



TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
MINUTES
TUESDAY, OCTOBER 24, 2017
1:30 p.m.

The October meeting of the Tennessee Alcoholic Beverage Commission was held on Tuesday, October 24, 2017. Commissioner Jones, Commissioner Skiles, and Commissioner Kaegi were present. Commissioner Kaegi sat as Chairman of the meeting. Director Byrd, Assistant Director Blair, Mark Reineke, Joshua Stepp, Christopher Dowell, Nancy Townsend, and CLEO Tubbs were present on behalf of TABC staff.

1. REVIEW/APPROVAL OF THE SEPTEMBER 26, 2017, COMMISSION MEETING MINUTES

Discussion/Action Taken: Commissioner Jones moved to accept the minutes as presented. Commissioner Skiles seconded the motion. The motion passed with three ayes.

2. RETAIL MATTERS

A. OLD BUSINESS - none

B. NEW BUSINESS

**1. SINKER'S BEVERAGES WINE, SPIRITS AND BEER
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Sinker's Wine, Spirits, and Beer LLC

Current location: 3304 Gallatin Rd., Nashville, TN 37216

Proposed location: 3308 Gallatin Rd., Nashville, TN 37216

Current d/b/a name: Sinker's Wine Spirits & Beer

Proposed d/b/a name: Sinker's Beverages Wine, Spirits and Beer

Retail package store licensee no. 3971 has two requests before the Commission. The first request is to change its d/b/a name to Sinker's Beverages Wine, Spirits and Beer. The second request is to transfer its location to 3308 Gallatin Rd., Nashville, TN 37216. The TABC staff recommends approval of the the d/b/a name change request and the staff recommends conditional approval of the



transfer of location, 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 associated with this agenda item. Director Byrd recommended approval of the location change, subject to receipt of the c/o and inspection. Commissioner Skiles moved to accept the recommendation of staff. Commissioner Jones seconded the motion; it passed with three ayes.

Director Byrd noted that there should not be an apostrophe listed in the name "Sinker's" and recommended approval of the d/b/a name change. Commissioner Skiles moved to accept the recommendation and Commissioner Jones seconded the motion. It passed with three ayes.

2. CARTHAGE WINE AND LIQUOR CARTHAGE, TENNESSEE (SMITH COUNTY)

Applicant: Carthage Wine and Liquor, Inc.
Shareholder(s): Madhuben Patel, 100%

The applicant was conditionally approved on June 20, 2017, for this issuance of a retail package store license at 41 Dixon Springs Highway, Carthage, Tennessee 37030.¹ Due to construction delays, the applicant requested and received an initial thirty day extension by staff and is now before the Commission to request a final thirty day extension of the conditional approval. If approved, the applicant's conditional approval would be extended through November 17, 2017. The TABC staff recommends approval of the request.

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended approval. Danielle Elks, attorney, was present on behalf of the applicant and stated that construction is expected to be complete around November 7th. Commissioner Skiles moved to accept the recommendation of staff and Commissioner Jones seconded the motion; it passed with three ayes.

3. BF KAUFMAN'S WINES AND LIQUOR 2 MEMPHIS, TENNESSEE (SHELBY COUNTY)

Applicant: BF Kaufman's Inc.

¹ The conditional items were the certificate of occupancy, TABC inspection, and the license fee.



Shareholder(s): Brian K. Franklin, 100%

Before the Commission is a request for licensing of a new retail package store to be located at 2205 E. Shelby Drive, Ste. #103, Memphis, Tennessee 38116. The applicant is leasing the premises from landlord, Ocean Enterprises, LLC. The TABC staff recommends conditional approval of this request, subject to receipt of the following items:

- a. certificate of occupancy
- b. TABC inspection²
- c. license fee
- d. responsible vendor certification

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval, subject to receipt of the listed items.

Director Byrd commented on the responsible vendor certification requirement on the agenda items. Director Byrd also noted that the acknowledgment of rules and regulations items is listed in the footnotes on this agenda for efficiency reasons. Commissioner Jones commented and Director Byrd indicated that on future agenda will include the change suggested by Commissioner Jones.

Commissioner Jones moved to accept the Director's recommendation and Commissioner Skiles seconded the motion. The motion passed with three ayes.

4. FAIRVIEW LIQUORS AND FINE WINES FAIRVIEW, TENNESSEE (WILLIAMSON COUNTY)

Applicant: T&D LLC
Member(s): Donald Norman (50%); Teleen Norman (50%)

Current: Fairview Liquors and Fine Wines, LLC (Ken Karger, 51%; Ann McConnell, 49%) (license no. 3687)

Proposed: T&D LLC d/b/a Fairview Liquors and Fine Wines

Before the Commission is a request for approval of a complete transfer of ownership of the retail package store located at 2382 Fairview Blvd., Fairview,

² An acknowledgment of TABC rules & regulations is to be completed at time of inspection.



Tennessee 37062. Applicant is purchasing the business from the current owner³ and will lease the premises from landlord, Grand Central Station Partnership. The TABC staff recommends conditional approval of the request, subject to receipt of the following items:

- a. TABC inspection⁴
- b. license fee
- c. responsible vendor certification

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval, subject to receipt of the conditional items. Mr. Norman was present on behalf of the applicant. Commissioner Skiles moved to accept the recommendation of staff and Commissioner Jones seconded the motion; it passed with three ayes.

5. WEISS LIQUORS NASHVILLE, TENNESSEE (DAVIDSON COUNTY)

Applicant: A. Weiss Liquors, LLC
Member(s): Anne Nicholas Weiss, 100%

Current: Weiss Liquors Inc. (Julia Weiss, 100%) d/b/a Weiss Liquors (License No. 0031)

Proposed: A. Weiss Liquors, LLC

Before the Commission is a request for approval of a complete transfer of ownership in the retail package store located at 824 Main Street, Nashville, TN 37206. Applicant is purchasing the business from the existing owner⁵ and will lease the premises from the landlord, Kenneth Wayne Weiss. The TABC staff recommends conditional approval of the request, subject to receipt of the following items:

- a. TABC inspection⁶
- b. responsible vendor certification
- c. license fee

³ In accordance with Tennessee law, sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

⁴ An acknowledgment of TABC rules & regulations is to be completed at time of inspection.

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 An acknowledgment of TABC rules & regulations is to be completed at time of inspection.



Discussion/Action Taken: Anne Weiss was present on behalf of the applicant. Director Byrd reviewed the matter to the Commission and recommended conditional approval subject to receipt of the conditional items. Commissioner Jones moved to accept the Director's recommendation and Commissioner Skiles seconded the motion; it passed with three ayes.

**6. HIGHWAY 111 WINE AND SPIRITS (LICENSE NO. 4127)
BYRDSTOWN, TENNESSEE (PICKETT COUNTY)**

Applicant: Highway 111 Wine and Spirits, LLC (Jerry Parris, 100%)

The retail package store licensee doing business at 8810 Hwy 111, Byrdstown, Tennessee, 38549 is requesting approval to expand the premises of the package store. The applicant is constructing an addition to the back of the existing building. The TABC staff recommends conditional approval of this request, subject to receipt of the following items:

- a. certificate of occupancy after build-out
- b. TABC inspection after build-out

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to the conditional items. Commissioner Jones moved for approval subject to the Director's recommendation and the receipt of the items as stated. Commissioner Skiles seconded the motion. The motion passed with three ayes.

**7. SOUTHWIND LIQUOR LLC
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant: Southwind Liquor LLC
Member(s): Amy Weeks, 50%
Ronald D. Weeks, 50%

Before the Commission is a request for licensing of a new package store to be located at 3750 Hacks Cross Rd., Suite 103, Memphis, Tennessee 38125. Applicant will lease the premises from the landlord, PMT Partners XVIII, L.P., a Tennessee limited partnership. The TABC staff recommends conditional approval of this request, subject to receipt of the following items:

- a. TABC inspection⁷
- b. ~~license fee~~(received prior to meeting)

⁷ An acknowledgment of TABC rules & regulations is to be completed at time of inspection.



c. ~~responsible vendor certification~~ (received prior to meeting)

Discussion/Action Taken: Ronald Weeks and Amy Weeks were present. Director Byrd reviewed the matter to the Commission and noted that the license fee and responsible vendor certification conditional items had been satisfied. Director Byrd recommended conditional approval of the request subject to receipt of the inspection (the inspection includes the acknowledgment of rules and regulations). Commissioner Skiles moved to accept the recommendation of the staff and Commissioner Jones seconded the motion. The motion passed with three ayes.

8. L&B SKYLINE WINE & SPIRITS NASHVILLE, TENNESSEE (DAVIDSON COUNTY)

Applicant: L&B Consolidations, LLC
Member(s): Phillip Levon Beene, Jr., 100%

Current: Dickerson Liquor Store, Inc. (Jimmy Patel, 100%) d/b/a Dickerson Pike Discount Liquor Store (License No. 3883)

Proposed: L&B Consolidations LLC d/b/a L&B Skyline Wine & Spirits

Before the Commission is a request for approval of a complete change in ownership in the retail package store located at 3006 Dickerson Pike, Suite B, Nashville, Tennessee 37207. The applicant is purchasing the business from the current owner⁸ and will lease the premises from SPAB Management, LLC. The TABC staff recommends conditional approval of this request, subject to receipt of the following items:

- a. TABC inspection⁹
- b. responsible vendor certification
- c. license fee

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to the conditional items. Tucker Herndon was present on behalf of the applicant. Commissioner Jones moved to accept the Director's recommendation and approve the license subject to receipt of any documents or items. Commissioner Skiles seconded the motion. The motion passed with three ayes.

⁸ In accordance with Tennessee law, sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

⁹ An acknowledgment of TABC rules & regulations is to be completed at time of inspection.



3. WINERY MATTERS - none

4. FARM WINERY MATTERS - none

5. WHOLESALE MATTERS

A. OLD BUSINESS - none

B. NEW BUSINESS

**1. CHEROKEE DISTRIBUTING COMPANY INC.
CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)**

Applicant: Cherokee Distributing Company, Inc.¹⁰

Current licensee: Carter Distributing Company, Inc. (License No.130)

Proposed licensee: Cherokee Distributing Company Inc.

Applicant is requesting approval for this issuance of a wholesale license to do business at 1301 E. 13th St., Chattanooga, Tennessee 37402. Applicant is purchasing the assets of Carter Distributing Company Inc., the current licensee, and will lease the premises from Carter Family L.P., landlord. The applicant also holds TABC wholesale licenses in Knoxville and Tullahoma.¹¹ The TABC staff recommends conditional approval of this request, subject to receipt of the following items:

- a. certificate of occupancy
- b. TABC inspection¹²
- c. license fee

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to the conditional items. Bill Ramsey was present on behalf of the applicant.

¹⁰ George B. Sampson, 20.953%; Mary Ellen Sampson Brewington, 29.602%; Trust U/W Nell L. Sampson fbo Neil Leigh Brewington, 4.167%; Trust U/W Nell L. Sampson fbo Nicholas Sampson Brewington, 4.167%; Trust U/W Nell L. Sampson fbo Steven Michael Brewington, 4.167%; Trust U/W Nell L. Sampson fbo George B. Sampson, Jr., 4.167%; Trust U/W Nell L. Sampson fbo James Michael Sampson, 4.167%; Trust U/W Nell L. Sampson fbo Lauren Brooks Sampson, 4.167%; Trust U/W Nell L. Sampson fbo Kristen Margaret Sampson, 4.167%; Trust U/W Nell L. Sampson fbo Steven Mitchell Sampson, 4.167%; The George B. Sampson Family Trust, 12.380%; Mary Ellen Brewington Family Trust dated October 26, 2016, 3.732%

¹¹ Cherokee Distributing Company Inc. also holds wholesale license no. 135 at 400 South Anderson St., Tullahoma, Tennessee 37388 and wholesale license no. 122 at 200 Miller Main Circle, Knoxville, Tennessee 37919.

¹² An acknowledgment of TABC rules & regulations is to be completed at time of inspection.



Commissioner Skiles moved to accept the recommendation of staff and Commissioner Jones seconded the motion. The motion was approved with three ayes.

6. DISTILLERY/BREWERY

A. OLD BUSINESS – none

B. NEW BUSINESS

1. HILLBORN CRAFTED SPIRITS ETOWAH, TENNESSEE (MCMINN COUNTY)

Applicant: Star Mountain Moon, LLC
Member(s): Kevin Caruthers, 15%
Amy Caruthers, 15%
John D. Slutterback, 30%
John Bohannon, 20%
Dawey N. Ingram, 20%

Before the Commission is a request for licensing of a new manufacturer to be located at 610 Tennessee Avenue, Etowah, Tennessee 37331. The applicant is leasing the premises from John Bohannon. The TABC staff recommends conditional approval of this request, subject to receipt of the following items:

- ~~a. TABC agent report (received prior to meeting)~~
- ~~b. TABC inspection¹³ (received prior to meeting)~~
- c. license fee

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to the license fee. Director Byrd noted that conditional item (a) and (b) had been received. Commissioner Jones moved for approval subject to receipt of the license fee. Commissioner Skiles seconded the motion. The motion passed with three ayes.

2. D & S DISTILLING COMPANY SEVIERVILLE, TENNESSEE (SEVIER COUNTY)

Applicant: D & S Distillers LLC

¹³ An acknowledgment of TABC rules & regulations is to be completed at time of inspection.



Member(s): Marcus Anthony Delgado, 100%

Before the Commission is a request for licensing of a new manufacturer to be located at 1610 Jenkins Road, Sevierville, Tennessee 37876. Applicant is leasing the premises from landlord, James R. LaFollette. The TABC staff recommends conditional approval of this request, subject to receipt of the following items:

- a. certificate of occupancy
- b. TABC inspection¹⁴
- c. ~~license fee~~ (received prior to meeting)

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to receipt of item (a) and (b). Director Byrd noted that the license fee had been received. Rob Pinson was present on behalf of the applicant. Commissioner Skiles moved to accept the recommendation of staff and Commissioner Jones seconded the motion. The motion passed with three ayes.

7. PRIVATE CLUBS

A. OLD BUSINESS – none

B. NEW BUSINESS

1. BLACKTHORN CLUB

JONESBOROUGH, TENNESSEE (WASHINGTON COUNTY)

Applicant: Blackthorn Club, LLC
Member(s): Russell W. Ingram, 50%
Robert T. Summers, 50%

The establishment located at 1501 Ridges Club Drive, Jonesborough, Tennessee 37659¹⁵, is requesting approval for licensing of a for-profit-recreational club, pursuant to T.C.A. § 57-4-102(8)(M)(i).¹⁶ The applicant is leasing the premises

¹⁴ An acknowledgment of TABC rules & regulations is to be completed at time of inspection.

¹⁵ Currently, Blackthorn Grille, LLC, is licensed as a restaurant (license no. 20808) at this location.

¹⁶ (M)(i) "Club" also means a for-profit recreational club, organized and existing under the laws of this state, which is located in a county having a population of not less than one hundred twenty-two thousand nine hundred (122,900) nor more than one hundred twenty-three thousand (123,000), according to the 2010 federal census or any subsequent federal census, and further possesses the following characteristics:

(a) Has at least three hundred (300) members, as of January 1, 2017, paying dues with a copy of membership applications on file on the premises and that issues to its members a membership card which authorizes admittance of the member and bona fide guests of such member;



from GolfTenn, a Tennessee General Partnership. The TABC staff recommends conditional approval of this request, subject to receipt of the following items:

- a. license fee

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval, subject to receipt of the license fee. Commissioner Jones commented that he was at one point a member of the club's predecessor that no long but that there was no conflict. Commissioner Jones motioned to approve and Commissioner Skiles seconded the motion. The motion was approved with three ayes.

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

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

10. MISCELLANEOUS

A. CONTINUED DISCUSSION ON CONTESTED RULES

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended legislation on the issue and commented that the Commission and staff had devoted adequate time on the topic. The Commissioners concurred with the comments. No action was taken.

B. OTHER

11. BUDGET – none

12. NEXT MEETING – November 28, 2017 at 1:30 p.m.

(b) Is located within a planned residential development consisting of no less than six hundred (600) acres and at least three hundred (300) residential dwelling units, and such residential development contains an eighteen-hole golf course;

(c) Is organized and operated exclusively for recreation and provides a regulation eighteen-hole golf course for the use of its members and guests, and also may offer its members and guests the use of a swimming pool, tennis courts, and other recreational amenities;

(d) Has a clubhouse with not less than nine thousand square feet (9,000 sq. ft.) with a suitable kitchen, dining facilities, and equipment, serving at least one (1) meal daily at least five (5) days a week;

(e) The club does not compensate or pay any officer, director, agent, or employee from any profits from the sale of alcoholic or malt beverages based on the volume of those beverages sold;

(f) The premises, as provided in § 57-4-101(a)(2), for a club, whether such parcel comprising the club premises are contiguous or not, shall also include the golf course; tennis courts; all areas of the clubhouse; the area immediately surrounding the swimming pool, if a club offers such amenities; and all other related recreational facilities; and

(g) Does not discriminate against members or potential members or bona fide guests of such members on the basis of gender, race, color, age, religion, or national origin; and

(ii) It is the express intention of the general assembly that the law concerning the purchase or possession of alcoholic beverages by persons under twenty-one (21) years of age be strictly enforced by the club;



13. UPCOMING MEETINGS

- November 28, 2017 at 1:30 p.m.
- Tuesday, December 19, 2017 at 1:30 p.m. (The December meeting was set at the October meeting)
- January 2018 (TBD) - The January meeting date was not set; however, Director Byrd suggested that meeting dates through the legislative session be set for Thursdays.

Discussion/Action Taken: Acting Chairman Kaegi noted that there was another miscellaneous item to be addressed. Commissioner Skiles made a motion to send to DOHR a recommendation increase Director Byrd's salary by 20%. Commissioner Jones seconded the motion. The motion passed with three ayes.

14. AUDIT COMMITTEE MEETING TO FOLLOW REGULAR MEETING

Discussion/Action Taken: The Audit Committee meeting was held following the conclusion of the regular meeting.

**APPROVED FOR ENTRY UPON THE MINUTE BOOKS OF THE TENNESSEE
ALCOHOLIC BEVERAGE COMMISSION THIS THE 28th DAY OF NOVEMBER, 2017**



COMMISSIONER



CLAYTON BYRD, DIRECTOR