the court in the pending matter provides further clarity regarding this issue or the legal matter is otherwise resolved.

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended the matter be continued until the next Commission meeting. Director Byrd noted that the applicant had not submitted a certificate of compliance with the application and that there is a dispute at the local level and that it is not timely for the Commission to consider the application at this time. Commission Counsel Stepp clarified that the staff is recommending that the matter be continued until the lawsuit is resolved or clarification regarding the injunction is received. Commissioner Jones moved for the item to be postponed until such time staff deems it can be properly brought before the Commission. Chairman Skiles seconded the motion and it passed with two ayes.

¹ Tenn. Code Ann. § 57-3-208(d) provides: An applicant may seek review of the denial of a certificate by instituting an action in the chancery court having jurisdiction over the municipality or county within sixty (60) days of the denial.



7. DANIEL'S LIQUOR AND SPIRIT LLC WATERTOWN, TENNESSEE (WILSON COUNTY)

Applicant: Daniel's Liquor and Spirit LLC
Member(s): Hany Daoud, 50%
Makram Gendy, 50%

Before the Commission is a request for approval of a new retail package store to be located at 9464 Sparta Pike, Suite 100, Watertown, TN 37184. Hany Daoud, Makram Gendy, and Eid Said are the owners of the real property and are leasing the premises to the LLC. The TABC staff recommends conditional approval of the license subject to receipt of the following items:

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

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the application upon receipt of the listed conditional items. Attorney Danielle Elks requested to speak in opposition of the application. Applicants Makram Gendy and Hany Daoud were in attendance.

Danielle Elks addressed the Commission in opposition to the application citing public safety concerns and concerns about the applicants financial viability to operate the store. Ms. Elks requested the Commission set the matter for a show-cause hearing.

A discussion was held in which Director Byrd, Makram Gendy, Commission Counsel Joshua Stepp, and Danielle Elks addressed the Commission.

After the discussion, Director Byrd recommended conditional approval of the application.

Commissioner Jones moved for approval subject to receipt of any documentation that is missing. Commissioner Skiles seconded the motion and the motion was approved with two ayes.



**8. VILLAGE WINE & SPIRITS (LICENSE NO. 4038)
MONTEAGLE, TENNESSEE (GRUNDY COUNTY)**

Applicant: ABDJ Inc.

Shareholder(s):	<u>Before</u>	<u>After</u>
	Sharmishta Patel, 50%	Sharmishta Patel, 12.5 %
	Satishkumar Patel, 50%	Satishkumar K. Patel, 12.5%
		Ashvinkumar M. Patel, 75%

Retail package store licensee no. 4038 located at 813 West Main St., Monteagle, TN 37356 is requesting approval for changes in shareholders and shareholder interest. Ashvinkumar M. Patel is being added as a shareholder in ABDJ Inc. The TABC staff recommends approval of the request.

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommend approval. Commissioner Jones motioned for approval subject to receipt of any documentation necessary. Chairman Skiles seconded the motion and it passed with two ayes.

3. WINERY MATTERS

A. OLD BUSINESS – none

B. NEW BUSINESS

**1. TSALI NOTCH VINEYARD
MADISONVILLE, TENNESSEE (MONROE COUNTY)**

Applicant: Tsali Notch LLC²
Member(s): Cary L. Cox, 100%

Applicant is requesting approval for the issuance of a winery license at 140 Harrison Road, Madisonville, TN 37354. The applicant is already licensed as a farm winery (FW-85) at this location and Tsali Notch LLC intends to keep the farm winery license. The TABC staff recommends conditional approval of the license subject to receipt of the following items:

² Tsali Notch Vineyard also has a satellite facility (license no. 8) located at 109 E. Morris St., Sweetwater, TN 37874. Additionally, Tsali Notch LLC holds a TABC farm winery permit (FW-85) at 140 Harrison Rd., Madisonville, TN 37354.



- a. inspection & acknowledgment of rules and regulations
- b. license fee

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

**2. LOVE AND EXILE WINES
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Love and Exile Wines, LLC (Tyler Alkins, 100%)

Previously approved d/b/a name: Nashville Urban Winery
Correct d/b/a name: Love and Exile Wines

The applicant was conditionally approved at the December meeting for the issuance of a winery license at 715 Main St., Nashville, TN 37206. On January 5, 2018, all conditions were satisfied and the applicant informed staff that the d/b/a name listed on the agenda was not the intended d/b/a name for the winery. The winery license (W-113) was issued on 01/05/18 under the previously approved d/b/a name. The staff recommends approval of the request to amend the winery license to reflect the intended d/b/a name.

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended approval of the intended d/b/a name. Commissioner Jones moved for approval and Chairman Skiles seconded the motion. The motion was approved with two ayes.

**3. CHAPMAN HILL WINERY LLC
LAFOLLETTE, TENNESSEE (CAMPBELL COUNTY)**

Applicant: Chapman Hill Winery LLC
Member(s): Charles C. Compton, 50%
Sherry A. Compton, 50%

Before the Commission is request for licensing of a winery to be located at 450 S. Chapman Rd., LaFollette, TN 37766. Charles and Sherry Compton own the real property where the winery will be located and are leasing the premises to the



LLC. The TABC staff recommends conditional approval of this license subject to receipt of the following items:

- a. agent report
- b. inspection & acknowledgment of rules & regulations
- c. certificate of occupancy

Discussion/Action Taken: The Comptons were present at the meeting. Director Byrd noted that the certificate of occupancy conditional item had been received and Director Byrd recommended conditional approval of the license subject to receipt of items (a) and (b). Commissioner Jones moved for approval subject to receipt of the items as stated. Chairman Skiles seconded the motion and the motion was approved with two ayes.

4. FARM WINERY MATTERS - none

5. WHOLESALE MATTERS - none

6. DISTILLERY/BREWERY

A. OLD BUSINESS - none

B. NEW BUSINESS

**1. CASCADE HOLLOW DISTILLING CO.
TULLAHOMA, TENNESSEE (COFFEE COUNTY)**

Applicant: Diageo Americas Supply, Inc. (license No. 7)

Current d/b/a name: George A. Dickel & Company

Proposed d/b/a name: Cascade Hollow Distilling Co.

The distillery (license no. 7) located at 1950 Cascade Hollow Rd., Tullahoma, TN 37388, is requesting approval to change its d/b/a name to Cascade Hollow Distilling Co. The TABC staff recommends approval of this request.

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended approval of the d/b/a name change. Commissioner Jones motioned for approval and Chairman Skiles seconded the motion. The motion for approval passed with two ayes.



**2. GOBBLER SPRINGS DISTILLERY
LAWRENCEBURG, TENNESSEE (LAWRENCE COUNTY)**

Applicant: Gobbler Springs Distillery LLC

Member(s): Fresh Family Trust, 80%
John Michael Hatcher, 20%

Before the Commission is a request for approval of a new manufacturer to be located at 866 Gobbler Spring Lane, Lawrenceburg, TN 37464. The applicant is subleasing the premises from Fresh Family Trust. The TABC staff recommends conditional approval of the license subject to receipt of the following items:

- a. inspection & acknowledgment of rules & regulations
- b. license fee

Discussion/Action Taken: John Hatcher was present on behalf of the applicant. Director Byrd reviewed the matter to the Commission and recommended conditional approval subject to receipt of the listed items. Commissioner Jones motioned for approval subject to completion and receipt of the items as stated. Chairman Skiles seconded the motion and the motion passed with two ayes.

**3. KING'S FAMILY DISTILLERY
SEVIERVILLE, TENNESSEE (SEVIER COUNTY)**

Applicant: King Consulting Group, LLC
Member(s): Cara A. King, 100%

Before the Commission is a request for approval of a new manufacturer to be located at 1440 Upper Middle Creek Rd., Ste. # 201-202. The applicant is leasing the premises from Ltd., LLC. The TABC staff recommends conditional approval of the license subject to receipt of the following items:

- a. agent report
- b. inspection & acknowledgment of rules & regulations
- c. certificate of occupancy
- d. license fee

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the license subject to



receipt of the listed items. Attorney Rob Pinson was present on behalf of the applicant. Commissioner Jones motioned for approval subject to receipt of any missing items. Chairman Skiles seconded the motion and it passed with three ayes.

7. PRIVATE CLUBS

A. OLD BUSINESS – none

B. NEW BUSINESS

1. MOOSE LODGE #1321 SELMER, TENNESSEE (MCNAIRY COUNTY)

Applicant: Loyal Order of Moose
Officers: Cody Dickey, Gene Graham, Jr. Ben Welsh, Brian Sullivan, Johnny Moore, and Mark Green

Before the Commission is a request for licensing pursuant to T.C.A. § 57-4-102(8)(A),³ of a not-for-profit private club located at 628 Moose Lodge Rd., Selmer, TN 38377.⁴ The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. inspection & acknowledgment of rules & regulations

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to

³ T.C.A. § 57-4-102(8)(A) "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;

⁴ The applicant was previously licensed at this location but the license (no. 99114) expired in February of 2017 and was closed out on July 7, 2017 due to issues preventing renewal of the license at that time.



receipt and completion of all items as stated. Chairman Skiles seconded the motion and the motion passed with two ayes.

8. RETAIL FOOD STORES - list of licenses available on request

9. INITIAL ORDERS TO BE REVIEWED BY THE COMMISSION - none

10. MISCELLANEOUS

A. RLPS Update

Discussion/Action Taken: Director Byrd asked Assistant Director Blair to provide an update on RLPS system. Assistant Director Blair then updated the Commission on the RLPS system.

Discussion/Action Taken: Assistant Director Blair noted that staff would have a budget hearing before the legislature the following Tuesday.

B. Other

Discussion/Action Taken: Director Byrd noted that there are rules that are set to take effect and that the staff will update the Commission on those at the next meeting.

11. BUDGET - none

12. COMMISSION MATTERS - none

13. NEXT MEETING - Thursday, February 22, 2018, at 1:30 p.m.

14. UPCOMING MEETINGS

- Thursday, February 22, 2018, at 1:30 p.m.
- Thursday, March 22, 2018 at 1:30 p.m. (set at the January meeting)
- Thursday, April 26, 2018 (Tentative meeting date for April)

The Commission set the March meeting for Thursday, March 22, 2018, and tentatively set the April meeting for Thursday, April 26, 2018.

The meeting adjourned.



**APPROVED FOR ENTRY UPON THE MINUTE BOOKS OF THE TENNESSEE ALCOHOLIC
BEVERAGE COMMISSION THIS THE 22nd DAY OF FEBRUARY, 2018**



COMMISSIONER



CLAYTON BYRD, DIRECTOR