



**TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
MINUTES
THURSDAY, MAY 23, 2019
1:30 p.m.**

The May 2019 meeting was held on May 23rd at 1:30 pm in Nashville, TN. Chairman Skiles, Commissioner Jones, and Commissioner Roberts were present. In attendance on behalf of TABC staff were the following: Director Thomas, Assistant Director Blackwell, Commission Counsel Stepp, Commission Counsel Hollingshead-Cook, Chris Dowell, Scott Wolfe, Aaron Rummage, Nancy Townsend, and CLEO Bond Tubbs

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

1. REVIEW/APPROVAL OF THE APRIL 23, 2019, COMMISSION MEETING MINUTES

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

2. RETAIL MATTERS

**1. COOL SPRINGS WINE AND SPIRITS
FRANKLIN, TENNESSEE (WILLIAMSON COUNTY)**

Applicant: Cool Springs Wine and Spirits, Inc.

Shareholders:	<u>Before</u>	<u>After</u>
	James Woodard, 100%	Brett D. Moore, 30%
		Black Mountain Trust, 25% (Joe Goodman, Trustee)
		Ernest Dean Taylor, 20%
		Winston "Del" Hickman, Jr., 20%
		Joe Goodman, 5%

Before the Commission is a request for approval of a change in shareholders in Cool Springs Wine and Spirits, Inc., the retail licensee doing business at 1935 Mallory Lane, Franklin, TN 37067. This ownership change includes all new shareholders. The TABC staff recommends approval of the ownership change.

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



**2. KINGSTON PIKE LIQUOR & DISCOUNT TOBACCO
KNOXVILLE, TENNESSEE (KNOX COUNTY)**

Applicant: Kingston Pike Liquor & Discount Tobacco, LLC
Members: Deepika Gaba (49%) & Ritesh Gaba (51%)¹

Current licensee: Bush Holdings, LLC d/b/a Prohibition Package Store²

Proposed licensee: Kingston Pike Liquor & Discount Tobacco, LLC d/b/a
Kingston Pike Liquor & Discount Tobacco

Before the Commission is a request for approval of a retail package store licensee to be located at 8043 Kingston Pike, Knoxville, TN 37919. The applicant is acquiring the package store from the current licensee at this location³ and will lease the premises from Hatcher-Hill Investment Group III, LLC. The TABC staff recommends conditional approval of the request subject to payment of the license fee.

Discussion/Action Taken: Director Thomas summarized the request and recommended conditional approval of the license upon receipt of the license fee. Commissioner Jones moved approval subject to receipt of missing items and the motion was seconded. The motion passed with three ayes.

**3. ONE STOP SHOP LIQUOR
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant: One Stop Shop Liquor Inc.
Shareholder(s): Ravinderjit Dhugga, 100%

Current licensee: Joy Smith d/b/a Midway Liquors⁴
Proposed licensee: One Stop Shop Liquor Inc. d/b/a One Stop Shop Liquor

¹ Ritesh Gaba and Deepika Gaba are also the owners of Tobacco & More Inc., d/b/a Middlebrook Discount Tobacco & Liquor (license no. RTLRS-KNO-1901901) located at 3325 Middlebrook Pike, Knoxville, TN 37921.

² License no. RTLRS-KNO-1828592

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 License no. RTLRS-SHE-1914794



Before the Commission is a request for approval of a retail package store licensee to be located at 4624 Winchester Rd., Memphis, TN 38118. The applicant is acquiring the existing package store at this location and will lease the premises from Loeb Bros. Realty, L.P. The TABC staff recommends conditional approval of the request subject to payment of the license fee.

Discussion/Action Taken: Director Thomas summarized the request and recommended conditional 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. BEER WINE LIQUOR SUPERSTORE GATLINBURG, TENNESSEE (SEVIER COUNTY)

Applicant: Firefly Holdings, LLC

Members: Staci Champagne (40%), Shelly Jacques (40%), Jeffrey Ewing (20%)

Current licensee: AMCH, Inc. d/b/a Beer Wine Liquor Superstore⁵

Proposed licensee: Firefly Holdings, LLC d/b/a Beer Wine Liquor Superstore

Before the Commission is a request for approval of a retail package store licensee to be located at 1349 East Pkwy., Gatlinburg, TN 37738. The applicant is acquiring the existing package store at this location and will sublease the premises from Mariah Farmer. The TABC staff recommends conditional approval of the request subject to receipt of the following:

- a. inspection which includes an acknowledgment of TABC rules & regulations
- ~~b. agent report *completed~~
- c. license fee

Discussion/Action Taken: Director Thomas summarized the request and recommended conditional approval upon receipt of an inspection which includes an acknowledgment of rules & regulations and the license fee. Director Thomas noted an agent report had been completed. Commissioner Jones motioned for approval subject to receipt of any missing items and the motion was seconded. The motion passed with three ayes.

⁵ License no. RTLPS-SEV-1826728



**5. HEART OF FRAYSER LIQUORS
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant: Loislee Corporation
Shareholders: Lois Lee, 100%

Current licensee: Huisuk Lee d/b/a Heart of Frayser Liquors⁶
Proposed licensee: Loislee Corporation d/b/a Heart of Frayser Liquors

Before the Commission is a request for approval of a retail package store licensee to be located at 3429 N. Watkins, Memphis, TN 31827. In October 2018 the sale of the store took place without TABC approval and a citation was issued. The TABC staff recommends conditional approval of the license subject to receipt of the following items:

- ~~a. resolution of outstanding citation~~ *payment received
- b. inspection which includes an acknowledgment of TABC rules & regulations
- c. license fee

Discussion/Action Taken: Director Thomas summarized the request and noted that payment had been received for the outstanding citation. Director Thomas recommended approval contingent on an inspection which includes an acknowledgment of rules & regulations and the license fee. Commissioner Roberts moved approval subject to receipt of the missing items and the motion was seconded. The motion passed with three ayes.

**6. ISLAND POINT WINE & SPIRITS
CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)**

Applicant: BHEE, LLC
Member(s): Yogendra Patel (90%) and Rudradatt Patel (10%)

Current licensee: DEH, LLC d/b/a Island Point Wine & Spirits⁷
Proposed licensee: BHEE, LLC d/b/a Island Point Wine & Spirits

Before the Commission is a request for approval of a retail package store licensee to be located at 5987 Brainerd Rd., Chattanooga, TN 37421. The applicant is acquiring the existing package store at this location and will lease

⁶ License no. RTLRPS-SHE-1805093

⁷ License no. RTLRPS-HAM-1826824



the premises from JRD Properties, LLC. 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 conditional approval of the license subject to payment of 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.

3. WINERY MATTERS

1. GYPSY CIRCUS KINGSPORT, TENNESSEE

Applicant: Gypsy Circus Cider Company, LLC
Member(s): Aaron Carson, 100%

Before the Commission is a request for licensing of a winery to be located at 2645 Ft. Henry Dr., Kingsport, TN 37664. The applicant is already manufacturing "low gravity" cider at this location. Mr. Carson owns the property where the winery will be located and is leasing the premises to the LLC. The TABC staff recommends conditional approval of the request subject to payment of the license fee.

Discussion/Action Taken: Director Thomas summarized the request and recommended conditional approval subject to payment of the license fee. Commissioner Jones moved approval subject to receipt of any missing items and the motion was seconded. The motion passed with three ayes.

2. TENNESSEE CIDER COMPANY GATLINBURG, TENNESSEE (SEVIER COUNTY)

Applicant: Tennessee Cider Company, LLC
Members: Aaron Maples (50%) and Kevin Whaley (50%)⁸

Before the Commission is a request for approval of a winery licensee to be located at 611 Parkway, Suite B6, Gatlinburg, TN 37738. The applicant will lease the premises from EBO Inc. The TABC staff recommends conditional approval of the license subject to receipt of the following items:

⁸ Aaron Maples and Kevin Whaley are also the owners of Tennessee Homemade Wines, LLC, 643 Parkway Gatlinburg, TN 37737, the holder of winery license no. SUPWIN-SEV-1820800 and direct shipper license no. RTLDSP-SEV-1819530.



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

Discussion/Action Taken: Director Thomas summarized the request and noted conditional items a. and b. had been received. Director Thomas recommended conditional approval subject to receipt of the license fee. Commissioner Roberts moved approval subject to receipt of the license fee.

4. MANUFACTURER MATTERS

1. XXX DISTILLERY, LLC SEVIERVILLE, TENNESSEE (SEVIER COUNTY)

Applicant: XXX Distillery, LLC

Current d/b/a name: Tennessee XXX Moonshine
New d/b/a name: Tennessee Shine Company

The manufacturer licensee⁹ doing business at 3303 Wears Valley Rd., Sevierville, TN 37862 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 d/b/a name change. Commissioner Jones inquired about federal approval. Attorney Rob Pinson was present and addressed the Commission and a discussion was held. After the discussion Commissioner Roberts moved for approval of the change and the motion was seconded. The motion passed with three ayes.

2. XXX DISTILLERY, LLC PIGEON FORGE, TENNESSEE (SEVIER COUNTY)

Applicant: XXX Distillery, LLC

Current d/b/a name: Tennessee XXX Moonshine
New d/b/a name: Tennessee Shine Company

⁹ License no. SUPMFR-SEV-1901246



The manufacturer licensee¹⁰ doing business at 3435 Teaster Lane, Pigeon Forge, TN 37863 is requesting approval to change it 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 d/b/a name change. Commissioner Roberts moved approval and the motion was seconded. The motion passed with three ayes.

3. OLD DOMINICK DISTILLERY MEMPHIS, TENNESSEE (SHELBY COUNTY)

Applicant: Old Dominick Distillery, LLC

Distillery location: 305 Front St., Memphis, TN 38103

Non-contiguous storage location: 600 Hernando St., Memphis, TN 38126

The manufacturer doing business at 305 Front St., Memphis, TN 38103 is requesting approval to store its products at 600 Hernando Street, Memphis, TN 38126, as permitted under Tenn. Code Ann. § 57-2-104.¹¹ The TABC staff recommends conditional approval of the request.

Discussion/Action Taken: Director Thomas summarized the request and clarified there were no conditional items. Director Thomas recommended approval of the non-contiguous storage request. Commissioner Jones moved for approval and the motion was seconded. The motion passed with three ayes.

4. CHATTANOOGA WHISKEY CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)

Applicant: TNSH, LLC

Distillery location: 1439 Market St., Chattanooga, TN 37402

¹⁰ License no. SUPMFR-SEV-1901487

¹¹ Tenn. Code Ann. § 57-2-104 provides: A manufacturer licensed pursuant to § 57-2-102, or the authorized agent of such licensee, may 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 must be stored within a county that has authorized the manufacture of intoxicating liquors pursuant to § 57-2-103 or in a county adjacent to a county that has authorized the manufacturing operation, and such possession shall be limited to storage facilities owned, authorized, or leased by 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. Common carriers may transport the products of such manufacturing plant only pursuant to an agreement or contract with a licensee under this title.



Non-contiguous storage location: 1428 Williams St., Chattanooga, TN 37408

The manufacturer doing business at 1439 Market St., Chattanooga, TN 37402 is requesting approval to store its products at 1428 Williams St., Chattanooga, TN 37408 as permitted under Tenn. Code Ann. § 57-2-104. The TABC staff recommends approval of the request.

Discussion/Action Taken: Director Thomas summarized the request and recommended approval of the non-contiguous storage request. Commissioner Jones moved for approval and the motion was seconded. The motion passed with three ayes.

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

Applicant: Nelson's Green Brier Distillery

The manufacturer¹² doing business at 1414 Clinton St., Nashville, TN 37203 is requesting approval of an ownership changes that occurred on May 1, 2019. As of May 1, 2019, CB Distilled Spirits, LLC owns 75% interest in the licensed entity. CB Distilled Spirits LLC is wholly owned by Constellation Brands, Inc., a publicly traded company. The TABC staff recommends conditional approval of the change subject to resolution of citation for the ownership transfer prior to approval.

Discussion/Action Taken: Director Thomas summarized the request and recommended approval of the change. Director Thomas noted the citation had been paid. Commissioner Roberts moved approval and the motion was seconded. The motion passed with three ayes.

**6. HEXAGON BREWING COMPANY
KNOXVILLE, TENNESSEE (KNOX COUNTY)**

Applicant: Hexagon Brewing Company

Shareholders: Stephen M. Apking (7.100%); Stephen M. Apking Hexagon Brewing Company 401(k) Plan (74.140%); Barbara Apking (9.910%); Brittany Apking (0.220%); Matthew McMillan (0.230%);

¹² License no. SUPMFR-DAV-1911358



William Turner (4.960%); Julie Lien (1.720%); Dennis Alles (1.720%)

Before the Commission is a request for approval of a new manufacturer licensee to be located at 1002 Dutch Valley Dr., Suite 101, Knoxville, TN 37918. The applicant is already operating as a low gravity brewer and is now seeking a TABC manufacturer's license. The TABC staff recommends conditional approval of the request subject to payment of the license fee.

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

5. MISCELLANEOUS

- Director's Update

Discussion/Action Taken: Director Thomas updated the Commission on the fiscal status of the agency, the legislative session, pending rules changes to 0100-01, 0100-03, and 0100-06, and retail food store renewals and the change to the certified clerk reporting process.

- Law Enforcement Update

Discussion/Action Taken: CLEO Tubbs updated the Commission on law enforcement activity since the last meeting including statistics on the number of inspections, citations issued, minor compliance checks and compliance rate, large venue events worked, investigations conducted, personnel news including appointment of Brent Clayton as the new Deputy Chief, and dates for the upcoming in-service conference.

6. NEXT MEETING - Tuesday, June 25, 2019 at 1:30 PM CST

7. UPCOMING MEETINGS

- Tuesday, June 25, 2019 at 1:30 PM CST
- Tuesday, July 30, 2019 at 1:30 PM CST



- August (TBD)

Discussion/Action Taken: The August meeting was tentatively set for August 29th at 10:00 AM CST.

An audience member, Linda Polk, commented on her pending application that was not listed on the May meeting agenda and a discussion was held. No action was taken.

The meeting adjourned.

APPROVED FOR ENTRY UPON THE MINUTE BOOKS OF THE TENNESSEE ALCOHOLIC BEVERAGE COMMISSION THIS THE 25th DAY OF JUNE 2019.



Commissioner



Executive Director