

# TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

**Minutes**  
**September 17, 2009**  
**1:30 p.m.**

---

The regular meeting of the Tennessee Alcoholic Beverage Commission was held on Thursday, September 17, 2009 in Nashville, Tennessee at 1:30 p.m. Chairman Jones, Commissioner Harlan Mathews and Commissioner Cynthia Bond were present. Executive Director Danielle Elks, Assistant Director Carolyn Smith and CLEO Mark Hutchens were present.

---

**1. The Minutes for August 23, 2009 Commission Meeting were approved.**

**2. RETAIL**

**A. CHEERS WINE AND LIQUORS  
GORDONSVILLE, TENNESSEE (SMITH COUNTY)**

**Applicant: Cheers of Gordonsville, Inc.**  
**Stockholders: Sami Arnouk**

Before the Commission is a request for a new retail store to be located at 498 Gordonsville, Tennessee. Mr. Arnouk intends to initially invest \$185,000 from personal savings (\$50,000) a personal loan from Jabal Bachour, a brother-in-law to operate the business. The corporate applicant is leasing the property from Jabal Bachour and Marwan Hanna for a period of five years at \$8420/month. Two five year options exist, and if exercised, the rent would increase to \$9262/month and then \$10,188/month, respectively. It should be noted that Mr. Arnouk currently works at his wife's retail liquor store in Lebanon, Tennessee (d/b/a Cheers Wine and Liquors). All documentation has been submitted with the exception of the following:

- a. Deed to Jabal Bachour and Marwan Hanna;
- b. Use and Occupancy permit;
- c. TABC Inspection;
- d. Acknowledgement of the rules and regulations;
- e. Questionnaire and financial background check on Mr. Bachour;
- f. Affidavits from Mr. and Mrs. Arnouk acknowledging that they will have not have an interest in the other's store.

**Discussion/Action Taken:**

Mr. Sami Arnouk was present at the meeting. Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the following documentation:

- a. Use and Occupancy permit;
- b. TABC Inspection;
- c. Acknowledgement of the rules and regulations;
- d. Questionnaire and financial background check on Mr. Bachour.

Commissioner Mathews made a motion to approve upon submission of the pending documentation. Commissioner Bond seconded the motion and it passed with 3 ayes.

**B. FANCY LIQUOR  
BURNS, TENNESSEE (DICKSON COUNTY)**

**Applicant: Fancy Liquor, Inc.**  
**Stockholder: Rasai Durai**

Before the Commission is a request for a new retail store to be located at 2401 Highway 47 East, in Burns, Tennessee (mailing address is Dickson, Tennessee). Mr. Durai intends to initially invest approximately \$20,000 to operate the business. Financing is based upon personal funds and a First Federal Bank. The property is owned by Mahavir, LLC, who are leasing the property to the corporate applicant at \$450/month. All documentation has been submitted with the exception of the following:

- a. Verification of length of lease;
- b. Affidavit from Landlord has no interest in store other than that of landlord;
- c. Loan agreements and savings accounts statements;
- d. TABC Inspection;
- e. Acknowledgement of the rules/regulations;
- f. Acknowledgement cannot operate the business in conjunction with any other business.

**Discussion/Action Taken:**

Rasai Durai and William Cheek, attorney, were present at the meeting. Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the following documentation:

- a. Verification of length of lease;
- b. Affidavit from Landlord has no interest in store other than that of landlord;
- c. Loan agreements and savings accounts statements;
- d. TABC Inspection;
- e. Acknowledgement of the rules/regulations;

- f. Acknowledgement cannot operate the business in conjunction with any other business.

Mr. Durai acknowledged that the retail store cannot be operated in conjunction with the adjoining convenience store.

Commissioner Mathews made a motion to approve upon submission of the pending documentation. Commissioner Bond seconded the motion and it passed with 3 ayes.

**C. HILLBILLY’S LIQUORS  
DUNLAP, TENNESSEE (SEQUATCHIE COUNTY)**

**Applicant: Stephen Waldron, Sr. and Mary Ann Huckeba**

Before the Commission is a request for a new retail store to be located at 16435 Rankin Avenue, in Dunlap, Tennessee. Mr. Waldron and Ms. Huckeba intend to initially invest approximately \$75,000 to operate the business. Financing is based upon a line of credit with Citizens Tri County Bank They are leasing the property from Willie Rigsby for a period of one year for \$600/month. All documentation has been submitted with the exception of the following:

- a) Actual Line of Credit document with bank;
- b) Use and Occupancy permit.

**Discussion/Action Taken:**

Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the Actual Line of Credit document with bank and Use and Occupancy permit. Chairman Jones made a motion to approve upon submission of the pending documentation. Commissioner Bond seconded the motion and it passed with 3 ayes.

**D. LAKESITE WINE & SPIRITS  
HIXSON, TENNESSEE (HAMILTON COUNTY)**

**Licensee: David and Martha Denham**

Before the Commission is a request for a transfer of location of the retail store currently located at 8721 Hixson Pike, Suite D in Hixson, Tennessee. They are requesting that the transfer to 8711-A Hixson Pike because the landlord at the current location has gone to a month-to-month lease; problems exist with flooding in a storage area; and termite problems.

As a result of these problems, the licensee has purchased the land at the proposed new location. All documentation has been submitted with the exception of the following:

- a. Update Certificate of Compliance.

**Discussion/Action Taken:**

Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the updated Certificate of Compliance. Chairman Jones made a motion to approve upon submission of the pending documentation. Commissioner Mathews seconded the motion and it passed with 3 ayes.

**E. GORDONSVILLE DISCOUNT LIQUORS  
GORDONSVILLE, TENNESSEE (SMITH COUNTY)**

**Licensee:** Gordonsville Discount Liquors, LLC  
**Members:** Johnny Cox, Jerry Mabery, and David Bennett  
**New Member:** Joseph Evins

Before the Commission are several requests for a transfer of stock ownership. A) Sometime prior to November, 2008, Mr. David Bennett passed away, and the remaining members agreed to purchase Mr. Bennett's 1/3 ownership interest: thus, Mr. Mabery and Johnny Cox would own 50% each. This transfer of stock ownership has not appeared before the Commission and has not been approved. B) On January 20, 2009, Mr. Cox purchased Mr. Babery's 50% interest in the LLC for \$50,000. This transfer of stock ownership has not appeared before the Commission and has not been approved. C) Mr. Babery now wishes to sell 10% of his interest Joseph Evins—resulting in a 90% to 10% ownership interest. All documentation has been submitted with the exception of the following:

- a. Payment of fine for transfer of ownership without approval. (2 counts).

**Discussion/Action Taken:**

Director Elks reviewed the application to the Commissioners and recommended approval upon payment of fine for transfer of ownership without approval. Commissioner Mathews made a motion to approve subject to payment of the fine. Commissioner Bond seconded the motion and it passed with 3 ayes.

**F. MERCHANT’S LIQUOR STORE  
KNOXVILLE, TENNESSEE (KNOX COUNTY)**

**Licensee/Seller:** Jerry’s Package Store, Inc.  
**Stockholder:** Jerry Arthur  
**Applicant/Buyer:** Jena, Inc.  
**Stockholder:** Iqbal Hussain Bhimani

Before the Commission is a request for a transfer of ownership of the retail store to be located at 107 Cedar Lane in Knoxville, Tennessee. Mr. Bhimani wishes to purchase the assets of the business (approximately \$55,000—cost of inventory) and the property (\$400,000). Property will be owned by Mr. Bhimani and Mr. Barkat Bhimani. They will be leasing the property to the applicant for a period of one year for \$2500/month. Financing for the purchase of the business is based upon existing business account proceeds and savings accounts. It should be noted that Mr. Iqbal Bhimani and Mr. Barkat Bhimani are also the landlords for two existing retail licensees: Abdul R. Bhimani d/b/a Holston Package Store in Knoxville, and Juma Inc. d/b/a Magnolia Package Store in Knoxville. All documentation has been submitted with the exception of the following:

- a. TABC Inspection;
- b. Acknowledgement of the rules/regulations.
- c. Verification that Mr. Iqbal Bhimani is not a lender or co-signer for any loan associated with the other two retail stores.

**Discussion/Action Taken:**

Iqbal Hussain Bhimani was present at the meeting. Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the following documentation:

- a. TABC Inspection;
- b. Acknowledgement of the rules/regulations.
- c. Verification that Mr. Iqbal Bhimani is not a lender or co-signer for any loan associated with the other two retail stores.

Chairman Jones made a motion to approve upon submission of the pending documentation. Commissioner Mathews seconded the motion and it passed with 3 ayes.

**G. TOP SHELF LIQUORS  
MURFREESBORO, TENNESSEE (RUTHERFORD COUNTY)**

**Applicant:** Ryan Sims

Before the Commission is a request for a new retail store to be located at 2122 North Thompson Lane, Suite D in Murfreesboro, Tennessee. Mr. Ryan Sims wishes to initially invest approximately \$70,000 to operate the business. Financing is based upon personal savings and a home-equity loan with Suntrust Bank. Mr. Sims is leasing the property from Daniel and Mary Wallace for a period of three years at \$1500/month. All documentation has been submitted with the exception of the following:

- a. Newspaper Affidavit;
- b. TABC Inspection;
- c. Acknowledgement of the rules/regulations;
- d. Use and Occupancy permit.

**Discussion/Action Taken:**

Ryan Sims was present at the meeting. Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the Use and Occupancy permit.

Commissioner Mathews made a motion to approve upon submission of the pending documentation. Commissioner Bond seconded the motion and it passed with 3 ayes.

**3. WINERY**

**A. THE WINERY AT BELLE MEADE  
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

**Applicant: The Winery at Belle Meade Plantation, Inc.**  
**Stockholders: N/A—a non-profit corporation (John Rochford,  
President; Alton Kelley, Director)**

Before the Commission is a request for a new winery to be located at 5025 Harding Pike, on the premises of Belle Meade Plantation, in Nashville, Tennessee. The applicant intends to initially invest approximately \$250,000 to begin operations. Financing is based upon a line of credit with CapStar Bank. All documentation has been submitted with the exception of the following:

- a. TABC Inspection;
- b. Acknowledgement of the rules/regulations;
- c. Use and Occupancy permit;
- d. Questionnaire for John Rochford.

**Discussion/Action Taken:**

Alton Kelley was present at the meeting. Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the following documentation:

- a. TABC Inspection;
- b. Acknowledgement of the rules/regulations;
- c. Use and Occupancy permit;
- d. Questionnaire for John Rochford.

Commissioner Mathews made a motion to approve upon submission of the pending documentation. Commissioner Bond seconded the motion and it passed with 3 ayes.

**4. BUDGET**

- **Proposed 2 Tier Reduction in Budget for a total 9% cut**

**Discussion/Action Taken:**

Director Elks stated that TABC was required to revert \$400,000 of this years' budget to the General Fund. To achieve this, the agency will not fill three Responsible Vendor positions: one agent, one training specialist and one secretary position. Further, Director Elks stated an additional training specialist position, an additional agent and an additional secretary position will not be filled this year.

Director Elks stated that for Fiscal Year 2010-11 budget the staff has been requested to submit a plan for a 9% reduction in the budget that would come in two tiers. The first tier would consist of 6% or \$60,500. If requested, another 3% would be cut for approximately \$30,200. Director Elks stated that the staff would have to cut a responsible vendor secretary and a training specialist position.

**5. CONSENT ORDERS**

**6. PENDING MATTERS LIST**

**7. MISCELLANEOUS**

- **Monthly Activity**

- 8. DATE OF NEXT MEETING** – Thursday, October 15, Thursday, November 19, Thursday, December 17, 2009 at 1:30 p.m.

---

John A. Jones  
Chairman

---

Shari Danielle Elks  
Executive Director