



## TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

### MINUTES

TUESDAY, JULY 30, 2019

1:30 p.m.

The July 2019 meeting was held on July 30, 2019 at 1:30 p.m. in Nashville, TN. Chairman Skiles, Commissioner Roberts, and Commissioner Tomita were present. In attendance on behalf of TABC staff were the following: Director Thomas, Assistant Director Blackwell, Commission Counsel Stepp, CLEO Tubbs, Deputy Chief Brent Clayton, Aaron Rummage, Chris Dowell, and Scott Wolfe.

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Pursuant to T.C.A. 58-44-108, meetings may be conducted permitting participation of electronic or other means of communication.

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#### 1. REVIEW/APPROVAL OF THE JUNE 25, 2019, COMMISSION MEETING MINUTES

**Discussion/Action Taken: Commissioner Tomita moved to approve the minutes and the motion was seconded. The motion passed with three ayes.**

#### 2. RETAIL MATTERS

##### 1. HOMETOWN SPIRITS MILAN, TENNESSEE (GIBSON COUNTY)

Applicant: Hometown Spirits, LLC  
Member: Donna Schlesinger, 100%

Before the Commission is a request for approval of a new retail package store to be located at 91 Milan Hwy., Suite B., Milan, TN 38555. The staff confirmed this location is within the city limits of Medina and in November 2018 the City of Medina passed a retail package store referendum. The TABC staff recommends conditional approval of the request subject to the following items:

- a. ~~certificate of occupancy~~ received prior to meeting
- b. license fee

**Discussion/Action Taken:** Director Thomas summarized the request and recommended conditional approval subject to the license fee. Director Thomas notes the certificate of occupancy had been received. Commissioner Roberts moved approval subject to receipt of the license fee and the motion was seconded. The motion passed with three ayes.



## 2. JOHNNY'S EAST END LIQUOR LEXINGTON, TENNESSEE (HENDERSON COUNTY)

Applicant: Meet Enterprises, LLC  
Member: Bhavna Patel, 100%

Current licensee: Diane H. Adams, d/b/a Johnny's East End Liquor<sup>1</sup>  
Proposed licensee: Meet Enterprises, LLC

Before the Commission is a request for approval of a retail package store licensee to be located at 680 E. Church St., Lexington, TN 38351. The applicant is acquiring the existing package store business and real estate at this location.<sup>2</sup> The TABC staff recommends conditional approval of the license subject to the following:

- a. deed after closing
- b. license fee

**Discussion/Action Taken:** Director Thomas summarized the request and recommended conditional approval subject to the deed after closing and the license fee. Commissioner Tomita moved to approve conditioned upon deed and license fee and the motion was seconded. The motion passed with three ayes.

## 3. STELLAR CELLAR WINE MEMPHIS, TENNESSEE (SHELBY COUNTY)

Applicant: Stellar Cellar Wine and Spirits Inc.  
Shareholders: Sukhwinder Singh, 100%

Current licensee: Tiffany P. Griffin d/b/a Stellar Cellar Wine and Spirits<sup>3</sup>  
Proposed licensee: Stellar Cellar Wine and Spirits Inc. d/b/a Stellar Cellar Wine

Before the Commission is a request for approval of a retail package store licensee to be located at 9005 US Hwy. 64, Suite 109, Memphis, TN 38002. The applicant is purchasing the existing package store at this location and will lease the premises from Westco-Lightman #1, LLC. The TABC staff recommends conditional approval of the license subject to receipt of the following:

<sup>1</sup> License no. RTLRPS-HND-1808503

<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.

<sup>3</sup> License no. RTLRPS-SHE-1814457



- ~~a. certificate of occupancy received prior to meeting~~
- ~~b. inspection which includes an acknowledgment of TABC rules & regulations received prior to meeting~~
- c. license fee

**Discussion/Action Taken:** Director Thomas summarized the request and noted conditional items (a) and (b) had been received. Director Thomas recommended approval subject to the license fee. Commissioner Roberts moved approval subject to receipt of the license fee and the motion was seconded. The motion passed with three ayes.

**4. MAURY PACKAGE STORE  
COLUMBIA, TENNESSEE (MAURY COUNTY)**

Applicant: Jody Beard

Current licensee: Patricia Beard d/b/a Maury Package Store

Proposed licensee: Jody Beard d/b/a Maury Package Store

Before the Commission is a request for approval of a retail package store licensee to be located at 2002 Carmack Blvd., Columbia, TN 38401. The applicant is acquiring the existing package store at this location<sup>4</sup> owned by Patricia Beard. Mr. Beard is the owner of the real property where the store is located. The TABC staff recommends conditional approval of the license subject to payment of the license fee.

**Discussion/Action Taken:** Director Thomas summarized the request and recommended approval subject to the license fee. Commissioner Tomita moved to approve subject to receipt of the license fee and the motion was seconded. The motion passed with three ayes.

**5. CORKS WINE AND SPIRITS  
KNOXVILLE, TENNESSEE (KNOX COUNTY)**

Applicant: Corks Wine and Spirits, Inc.

Shareholders:	<u>Before</u>	<u>After</u>
	Dana McElveen, 49%	Dana McElveen, 100%

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<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.



Patrick McElveen, 51%

The retail package store licensee<sup>5</sup> operating at 116 S. Central St., Knoxville, TN 37902 is requesting approval of a change in ownership. Patrick R. McElveen gifted his 51% interest in the corporation to spouse, Dana M. McElveen. The TABC staff recommends approval of the change.

**Discussion/Action Taken:** Director Thomas summarized the request and recommended approval of the change. Commissioner Roberts moved approval and the motion was seconded. The motion passed with three eyes.

**6. MJ LIQUOR, WINE & BEER  
CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)**

Applicant: Mj Liquor, Inc.  
Shareholders: Jignesh Patel, 100%

Current licensee: Fayez Kaddoura d/b/a J.D's Liquor Store<sup>6</sup>  
Proposed licensee: Mj Liquor, Inc.

Before the Commission is request for approval of a retail package store license to be located at 3209 Broad St., Chattanooga, TN 37408. The applicant is acquiring the existing package store at this location<sup>7</sup> and will lease the premises from K. Inc. The TABC staff recommends conditional approval of the license subject to payment of the license fee.

**Discussion/Action Taken:** Director Thomas summarized the request and recommended approval contingent on payment of the license fee. Commissioner Tomita moved to approve subject to payment of the license fee and the motion was seconded; the motion passed with three eyes.

**7. B & G SPIRITS COMPANY, LLC  
BRENTWOOD, TENNESSEE (DAVIDSON COUNTY)**

Applicant: B & G Spirits Company, LLC  
Members: Basem Farag, (65%) and Martina Labib (35%)

<sup>5</sup> License no. RTLRPS-KNO-1907453

<sup>6</sup> License no. RTLRPS-HAM-1822754

<sup>7</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: Vine Street, LLC d/b/a Vine Street Wine and Spirits<sup>8</sup>  
Proposed licensee: B & G Spirits Company, LLC

Before the Commission is a request for approval of a retail package store licensee to be located at 493 Old Hickory Blvd., Brentwood, TN 37027. The applicant is acquiring the existing package store at this location<sup>9</sup> and will lease the premises from Brentwood Marketplace, GP. The TABC staff recommends conditional approval of the license subject to receipt of the following items:

- a. ~~agent report~~ \* completed prior to meeting
- b. license fee

**Discussion/Action Taken:** Director Thomas summarized the request and noted the agent report had been completed. Director Thomas recommended approval conditioned on the license fee. Commissioner Robert moved to approve subject to receipt of the license fee and the motion was seconded. The motion passed with three ayes.

### 3. WINERY MATTERS

#### **APPLE BARN WINERY SEVIERVILLE, TENNESSEE (SEVIER COUNTY)**

Applicant: Apple Barn Winery, Inc.

The winery licensee<sup>10</sup> located at 220 Apple Valley Rd, Sevierville, TN 37862 is requesting approval of a new shareholder in the corporation. Bon Hicks passed away and Nancy Hicks, his spouse, acquired his interest in the corporation. The ownership of the corporation will now be as follows: Nancy Hicks, 33.33%, Elizabeth Kay Collier-Pittman, 33.34%, and Bill Kilpatrick, 33.33%. The TABC staff recommends approval of the change.

**Discussion/Action Taken:** Director Thomas summarized the request and recommended approval of the change. Commissioner Tomita moved to approve and the motion was seconded. The motion passed with three ayes.

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<sup>8</sup> License no. RTL RPS-DAV-1809761

<sup>9</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.

<sup>10</sup> License no. SUPWIN-SEV-1815787



#### 4. SATELLITE FACILITY MATTERS

##### 1. SUGARLAND CELLARS, INC. GATLINBURG, TENNESSEE (SEVIER COUNTY)

Applicant: Sugarland Cellars, Inc.

Current d/b/a name: Sugarland Cellars

Proposed d/b/a name: Little Bear Winery

The satellite facility licensee<sup>11</sup> doing business at 631 Parkway, Unit B1, Gatlinburg, TN 37738 is requesting approval to change its d/b/a name. The TABC staff recommends approval of the change.

**Discussion/Action Taken:** Director Thomas summarized the request and recommended approval of the name change. Commissioner Roberts moved approval and the motion was seconded. The motion passed with three ayes.

##### 2. APPLE BARN CIDER HOUSE SEVIERVILLE, TENNESSEE (SEVIER COUNTY)

Applicant: Apple Barn Winery, Inc.

Shareholders: Elizabeth Kay Collier-Pittmann, 33.34%; Nancy Hicks, 33.33%; and Bill Kilpatrick, 33.33%

Winery location:<sup>12</sup> 220 Apple Valley Rd., Sevierville, TN 37862

Satellite facility location: 226 Apple Valley Rd., Sevierville, TN 37862

Before the Commission is a request for approval of a satellite facility to be located at 226 Apple Valley Rd., Sevierville, TN 37862. The TABC staff recommends conditional approval of the license subject to payment of the license fee.

**Discussion/Action Taken:** Director Thomas summarized the request and recommended approval conditioned upon license fee. Commissioner Tomita moved approval conditioned upon receipt of the license fee and the motion was seconded. The motion passed with three ayes.

<sup>11</sup> License no. RTLST-SEV-1805863

<sup>12</sup> Winery license no. SUPWIN-SEV-1815787



## 5. MANUFACTURER MATTERS

### 1. OLD DOMINICK DISTILLERY MEMPHIS, TENNESSEE (SHELBY COUNTY)

Applicant: Old Dominick Distillery, LLC

The manufacturer<sup>13</sup> doing business at 305 S. Front St., Memphis, TN 38103 is requesting approval to expand its premise to allow its patrons to carry alcoholic beverages into certain common space and premises of New Rest, LLC d/b/a The Gray Canary, a liquor by the drink licensee<sup>14</sup> located at 301 Front St., Memphis, TN 38103 as authorized by P.C. 755.<sup>15</sup> The TABC staff recommends conditional approval of the request subject to a TABC inspection.

**Discussion/Action Taken:** Director Thomas summarized the request and recommended conditional approval subject to an inspection. Commissioner Roberts moved approval subject to receipt of the inspection and the motion was seconded. The motion passed with three ayes.

### 2. TENNESSEE DISTILLING LTD COLUMBIA, TENNESSEE (MAURY COUNTY)

Applicant: Tennessee Distilling Group, LLC

The manufacturer<sup>16</sup> located at 1929 Ridgecrest Dr., Columbia, TN 38401 has two requests before the Commission. Mike Williams is the 100% owner of TN Distilling Company, LLC, a parent owner (33.33%) of the licensed entity. Mr. Williams wishes to transfer the 33.33% interest currently held by TN Distilling Company, LLC, to another entity, Menk, LLC which is also owned 100% by Mike Williams.<sup>17</sup> Secondly, the licensee is requesting approval to expand its premises to include an additional building that will be used mainly for storage. The TABC staff recommends approval of the ownership change request and the staff

<sup>13</sup> License no. SUPMFR-SHE-1832066

<sup>14</sup> License no. LBDRST-SHE-1900278

<sup>15</sup> <https://publications.tnsosfiles.com/acts/110/pub/pc0755.pdf>

<sup>16</sup> License no. SUPMFR-MAU-1829980

<sup>17</sup> Upon the transfer the ownership of Tennessee Distilling Group, LLC (licensee) will be as follows: Menk, LLC (33.33%) and Rutherford Investments, LLC (66.67%). Menk, LLC is owned 100% by Mike Williams. Rutherford Investments, LLC is owned by Mark MacKenzie (25%) and Mark MacKenzie 2018 Family Trust (75%)



recommends conditional approval of the expansion subject to a TABC inspection.

**Discussion/Action Taken:** Director Thomas summarized the ownership request and recommended approval. Director Thomas summarized the expansion request and recommended conditional approval subject to the inspection. Commissioner Robert moved approval of the ownership change and conditional approval of the expansion subject to the inspection. The motion was seconded and it passed with three ayes.

**3. LOST STATE DISTILLING  
BRISTOL, TENNESSEE (SULLIVAN COUNTY)**

Applicant: Lost State Distilling, LLC

Members:	<u>Current</u>	<u>Proposed</u>
	Mark Bianchi, 51%	Mark Bianchi, 51%
	Joe Bianchi, 24%	Joe Bianchi, 49%
	Russel Tinsley, 25%	

The manufacturer<sup>18</sup> doing business at 200 State St., Bristol, TN 37620 is requesting approval to change its owners. Joe Bianchi currently holds 24% ownership and is acquiring Russel Tinsley's 25% interest in the LLC. No new owners are involved in the change. The TABC staff recommends approval of the change.

**Discussion/Action Taken:** Director Thomas summarized the request and recommended approval of the change. Commissioner Tomita moved to approve and the motion was seconded. The motion passed with three ayes.

**4. NELSON'S GREEN BRIER DISTILLERY  
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Nelson's Green Brier Distillery, LLC

The manufacturer doing business at 1414 Clinton St., Nashville, TN 37203 is requesting approval of a change in officers in CB Distilled Spirits, LLC, the 75%

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<sup>18</sup> License no. SUPMFR-SUL-1920820





conducted, citations issued, fine amounts, minor compliance checks and compliance rate, seizures, and personnel news. A brief discussion was held regarding the TABC practice of sale to minor administrative penalties. Commission Counsel Stepp and Director Thomas spoke on this matter.

**7. NEXT MEETING** – Thursday, August 29, 2019 at 10:00 AM CST

**8. UPCOMING MEETINGS**

- Thursday, August 29, 2019 at 10:00 AM CST
- Thursday, September 26, 2019 at 10:00 AM CST
- The October meeting date was tentatively scheduled for Thursday, October 24, 2019 at 10:00 AM CST

An audit meeting was held on July 30<sup>th</sup> following the conclusion of the regular meeting.

**APPROVED FOR ENTRY UPON THE MINUTE BOOKS OF THE TENNESSEE ALCOHOLIC BEVERAGE COMMISSION THIS THE 29TH DAY OF AUGUST 2019.**



Commissioner



Russell Thomas, Director