



TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

MINUTES

TUESDAY, JUNE 25, 2019

1:30 p.m.

The June meeting was held on June 25, 2019, at 1:30 p.m. in Nashville, TN. Commissioner Skiles and Commissioner Roberts were present. Commissioner David Tomita was introduced as the Commissioner for the Eastern District of TN. Commissioner Skiles spoke on Commissioner Jones and his years of service with the TABC.

In attendance on behalf of TABC staff were the following: Director Russell Thomas, Assistant Director Tabatha Blackwell, Nancy Townsend, Scott Wolfe, CLEO Tubbs, Commission Counsel Stepp, Commission Counsel Hollingshead-Cook and Aaron Rummage.

Pursuant to T.C.A. §8-44-108, meetings may be conducted permitting participation of electronic or other means of communication.

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

Discussion/Action taken: Commissioner Roberts moved for approval of the minutes and Chairman Skiles seconded the motion. The motion passed with two ayes. Commissioner Tomita abstained from the vote.

2. RETAIL MATTERS

1. BOOTLEGGER'S LIQUOR HUNTINGDON, TENNESSEE (CARROLL COUNTY)

Applicant: Steven Little

Before the Commission is a request for approval of a new retail package store to be located at 71 N. Veterans Drive, Suite 116, Huntingdon, TN 38344. In November 2018 the City of Huntingdon passed a referendum to permit retail package stores. Mr. Little will lease the premises from Tom and Robin Ifantis. 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 subject to payment of the license fee. Commissioner Roberts moved for conditional approval subject to receipt of the license fee and the motion was seconded. The motion passed with three ayes.



**2. R & B LIQUORS
NOLENSVILLE, TENNESSEE (WILLIAMSON COUNTY)**

Applicant: Ashneha, LLC

The retail package store licensee located at 7175 Nolensville Rd., Suite 106-107, Nolensville, TN 37135 is requesting approval to expand its premises. Adjoining space leased by the applicant will be incorporated into the premises. The TABC staff recommends conditional approval of the request subject to the following:

- a. certificate of occupancy
- b. TABC inspection

Discussion/Action taken: Director Thomas summarized the request and recommended conditional approval subject to the certificate of occupancy and an inspection. Commissioner Tomita moved for approval and the motion was seconded. The motion passed with three ayes.

**3. SKYVIEW LIQUORS
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant: Melanie Partee

Current location: 2600 James Rd., Memphis, TN 38127

Proposed location: 2711 Rangeline Rd., Ste. 101, Memphis, TN 38127

Skyview Liquors is requesting approval to transfer its location from 2600 James Rd., Memphis, TN 38127 to 2711 Rangeline Rd., Ste. 101, Memphis, TN 38127. The TABC staff recommends conditional approval of the request subject to the following:

- a. inspection which includes an acknowledgment of TABC rules & regulations
- b. fully executed lease

Discussion/Action taken: Director Thomas summarized the request and recommended conditional approval subject to the listed conditional items. Commissioner Counsel Stepp clarified that the business does have a lease but that it was not yet signed. Commissioner Roberts moved for conditional approval and the motion was seconded. The motion passed with three ayes.



**4. CARTHAGE WINE & LIQUOR
CARTHAGE, TENNESSEE (SMITH COUNTY)**

Applicant: Carthage Wine & Liquor, Inc.
Shareholders: Before Madhuben Patel, 100% After Kamalesh Patel, 100%

The retail package store¹ doing business at 41 Dixon Springs Hwy., Carthage, TN TN 37030 is requesting approval of an ownership change in Carthage Wine & Liquor, Inc. Kamalesh Patel is acquiring 100% of the shares in the corporation. The TABC staff recommends approval of the request.

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

**5. HOUSE OF WINE AND SPIRITS
HUNTINGDON, TENNESSEE (CARROLL COUNTY)**

Applicant: Tim Horn

Before the Commission is a request for a new retail package store to be located at 20836 E. Main St., Huntingdon, TN 38344. The applicant will lease the premises from Teresa A. Jackson. The TABC staff recommends conditional approval of the license subject to the following:

- a. ~~agent report~~ (received prior to June meeting)
- b. license fee

Discussion/Action taken: Director Thomas summarized the request and noted the agent report had been completed and Director Thomas recommended approval conditioned upon payment of the license fee. Commissioner Roberts moved for conditional approval and the motion was seconded. The motion passed with three ayes.

**6. OLD MEDINA WINE & SPIRITS
MEDINA, TENNESSEE (GIBSON COUNTY)**

Applicant: Old Medina Wine & Spirits, LLC

¹ License no. RTLRPS-SMI-1826843



Members: Alfred Lynn Worrell, 100%

Before the Commission is request for approval of a new retail package store to be located at 621 Hwy. 45 Bypass, Medina, TN 38355. In November 2018 Medina passed a referendum authorizing retail package stores. Mr. Worrell is leasing the premises from Jerry Worrell. The TABC staff recommends conditional approval of the license subject to the following:

- a. certificate of occupancy
- b. ~~agent report~~ (received prior to June meeting)
- c. license fee

Discussion/Action taken: Director Thomas summarized the request and noted the agent report had been completed. Director Thomas recommended conditional approval subject to receipt of the certificate of occupancy and the license fee. Commissioner Tomita moved for conditional approval and the motion was seconded. The motion passed with three ayes.

7. WEST END PACKAGE STORE NEWPORT, TENNESSEE (COCKE COUNTY)

Applicant: McCarter Beverages, LLC
Shareholders: Mitch McCarter (50%) and MacKenzie "Mack" McCarter² (50%)

Current licensee: Mossy Creek Investments, Inc. d/b/a West End Package Store³
Proposed licensee: McCarter Beverages LLC d/b/a West End Package Store

Before the Commission is a request for approval of a retail package store licensee to be located at 335 W. Broadway St., Newport, TN 37821. The applicant is acquiring the existing package store at this location and will lease the premises from McCarter Holdings. The TABC staff recommends conditional approval of the license subject to the following:

- a. inspection which includes an acknowledgment of TABC rules & regulations
- b. ~~TABC agent report~~ (received prior to meeting)
- c. deed after closing
- d. license fee

² Mitch McCarter is also the owner of Parkway Liquor Store (license no. RTLRPS-SEV-1829955) located at 288 Parkway, Gatlinburg, TN 37738.

³ License no. RTLRPS-COC-1826631



Discussion/Action taken: Director Thomas summarized the request and noted the agent report had been completed. Director Thomas recommended conditional approval subject to the inspection which includes an acknowledgment of rules and regulations, copy of the deed, and license fee. Commissioner Roberts moved for conditional approval and the motion was seconded. The motion passed with three ayes.

**8. TRI CITIES WINE & SPIRITS
DECHERD, TENNESSEE (FRANKLIN COUNTY)**

Applicant: Tri Cities Wine & Spirits, LLC

Members: Yogeshkumar Patel (40%), Raj Patel (40%), and Visnu Patel⁴ (20%)

Current licensee: Anita Floyd & Terry Floyd d/b/a Tri Cities Wine & Spirits⁵
Proposed licensee: Tri Cities Wine & Spirits, LLC d/b/a Tri Cities Wine & Spirits

Before the Commission is a request for approval of a retail package store licensee to be located at 2531 Decherd Blvd., Decherd, TN 37324. The applicant is acquiring the existing package store at this location and will lease the premises from Annette Lee Keel. 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 of the license subject to payment of the license fee. Commissioner Roberts moved for conditional approval and the motion was seconded. The motion passed with three ayes.

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

Applicant: One Stop Shop Liquor Inc.

The retail package store licensee⁶ located at 4624 Winchester Rd., Memphis, TN is requesting approval to expand its premises. The applicant intends to remove a wall between the current space and an adjacent suite to combine the spaces into

⁴ Visnu Patel is also the owner of Swami Management Inc. d/b/a Sparta Discount Liquor (RTLRS-WHI-1913247) located at 436 W. Bockman Way, Sparta, TN 38583.

⁵ License no. RTLRS-FRA-1905182

⁶ License no. RTLRS-SHE-1917170



one. The TABC staff recommends conditional approval of the expansion subject to the following:

- a. certificate of occupancy
- b. TABC inspection

Discussion/Action taken: Director Thomas summarized the request and recommended conditional approval of the request subject to the certificate of occupancy an inspection. Commissioner Tomita moved for conditional approval and the motion was seconded. The motion passed with three ayes.

10. PARTY MART LIQUORS AND WINES JACKSON, TENNESSEE (MADISON COUNTY)

Applicant: Party Mart Group, LLC
Members: Tina Johns (50%) and Blair Myers (50%)

Party Mart Liquor and Wines⁷ is requesting approval to transfer its location from 2841 Hwy 45 Bypass, Suite C, Jackson, TN 38305 to 429 Walker Rd., Ste. D, Jackson, TN 38305. The TABC staff recommends conditional approval of the location change subject to the following:

- a. certificate of occupancy
- b. inspection which includes an acknowledgment of TABC rules and regulations
- c. executed lease

Discussion/Action taken: Director Thomas summarized the request and recommended conditional approval of the request subject to the certificate of occupancy, inspection and acknowledgment of rules & regulations, and copy of the executed lease. Commissioner Roberts moved for conditional approval and the motion was seconded. The motion passed with three ayes.

11. MOSSY CREEK WINES & SPIRITS JEFFERSON CITY, TENNESSEE (JEFFERSON COUNTY)

Applicant: Mossy Creek WS, LLC
Member: Jonathon Jacks, 100%

Current licensee: Mossy Creek Wines & Spirits, LLC (Russell Turner, 100%)

⁷ License no. RTLRPS-MAD-1900164



Proposed licensee: Mossy Creek WS, LLC

Before the Commission is a request for approval of a retail package store licensee to be located at 110 W. Broadway Blvd., Jefferson City, TN 37760. The applicant is acquiring the existing package store at this location and will assume the current owner's lease. The TABC staff recommends conditional approval of the license subject to the following items:

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

Discussion/Action taken: Director Thomas summarized the request and recommended conditional approval of the license subject the inspection which includes an acknowledgment of TABC rules and regulations and the license fee. Commissioner Tomita moved for conditional approval and the motion was seconded. The motion passed with three ayes.

12. HIGHWAY 64 LIQUORS PULASKI, TENNESSEE (GILES COUNTY)

Applicant: Highway 64 Patel, LLC
Members: Harsh Patel (50%), Yagnesh Patel (25%), and Pinakin Patel (25%)

Current licensee: Highway 64 Spirits & Wine LLC d/b/a Highway 64 Liquor Store⁸
Proposed licensee: Highway 64 Patel, LLC d/b/a Highway 64 Liquors

Before the Commission is a request for approval of a retail package store licensee to be located at 331 W. College St., Pulaski, TN 38478. The applicant is acquiring the existing package store at this location⁹ and will lease the premises from Jayson Brad Butler. The TABC staff recommends approval of the license subject to payment of the license fee.

Discussion/Action Taken: Director Thomas summarized the request and recommended approval of the license 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.

⁸ License no. RTLRPS-GIL-1830212

⁹ 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. WHOLESALE MATTERS

1. LINDA'S GOURMET TREATS JOELTON, TENNESSEE (DAVIDSON COUNTY)

Applicant: Linda's Gourmet Treats LLC
Member(s): Linda Polk, 100%

Location: 8109 Lain Hollow Rd., Joelton, TN 37080

This wholesale application was discussed at the February 28th meeting and again during the March 28th meeting at which time the Commission determined the matter should be deferred until it was ready to come back before the Commission. Since this matter appeared on the agenda, Ms. Polk has initiated plans to construct a wall in her detached garage to enclose the proposed licensed premises and Ms. Polk has submitted a plan to address additional concerns raised by staff. The TABC staff recommends conditional approval of the wholesale license subject to the following:

- a. ~~TABC inspection upon completion of construction~~ (completed prior to meeting)
- b. license fee

Discussion/Action taken: Director Thomas summarized the request and recommended approval subject to the license fee. Director Thomas noted the applicant was represented by Attorney Danielle Elks and Director Thomas noted the staff was satisfied with the steps taken by applicant to address staff concerns. A representative of MADD was present and the representative commented that the applicant has addressed the concerns. After a brief discussion Commissioner Roberts moved for conditional approval and the motion was seconded. The motion passed with three ayes.

2. BEVERAGE CONTROL, INC. KNOXVILLE, TENNESSEE (KNOX COUNTY)

Applicant: Beverage Control Inc.

The wholesale licensee¹⁰ located at 2331 News Sentinel Dr., Knoxville, TN 37921 is requesting approval of changes in ownership. The changes involve the

¹⁰ License no. WLRWLS-KNO-1832049



redemption of all non-voting and all voting shares currently held by The Estate of Michael T. Scruggs, as well as the non-voting and voting shares currently held by Jennie W. Scruggs. After the changes the ownership will be as follows: Elizabeth S. Scruggs (50% non-voting; 19.52% voting), Jennifer S. Johnson (50% non-voting; 19.52% voting), and the Trust A UWO William A. Scruggs (60.96% voting). There are no new owners involved in this request. The TABC staff recommends approval of the ownership changes.

Discussion/Action taken: Director Thomas summarized the request and noted that Elizabeth Scruggs should be listed as Elizabeth Scinta, her married name. Hank Hildebrand was present on behalf of the applicant. Director Thomas recommended approval of the change. Commissioner Roberts moved for approval and the motion was seconded. The motion passed with three ayes.

3. **AJAX DISTRIBUTING COMPANY OF MEMPHIS, LLC MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant: AJAX Distributing Company of Memphis, LLC
Members: Jeffrey P. Turner Trust, 60% (Jeffrey P. Turner, Trustee)
Paul C. Turner Trust, 15% (Paul C. Turner, Trustee)
Patrick H. Turner Trust, 15% (Patrick H. Turner, Trustee)
Mary Margo Turner Lankford Trust, 10% (Mary Margo Turner Lankford, Trustee)

Before the Commission is a request for approval of a wholesaler to be located at 5020 Tuggle Rd., Memphis, TN 38118. The applicant has assumed the lease between landlord, Ingram Entertainment Holdings, Inc. and BarDett, LLC, the former wholesale licensee at this location. The TABC staff recommends conditional approval of the license subject to the following items:

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

Discussion/Action taken: Director Thomas summarized the request and recommended conditional approval of the license subject to an inspection which includes an acknowledgment of rules and regulations and the license fee. Commissioner Tomita moved for conditional approval and the motion was seconded. The motion passed with three ayes.



4. SATELLITE FACILITY MATTERS

**HILLSIDE WINERY, INC.
PIGEON FORGE, TENNESSEE (SEVIER COUNTY)**

Applicant: Hillside Winery, Inc.

Before d/b/a name: Hillside Winery at the Old Mill

After d/b/a name: Mill Bridge Winery

The satellite facility licensee¹¹ doing business at 3331 S. River Rd., Pigeon Forge, TN 37863 is requesting approval to change its d/b/a name. The TABC staff recommends a

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

5. MANUFACTURER MATTERS

**1. OLE SMOKY DISTILLERY
NEWPORT, TENNESSEE (COCKE COUNTY)**

Applicant: Ole Smoky Distillery, LLC

Members: Ole Smoky HoldCo, LLC, 100%

Ole Smoky HoldCo, LLC: Centerview OS¹², LLC (55%); Joe Baker (31%), Cory Cottongim (7.875%); Tony Breeden (6.125%)

Before the Commission is a request for approval of a manufacturer to be located at 100 Tevet Way, Newport, TN 37821. This will be Ole Smoky's sixth license.¹³ The TABC staff recommends conditional approval of the license subject to the following items:

- a. ~~inspection which includes an acknowledgment of TABC rules & regulations (completed prior to meeting)~~

¹¹ License no. RTLSAT-SEV-1805338

¹² Centerview OS, LLC is owned by Centerview Capital, L.P. (95.7%) and Centerview Employees, L.P. (4.3%)

¹³ Ole Smoky Distillery, LLC currently holds three manufacturer licenses in Gatlinburg, one in Pigeon Forge, and one in Nashville.



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

Discussion/Action Taken: Director Thomas summarized the request and noted conditional item (a) and (b) had been satisfied and Director Thomas recommended conditional approval subject to the license fee. Commissioner Tomita moved for conditional approval and the motion was seconded. The motion passed with three ayes.

2. OLD TENNESSEE DISTILLING CO. SEVIERVILLE, TENNESSEE SEVIER COUNTY)

Applicant: Dumplin Creek Distillery, LLC
Members: Blalock Capital, LLC¹⁴ (85%); Chris Gettelfinger (7.5%); Distilled Holdings, LLC¹⁵ (7.5%)

Before the Commission is a request for approval of a manufacturer to be located at 910 Parkway, Sevierville, TN 37862. The applicant will lease the premises from B S & J Enterprises, LP. This will be the second license for Dumplin Creek Distillery, LLC.¹⁶ The TABC staff recommends conditional approval of the license subject to the following items:

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

Discussion/Action Taken: Director Thomas summarized the request and recommended approval subject to the certificate of occupancy, inspection which includes acknowledgment of rules and regulations and the license fee. Commissioner Tomita moved for conditional approval and the motion was seconded. The motion passed with three ayes.

3. GATE 11 DISTILLERY CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)

Applicant: Ridgcroft Distillery, LLC

¹⁴ Blalock Capital, LLC is owned 100% by JoNelda Black.

¹⁵ Distilled Holdings, LLC is owned by Chris Gettelfinger (70%), Danny Gillis (10%), Chuck Morris (10%), and Allen McDonald (10%).

¹⁶ Dumplin Creek Distillery, LLC holds license no. SUPMFR-SEV-1830906 at 3605 Outdoor Sportsman Place Dr., Ste. 100, Kodak, TN 37764.



The manufacturer¹⁷ located at 1400 Market Street, Ste. 108, Chattanooga, TN 37402 is requesting approval for an expansion of its premises to include contiguous space including an indoor lobby and an enclosed outdoor garden area all controlled by Choo Choo Partners, L.P., d/b/a Chattanooga Choo Choo, a liquor-by-the drink licensee.

Tenn. Code Ann. § 57-4-101(p) provides:

An entity licensed or applying for a license under subsection (a), or a manufacturer exercising the rights granted to it under § 57-3-202(i)(1), may include in the entity's designation of its premises any contiguous area owned or controlled by the entity for purposes of on-premises consumption of alcoholic beverages and beer. If the contiguous area used for on-premises consumption is unenclosed, the entity shall make reasonable efforts to ensure that a customer cannot leave the premises with an alcoholic beverage or beer purchased on the premises by using barriers to prevent the ingress and egress of customers to and from the premises. If more than one (1) entity licensed under subsection (a) or § 57-3-202 operates within the same building or facility, the designations of premises under this subsection (p) may overlap; provided, that each entity serves alcoholic beverages and beer in a glass or cup identifying the entity selling the alcoholic beverages or beer for on-premises consumption.

The TABC staff recommends approval of the expansion.

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

6. MISCELLANEOUS

- Director's Update

Discussion/Action Taken: Director Thomas updated the Commission on the rules that became effective in late June and the status of retail food store renewals. Director Thomas introduced Kim Boleyn, Special Agent in Charge (SAC) in Chattanooga, Brent Clayton, recently promoted to Deputy Chief, Tim Rush, SAC in Memphis, Stephanie Smith, SAC in Knoxville, and Christopher Koshar, SAC in Nashville.

¹⁷ License no. : SUPMFR-HAM-1831542



- Law Enforcement Update

Discussion/Action Taken: CLEO Tubbs updated the Commission on the law enforcement activity since the previous commission meeting including statistics on the number of inspections conducted and citations issued, minor compliance checks process, number of minor compliance checks and citations issued and personnel updates. Cleo Tubbs also spoke on the large venue events worked including CMA fest and Bonnaroo Music and Arts festival and CLEO Tubbs also spoke on direct shipper compliance checks.

- Scheduling of Audit Committee Meeting

Discussion/Action Taken: Director Thomas suggested the Commission schedule the Audit Committee Meeting for the following month.

7. NEXT MEETING – Tuesday, July 30, 2019 at 1:30 PM CST

8. UPCOMING MEETINGS

- Tuesday, July 30, 2019 at 1:30 PM CST
 - The Audit Committee meeting was scheduled for July 30th, 2019, to begin following the conclusion of the regular meeting.
- Thursday, August 29, 2019 at 10:00 AM CST
- The September meeting was tentatively set for Thursday, September 26, 2019 at 10:00 AM CST.

Commissioner Tomita moved to adjourn the meeting and the motion was seconded. The meeting adjourned.



**APPROVED FOR ENTRY UPON THE MINUTE BOOKS OF THE TENNESSEE ALCOHOLIC BEVERAGE
COMMISSION THIS THE 30th DAY OF JULY 2019.**

A handwritten signature in blue ink, appearing to be 'R. L. ...', written over a horizontal line.

Commissioner

A handwritten signature in blue ink, appearing to be 'Dennis F. ...', written over a horizontal line.

Executive Director