

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
MINUTES
November 18, 2014
1:30 pm

1. Approval of October 28, 2014 Commission Meeting Minutes

Discussion/Action Taken: Commissioner Kaegi motioned for approval and Commissioner Jones seconded the motion; the motion passed with 3 ayes.

2. RETAIL

A. New Business

**1. PLEASANT VIEW LIQUOR & WINE
PLEASANT VIEW, TENNESSEE (CHEATHAM COUNTY)**

Applicant: Laraye Harris, Sole Proprietor

Before the Commission is a request for an expansion of the retail store located at 220/224 Ren-Mar Dr., Pleasant View, Tennessee. Mr. Harris plans to combine the retail store with his adjacent business, Tobacco Patch II. Robert and Debra Keenan are leasing the premises to Mr. Harris for \$1,400 per month. The TABC staff recommends conditional approval pending receipt of the following items:

- a. TABC Agent Inspection
- b. Certificate of Occupancy after build-out

Discussion/Action Taken: Commissioner Kaegi motioned for conditional approval subject to receipt of missing items and Commissioner Jones seconded the motion; the motion passed with three ayes.

**2. ELITE WINE & SPIRITS
CLARKSVILLE, TENNESSEE (MONTGOMERY COUNTY)**

Applicant: Todd Morris, Sole Proprietor

Current: CRM Liquors, LLC (Calvin R. McKay, 100%), d/b/a Elite Wine & Spirits
Proposed: Todd Morris, d/b/a Elite Wine & Spirits

Before the Commission is a request for a transfer of ownership in the retail business located at 1820 Madison St., Suite G, in Clarksville, Tennessee. Mr. Morris is borrowing \$600,000.00 from F&M Bank to purchase the business from CRM Liquors, LLC for \$350,000.00.¹ Mr. Morris will sub-lease the premises, owned by Madison Square Development Partnership, from CRM Liquors, LLC until 2016. Rent will continue to be \$6,000 monthly. The TABC staff recommends conditional approval of this request contingent upon receipt of the following items:

- a. TABC Agent Final Inspection
- b. Acknowledgement of TABC Rules & Regulations
- c. License Fee

Discussion/Action Taken: Commissioner Kaegi motioned for conditional approval subject to receipt of missing items and Commissioner Jones seconded them motion; the motion was approved with three ayes.

Update – license #3966 issued 12/3/14

¹ 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. AIRPORT CHAMPION DISCOUNT LIQUOR & WINE
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Airport Champion Discount Liquor & Wine, Inc.
 Member(s): Adel Halaka, 100%

Current: Champion Discount Liquors, Inc. (Teresa Ragheb, 100%), d/b/a Champion Discount Liquors
 Proposed: Airport Champion Discount Liquor & Wine, Inc. (Adel Halaka, 100%), d/b/a Airport Champion Discount Liquor & Wine

Before the Commission is a request for a transfer of ownership in the establishment located at 152 Donelson Pike, Nashville, Tennessee. If approved, the Applicant would purchase the business from Champion Discount Liquors, Inc.² After review of this request, the TABC staff does not recommend approval of this application based on the information gathered during its investigation that is to be presented before the full commission.

Discussion/Action Taken: Director Bell summarized Agent Hall’s findings, noting that financial viability of the applicant concerned the TABC staff. Adam Dread was present to represent the Applicant. Commissioner Jones motioned to defer the item in order to see if the Applicant can address staff’s concerns with the application. Chairperson McDaniel noted that the issues are to be cleared up before it comes before the Commission again. The motion to defer was passed with 2 ayes; Commissioner Kaegi recused himself from the vote.

3. WINERIES

A. New Business

**1. DELTA BLUES WINERY LLC
LAKELAND, TENNESSEE (SHELBY COUNTY)**

Applicant: Delta Blues Winery LLC

Members:	Stanley E. Stevens, Jr., Chairman/Managing Partner	22.5 %
	James Wilson, Secretary/Treasurer/Managing Partner	22.5 %
	Sheila Wilson, Member/Managing Partner	22.5 %
	Dianne Day, Member/Managing Partner	22.5 %
	Jerry Michie, Member/Managing Partner	10 %

Before the Commission is a request for licensing of a new winery to be located at 6585 Stewart Road, Lakeland, Tennessee 38002. LLC Member, Jerry Michie, is loaning the Applicant \$2.2 million dollars to invest in the business. No lease is required as the Applicant owns the real property where the winery will be located. After reviewing the documentation, the TABC staff recommends conditional approval of this application pending receipt of the following items:

- a. TABC Agent Investigation Report
- b. TABC Inspection
- c. Acknowledgement Rules and Regulations
- d. Certificate of Occupancy
- e. License Fee

Discussion/Action Taken: Commissioner Kaegi motioned for conditional approval subject to receipt of missing items and Commissioner Jones seconded the motion. The motion passed with three ayes.

Update- license W-98 issued 11/25/14

**2. NORTHFIELD VINEYARDS, LLC
SPARTA, TENNESSEE (WHITE COUNTY)**

Applicant: Northfield Vineyards, LLC

² In accordance with Tennessee law, Sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers’ involvement.

Member(s):	Mark Ray, President	25 %
	Glenn Ray, Vice President	25 %
	Dianna Ray, Vice President	25 %
	Marty Luna, CFO	25 %

Before the Commission is a request for licensing of a winery to be located at 515 Ray Cemetery Rd., in Sparta, Tennessee. Applicant, LLC members are investing \$250,000 into the business, as verified by TABC staff. Glenna and Diana Ray own the real property where the winery is to be located and are leasing the premises to the LLC. The TABC staff recommends conditional approval of this request pending receipt of the following items:

- a. TABC Agent Inspection
- b. Acknowledgment of TABC Rules & Regulations
- c. License Fee

Discussion/Action Taken: Commissioner Kaegi motioned for conditional approval subject to receipt of missing items and Commissioner Jones seconded the motion; the motion passed with three ayes. **Update – License # W-97 issued 11/21/14**

4. FARM WINERIES – None

5. WHOLESALERS

A. New Business

**1. A.S. BARBORO
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant:	BarDett, LLC	
Members:	Malcolm B. Wood, Co-Chairman of Board	60.00 %
	Fred Dettwiller, Co-Chariman of Board	33.40 %
	Louis H. Crawford, Co-President	6.60 %

Before the Commission is a request for licensing of a wholesale business located at 5020 Tuggle Rd., Memphis, Tennessee. No funds are planned to be invested as this is already an established business. Applicant, LLC is leasing the premises from Ingram Entertainment Holdings Inc., for an initial five year term for approximately \$ 30,000 per month. The TABC staff recommends conditional approval of this application pending receipt of the following items:

- a. TABC Agent Investigation Report
- b. TABC Inspection
- c. Acknowledgement of TABC Rules & Regulations
- d. TTB Basic Permit authorizing wholesale spirit sales
- e. License Fee

Discussion/Action Taken: Commissioner Jones motioned for conditional approval subject to receipt of missing items and Commissioner Kaegi seconded the motion; the motion passed with three ayes. **Update – License # 49 issued 12/1/14**

**2. BONUS BEV
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant:	Bonus Bev, LLC				
Current:	Kurt Strickmaker,	15 %	Proposed:	Wally Dant	45 %
	Wally Dant	37.5 %		Juan Vallarino	45 %
	Juan Vallarino	15 %		Stephen Schultenover	10 %
	Stephen Schultenover	10 %			

Before the Commission is a request for a transfer of ownership in the wholesale business located at 2605 Grissom Dr., in Nashville, Tennessee. Upon approval, Mr. Strickmaker’s 15% interest will be transferred equally to Mr.

Dant and Mr. Vallarino for a total transfer amount of \$66,000. Mr. Dant and Mr. Vallarino will be each making a new investment of \$100,000 each for the issuance of additional outstanding membership interests. The TABC staff recommends approval of this request.

Discussion/Action Taken: Commissioner Kaegi motioned for approval and Commissioner Jones seconded the motion. The motion passed with three ayes. **Update – Database updated 12/2/14**

**3. BOUNTY BEV
 NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Bounty Bev, LLC

Member(s): Kurt Strickmaker, President/CEO 50%
 Hand Family-TN, LLC 50%

Hand Family-TN, LLC
 Hand Family Companies, LLC, 100%
 Charles W. Hand Sr, 0%
 Charles W. Hand Jr, 0%
 Aim-ee Jo Hand, 0%
 Charlsie Hand Lankford, 0%
 William Moseley, 0%

Before the Commission is a request for licensing of the wholesale business located at 505 Ligon Drive, Nashville, Tennessee. No additional funds are planned to be invested at this time as this is already an established business. Applicant, LLC is leasing the premises from 505 Ligon, LLC for an initial term of 62 months for approximately \$4,700 monthly. The TABC staff recommends conditional approval of this request pending receipt of the following items:

- a. TABC Agent Investigative Report/ amended report in light of new documents received 11-18-14
- b. TABC Inspection Report
- c. Acknowledgement of TABC Rules & Regulations
- d. License Fee

Discussion/Action Taken: Director Bell reviewed the matter to the Commission and noted additional documents received on the day of the meeting that may resolve the dual interest concerns cited in the initial Agent report. Director Bell recommended conditional approval subject to receipt of missing items and his review of the additional documents. Commissioner Jones motioned for conditional approval subject to receipt of missing documents and Commissioner Kaegi seconded the motion; the motion passed with 3 ayes. **Update – License # 48 issued 11/24/14**

B. Old Business - None

6. DISTILLERIES

A. New Business –

**1. CORSAIR ARTISAN LLC
 NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Corsair Artisan LLC

Member(s): Darek Bell, Chariman 55.5 %
 Andrew Webber, CEO 35.5 %
 Amy Bell 9.0 %

Before the Commission is a request for licensing of the distillery to be located at 601 Merritt Avenue, Nashville, Tennessee. Applicant, LLC came before the Commission in August (2014) to seek approval to store its products at this location. No additional funds are planned to be invested at this time as this is already an established business. Applicant, LLC is leasing the premises from Humphrey County Properties, LLC. The TABC staff recommends conditional approval of this request pending receipt of the following items:

- a. TABC Agent Investigation Report
- b. TABC Inspection
- c. Acknowledgement of TABC Rules & Regulations
- d. Certificate of Occupancy
- e. License Fee

Discussion/Action Taken: Commissioner Kaegi motioned for conditional approval subject to receipt of missing items and Commissioner Jones seconded the motion; the motion passed with three ayes.

7. PRIVATE CLUBS – None

8. COLLECTORS

A. New Business

1. **EDDIE D. REDFORD, d/b/a TRADING DIRECT ***Eddie D. DeFord is the correct name NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Eddie D. Redford-DeFord

Before the Commission is a request for a collector of alcoholic beverages license to be issued to the Applicant. If approved, the collection will be displayed at 727 Brownlee Drive in Nashville. The TABC staff recommends conditional approval of this request pending receipt of the following items:

- a. TABC Agent Investigation & Inspection Report
- b. Copy of deed/lease showing right to possession
- c. Acknowledgment of TABC Rules & Regulations
- d. Waiver of Right to Administrative Hearing
- e. TTBF 5630.5d – Alcohol Dealer Registration

Discussion/Action Taken: Commissioner Kaegi motioned for conditional approval subject to receipt of missing items and Commissioner Jones seconded the motion; the motion passed with two ayes. **Update – License –C-0002, effective date 12/10/14**

9. SERVER APPEALS

A. New Business

1. TALOR TREECE

Ms. Treece is contesting the denial of her September 6, 2014 application. Initially Ms. Treece requested an administrative hearing on that matter; however, appearance before the Commission is the appropriate avenue at this time.³ The specific issues regarding Ms. Treece's application to be considered by the Commission at this time are include, but are not necessarily limited to, (1) the provision of false information on the server permit application and (2) working as a server without a server permit from October 29, 2013 to January, 2014.

Discussion/Action Taken: Ms. Treece was not present and being that Ms. Treece had adequate notification of the matter to be heard before the Commission, Commissioner Jones motioned to uphold the denial of the permit and Commissioner Kaegi seconded the motion; the motion passed with three ayes.

³ While T.C.A. § 57-3-704 does provide for a hearing pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, that only applies where the sole issue effecting the issuance of a license is the commission of a prohibited offense as specified in T.C.A. § 57-3-704(a)(3). Because there are other issues effecting the issuance of a license other than the commission of such an offense, the provisions of T.C.A. § 57-3-704 providing for an appeal pursuant to the Uniform Administrative Procedures Act do not apply, and an appeal regarding such other issues will be heard in front of the commission."

10. TRACE PRESENTATION –

Discussion/Action Taken: Commissioner Kaegi motioned to continue to a future date and Commissioner Jones seconded the motion; the motion passed with three ayes.

A. TABC SA Olivia Hall

11. PERSONNEL - None

12. DATE OF NEXT MEETING – December 16, 2014

13. UPCOMING MEETING DATES

- December 16, 2014

- **January 27, 2014; the January meeting date was set at the 11-18-14 Commission Meeting**

End of Agenda

**ADDENDUM
NOVEMBER 18, 2014 COMMISSION MEETING
1:30 p.m.**

2. RETAIL

A. New Business

**4. HILLSBORO & VINE
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Hillsboro & Vine, LLC

Before the Commission is a request for a thirty (30) day extension, from November 19, 2014, in which to allow the applicant to open for business, i.e. an extension through Friday, December 19, 2014. Written request for said extension has been provided by the Applicant. The TABC staff recommends approval of this request.

Discussion/Action Taken: Commissioner Kaegi motioned for approval and Commissioner Jones seconded the motion; the motion passed with three ayes. **Update – license #3964 issued 11/25/14**

**APPROVED FOR ENTRY UPON THE MINUTE BOOKS OF THE TENNESSEE ALCOHOLIC BEVERAGE
COMMISSION THIS THE 16 DAY OF DECEMBER, 2014.**


Mary McDaniel
Chairperson


Keith Bell
Executive Director