



TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

MINUTES

TUESDAY, DECEMBER 18, 2018

10:00 a.m.

The meeting was held on December 18, 2018, in Nashville, Tennessee. Chairman Skiles, Commissioner Jones, and Commissioner Roberts were present. In attendance on behalf of staff were the following: Interim Director Blair, Commission Counsel Joshua Stepp, Commission Counsel Hollingshead Cook, CLEO Tubbs, Nancy Townsend, Scott Wolfe, and Nichelle Dorroh.

1. REVIEW/APPROVAL OF THE NOVEMBER 15, 2018, COMMISSION MEETING MINUTES

Discussion/Action Taken: Commissioner Jones moved the minutes be accepted as presented and the motion was seconded. The motion passed with three ayes.

Presentation by Michelle Rozell of Mothers Against Drunk Driving (MADD). Michelle Rozell presented the 2018 Statewide Outstanding Department of the Year Award to the Tennessee Alcoholic Beverage Commission, law enforcement division. Ms. Rozell commended the department on its effort to prevent underage drinking.

2. RETAIL MATTERS

1. TOTAL WINE SPIRITS BEER & MORE (LICENSE NO. 4198) KNOXVILLE, TENNESSEE (KNOX COUNTY)

Applicant: Tennessee Fine Wines & Spirits, LLC

Retail package store licensee no. 4198 operating at 11370 Parkside Drive, Knoxville, TN 37934 is requesting approval of a change in trustees and a change in ownership. Robert T. Shaffer is replacing John Jordan as a trustee of MCT 2013 LLC Receiving Trust, NRT 2013 LLC Receiving Trust, RJT 2013 LLC Receiving Trust and the Jet 2013 LLC Receiving Trust. Additionally, the 5% membership interest held by David Trone is being transferred to the NRT 2013 LLC Receiving Trust, MCT 2013 LLC Receiving Trust, RJT 2013 LLC Receiving Trust, and JET 2013 LLC Receiving Trust. Upon approval the new ownership structure will be as follows:

Robert Trone	45%
NRT 2013 LLC Receiving Trust	12.50%
MCT 2013 LLC Receiving Trust	12.50%
RJT 2013 LLC Receiving Trust	12.50%
JET 2013 LL Receiving Trust	12.50%



SPT 2015 LLC Receiving Trust¹ 5%

The TABC staff recommends approval of the changes.

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

2. BRENTWOOD WINE & SPIRITS (LICENSE NO. 3299) BRENTWOOD, TENNESSEE (WILLIAMSON COUNTY)

Applicant: O.T. Investments Inc.

Shareholders:	<u>Current (%)</u>	<u>Proposed (%)</u>
	Mark Oswald, 33.34	Tennessee Fine Wines & Spirits, LLC (100%)
	Kurt Taser, 33.34	
	Karmelle McClellan, 33.34	

Before the Commission is a request for approval of a change in ownership in O.T. Investments Inc., the retail package store licensee doing business at 330 Franklin Rd., Brentwood, TN 37027. Tennessee Fine Wines & Spirits, LLC will become the 100% owner of O.T. Investments Inc. The TABC staff recommends approval of the request.

Discussion/Action Taken: Director Blair summarized the request and recommended approval of the request. Kurt Winstead requested to address the commission and requested the commission deny the application or delay a decision until the case before the Supreme Court is over.

Mr. Winstead made comments regarding on an ongoing investigation, minor beneficiaries of the trusts, and the pending Supreme Court case. Mr. Winstead commented on and inquired about the length of the investigation. Director Blair addressed the commission regarding the investigation process. A discussion was held regarding the investigation process.

Commissioner Roberts asked for assurances that the investigation is proceeding in a timely manner. Director Blair responded and commented that he requests regular updates on these types of investigations.

¹ The trustees of SPT 2015 LLC Receiving Trust are John Trone and Thomas Albert Haubenstricker. Robert Shaffer and George Mavrikes are the trustees of the other four trusts.



Director Blair then commented on the appeal against the commission involving the minor beneficiary issue that was non-suited. A discussion was held. Commission Counsel Stepp spoke on the agency's position regarding trusts with minors as beneficiaries and Mr. Stepp commented on the use of trusts for legitimate estate planning purposes.

Director Blair commented on the injunction and read from the order. Director Blair commented that he believed the commission was prohibited from considering the pending case as a basis to delay the application.

Tucker Herndon addressed the commission on behalf of Tennessee Fine Wine and Spirits and commented that the applicant has met the requirements for the transfer of the license. In response to a question from the commission regarding tastings, Robert Schaffer addressed the commission and spoke on Total Wine's practice related to tastings and educational classes.

Kurt Winstead addressed the commission again and made comments and responded to a question from the commission regarding classes. Mr. Winstead made additional comments. Robert Schaffer then addressed the commission in response to Mr. Winstead's comments.

The commission held a discussion and included were comments that the concerns raised do not rise to the level of delaying or denying the application. After the discussion, Commissioner Jones moved application be approved and the motion was seconded. The motion was approved with three ayes.

3. COUNTRY CUPBOARD LIQUOR GREENBRIER, TENNESSEE

Applicant: Dipak Lachmandas and Harsha Lachmandas
Application date: 4/11/2018

Before the Commission is a request for approval of a retail package store licensee to be located at 2222 Tom Austin Hwy., Greenbrier, TN 37073. Dipak Lachmandas and Harsha Lachmandas own the real property where the package store will be located. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

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



c. license fee

Discussion/Action Taken: Director Blair summarized the request and recommended conditional approval of the application subject to the listed conditional items. Commissioner Roberts motioned for conditional approval of the license and the motion was seconded. The motion passed with three ayes.

**4. EAST BRAINERD WINE AND SPIRITS
CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)**

Applicant:	Nayana Corporation	
Shareholder(s):	<u>Before</u>	<u>After</u>
	Saurin Patel, 20%	Saurin Patel, ² 60%
	Harsh Patel, 20%	Tanak Patel, 40%
	Arjun H. Patel, 20%	
	Arjun D. Patel, 40%	

The TABC licensee (no. 4051) doing business at 7794 East Brainerd Road, Chattanooga, TN 37421 is requesting approval of a change in shareholders and shareholder interest. Saurin Patel is acquiring the interests held by Harsh Patel and Arjun H. Patel. New member, Tanak Patel, is acquiring the interest held by Arjun D. Patel. The TABC staff recommends approval of the request.

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

**5. WESTSIDE WINE & SPIRITS
FRANKLIN, TENNESSEE (WILLIAMSON COUNTY)**

Applicant:	Westside Wine & Spirits, LLC	
Member(s):	<u>Before</u>	<u>After</u>
	Rick English, 100%	Rick English, 25%
		Steve Poe, 75%

The retail package store licensee³ located at 188 Front Street, Franklin, TN 37064 is requesting approval of a change in LLC members and membership interest. Steve

² Saurin Patel is also an owner of H. Riley Partnership d/b/a Riley's Wine and Spirits (RTLPS-HAM-1824141) doing business at 4818 Hixson Pike, Hixson, TN 37343.

³ RTLPS-WIL-1818693



Poe is acquiring 75% ownership in the LLC and Rick English, current owner, will retain 25% ownership interest. The TABC staff recommends approval of the request.

Discussion/Action Taken: Director Blair 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.

6. SOMEWHERE LIQUORS MCMINNVILLE, TENNESSEE (WARREN COUNTY)

Applicant: Kimberly Hunt and Michael Hopkins

The retail package store licensee⁴ doing business at 1100 Smithville Hwy., McMinnville, TN 37110 is requesting approval to expand its premises. The applicant is leasing an adjacent suite and will remove existing walls to combine the spaces. The TABC staff recommends conditional approval of the request subject to the following:

- a. certificate of occupancy
- b. TABC inspection

Discussion/Action Taken: Director Blair summarized the request and recommended conditional approval subject to the listed conditional items. Commissioner Jones moved for approval and the motion was seconded. The motion passed with three ayes.

7. WESTSIDE LIQUOR LEWISBURG, TENNESSEE (MARSHALL COUNTY)

Applicant: A & R Spirits Inc.

The retail package store licensee⁵ doing business at 445 W. Commerce St., Lewisburg, TN 37091 is requesting approval to expand its premises. The applicant is incorporating an adjacent suite to the premises and is removing a wall between the spaces. The TABC staff recommends conditional approval of the request subject to the following:

- a. certificate of occupancy

⁴ RTLPS-WAR-1817552

⁵ RTLPS-MSH-1809935



b. TABC inspection

Discussion/Action Taken: Director Blair summarized the request and recommended conditional approval subject to the listed conditional items. Commissioner Jones moved for approval and the motion was seconded. The motion passed with three ayes.

**8. EAST END LIQUOR
FAYETTEVILLE, TENNESSEE (LINCOLN COUNTY)**

Applicant: Ravina J, Inc. (Jagdish Patel, 100%)

Current licensee: Kevin Hargrave d/b/a East End Liquors⁶

Proposed licensee: Ravina J, Inc. d/b/a East End Liquor

Before the commission is a request for approval of a retail package store licensee to be located at 122 Shelbyville Hwy., Suite B, Fayetteville, TN 37734. The applicant is acquiring the package store from the current owner⁷ and will lease the premises from Jagdish Patel, Neel Patel, and Ravina Patel. The TABC staff recommends conditional approval of the request subject to the following:

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

Discussion/Action Taken: Director Blair summarized the request and noted conditional item (a) had been received. Director Blair recommended conditional approval subject to the license fee. Commissioner Roberts motioned for approval and the motion was seconded. The motion passed with three ayes.

**9. BEER AND LIQUOR DEPOT
MURFREESBORO, TENNESSEE (RUTHERFORD COUNTY)**

Applicant: Beer and Liquor Depot, LLC (Michael Haleem, 100%)

Current licensee: Mahi Sagar Inc. d/b/a Beer and Liquor Depot

Proposed licensee: Beer and Liquor Depot, LLC, d/b/a Beer and Liquor Depot

⁶ RTLRPS-LIN-1818208

⁷ In accordance with Tennessee law, sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.



Before the commission is a request for approval of a retail package store licensee to be located at 2002 East Main St., Murfreesboro, TN 37130. The applicant is acquiring the package store from the existing owner and will assume the current owner's lease. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. certificate of occupancy
- b. license fee

Discussion/Action Taken: Director Blair summarized the request and recommended conditional approval subject to the listed conditional items. Commissioner Jones moved for approval and the motion was seconded. The motion passed with three ayes.

10. EAST END LIQUOR & TOBACCO KNOXVILLE, TENNESSEE (KNOX COUNTY)

Applicant: Supreme Liquors LLC
Members: Hitesh Patidar, 40%; Aziz Kherani, 40%; Nilesh Patel, 20%

Current licensee: East End Spirits Inc. d/b/a East End Liquor Shoppe⁸
Proposed licensee: Supreme Liquors LLC d/b/a East End Liquor & Tobacco

Before the commission is a request for approval of a retail package store licensee to be located at 5406 Asheville Hwy., Knoxville, TN 37914. The applicant is acquiring the package store from the current licensee⁹ and is purchasing the real property where the store is located. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

- a. deed after closing
- b. license fee

Discussion/Action Taken: Director Blair summarized the request and recommended conditional approval subject to the deed after closing and the license fee. Commissioner Jones moved for approval subject to receipt of those items and the motion was seconded. The motion was approved with three ayes.

⁸ RTLRS-KNO-1822678

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.



11. BROADWAY DISCOUNT LIQUORS GALLATIN, TENNESSEE (SUMNER COUNTY)

Applicant: Harihar, LLC
Member(s): Harshadbhai Patel (50%) and Rashmikant Patel (50%)

Current licensee: Surati Retail Investments LLC d/b/a Broadway Discount Liquors
Proposed licensee: Harihar, LLC, d/b/a Broadway Discount Liquors

Before the commission is a request for approval of a retail package store licensee to be located at 415 E. Broadway, Gallatin, TN 37066. The applicant is acquiring the package store from the existing licensee¹⁰ and will assume the current owner's lease. The TABC staff recommends conditional approval of the request subject to receipt of the following:

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

Discussion/Action Taken: Director Blair summarized the request and noted conditional item (a) had been received. Director Blair recommended conditional approval subject to conditional item (b) and (c). Commissioner Jones moved for approval subject to receipt of those items and the motion was seconded. The motion passed with three ayes.

12. LEBANON WINE & SPIRITS LEBANON, TENNESSEE (WILSON COUNTY)

Applicant: Lack Enterprises LLC
Members: Kyle Lack (50%) and Susan Lack (50%)

Current licensee: Ryan Spirits LLC d/b/a Lebanon Wine & Spirits¹¹
Proposed licensee: Lack Enterprises LLC d/b/a Lebanon Wine & Spirits

Before the commission is a request for approval of a retail package store licensee to be located at 111 S. Hartmann Dr., Lebanon, TN 37087. The applicant is acquiring the package store from the current licensee¹² and will assume the

¹⁰ In accordance with Tennessee law, sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

¹¹ RTLRRS-WLS-1821089

¹² 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 owner's lease. The TABC staff recommends conditional approval of the request subject to the following:

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

Discussion/Action Taken: Director Blair summarized the request and noted conditional item (c) had been received and recommended conditional approval subject to item (a), (b), and (d). Commissioner Roberts moved for conditional approval subject to receipt of the missing items and the motion was seconded. The motion passed with three ayes.

13. EASTSIDE LIQUOR & WINE ELIZABETHTON, TENNESSEE (CARTER COUNTY)

Applicant: Ananta 18 Inc.
Shareholders: Dhruv Patel (30%), Yogeshkumar Patel (40%), Nalin Patel (30%)

Current licensee: Eastside Liquor and Wines, Inc. (license no. 3864)
Proposed licensee: Ananta 18 Inc. d/b/a Eastside Liquor & Wine

Before the Commission is a request for approval of a retail package store licensee to be located at 1201 Hwy. 19E Bypass, Elizabethton, TN 37643. The applicant is purchasing the business from the current licensee and will lease the premises from AARSH 18 Inc. The TABC staff recommends conditional approval of the request subject to the following:

- a. deed after closing and executed lease
- ~~b. agent report~~
- c. inspection which includes an acknowledgment of TABC rules & regulations
- d. license fee

Discussion/Action Taken: Director Blair summarized the request and noted conditional item (b) had been received. Director Blair recommended conditional approval of the request subject to receipt of conditional item (a), (c), and (d). Commissioner Jones moved for approval subject to receipt of any missing items and the motion was seconded. The motion passed with three ayes.



**14. CHELSEA LIQUOR
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant: Andre/Andra Tate

Before: Bennett Johnson d/b/a Chelsea Liquor Store (no. 2088; expired January 3, 2018)

Proposed: Andre Tate d/b/a Chelsea Liquor

Before the Commission is a request for approval of a retail package store licensee at 677 Chelsea Ave., Memphis, TN 38107. The TABC staff recommends denial of the application due to applicant's misrepresentation of material facts, financial viability, and other related concerns.

Discussion/Action Taken: Director Blair summarized the request and commented on the background of the application. Director Blair noted a change to the recommendation by staff. Attorney Thomas Branch was present on behalf of the applicant. Director Blair noted the applicant had waived confidentially regarding the child support issue. Director Blair noted that Mr. Tate was now in compliance with his child support obligation and noted the identity question is now resolved. Director Blair recommended conditional approval subject to the receipt of the 2018 license fee, an agreed order that specifies that the licensee will surrender the license automatically if the licensee comes out of compliance with the child support payment plan or other terms of the agreed order, an inspection which includes an acknowledgment of rules and regulations, and the license fee for the current application. Director Blair noted as part of the agreed order that staff will request documentation showing compliance with the child support plan on a regular basis and staff will also request updated from DHS at renewal. Director Blair stated that staff is requesting a deadline be set for January 2, 2019 for the contingent items. Director Blair noted Mr. Branch reviewed a draft of the agreed order and was in agreement with the terms. Commissioner Roberts inquired about the driver's license issue and Special Agent Andrew Farley spoke on this issue and a discussion was held.

Mr. Branch commented that he read the draft of the agreed and it was satisfactory and a brief discussion was held.

Commissioner Roberts moved for conditional approval subject to the agreed order as discussed by Director Blair and all the material terms must be present in the agreed order. Commissioner Roberts requested Director Blair to repeat the other contingent items. Director Blair then listed the items: payment of the 2018 license fee, inspection which includes an acknowledgment of rules and



regulations, and a license fee for the new license on or before January 2, 2019. The monthly compliance updates and renewal updates will be in the agreed order and payment of the initial payment required by the court be honored by January 2, 2019, will be a part of the agreed order. Director Blair noted that as part of the agreed order the license will be surrendered voluntarily without a hearing if the terms are violated. Commissioner Roberts moved for approval subject to those conditions and the motion was seconded. The motion passed with three ayes.

3. WHOLESALE MATTERS

1. ATHENS DISTRIBUTING COMPANY OF MEMPHIS (LICENSE NO. 14) MEMPHIS, TENNESSEE (SHELBY COUNTY)

Applicant: Athens Distributing Company of Memphis

The wholesaler (no. 14) doing business at 905 James Street, Memphis, TN 38106 is requesting approval of ownership changes. In December of 2017, the Estate of Gerald Fridrich was distributed which resulted in four new owners¹³ and in January of 2018 those interests were transferred to Boggie 33, GP. Additional transactions will occur on December 31, 2018, and January 1, 2019. On January 2, 2019, the ownership of Athens Distributing Company of Memphis will be: John H. Aaron (14.2222%), John H. Aaron, Jr. (4.0000%), Michael E. Aaron (4.0000%), John P. Donnelly (13.3334%), JPD Investments LP (14.4444%), Don J. White (6.0000%), The Donald J. White, Jr. 2015 Irrevocable Trust (5.0000%), The Jeremy H. White 2015 Irrevocable Trust (5.0000%), Boggie 33, GP (25.0000%), Scott R. Moore (3.0000%), Richard L. Speed, Jr. (3.0000%), and Thomas H. White, III (3.0000%). The TABC staff recommends conditional approval of the request subject to resolution of the citation for the ownership changes that occurred prior to commission approval.

Discussion/Action Taken: Director Blair summarized the request and recommended conditional approval subject to the resolution of a citation for ownership changes prior to commission approval. Commissioner Jones moved for approval and the motion was seconded. The motion passed with three ayes.

2. BEVERAGE CONTROL (LICENSE NO. 37) KNOXVILLE, TENNESSEE (KNOX COUNTY)

Applicant: Beverage Control Inc.

¹³ Steven G. Fridrich (6.2500%), Lisa F. Grayson (6.2500%), Gerald D. Fridrich, Jr. (6.2500%), and the John Howard Fridrich Trust (6.2500%). Tom Price is the trustee of the John Howard Fridrich Trust.



The wholesaler doing business at 2331 News Sentinel Drive, Knoxville, TN 37921 is requesting approval of ownership changes as a result of the passing of shareholder, Michael T. Scruggs, Sr. in May of 2017. Upon Mr. Scruggs' death, The Estate of Michael T. Scruggs, Sr. was opened and in June of 2018, the estate transferred 3.87% of the non-voting shares to Jennie W. Scruggs. The current ownership of Beverage Control Inc. is listed below and the TABC staff recommends approval of the ownership changes.

The Estate of Michael T. Scruggs, Sr.	Voting, 16.33%
	Non-Voting, 29.46%
Jennie W. Scruggs	Voting, 0.00%
	Non-Voting, 3.87%
Elizabeth S. Scruggs	Voting, 16.33%
	Non-Voting, 33.33%
Jennifer S. Johnson	Voting, 16.33%
	Non-Voting, 33.33%
Trust A UWO William A. Scruggs	Voting, 51.00%
	Non-Voting, 0.00%
Andrew P. Johnson (President)	Voting, 0.00%
	Non-Voting, 0.00%
Lisa L. Bunch (Secretary)	Voting, 0.00%
	Non-Voting, 0.00%

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

3. **D&V DISTRIBUTING COMPANY (LICENSE NO. 40) KNOXVILLE, TENNESSEE (KNOX COUNTY)**

Applicant: D&V Distributing Company
 Ownership: Lucien L. Bailey & Co. (60 5/12 %), Kimball O. Nelson (4 ¼ %), Louis M. Nelson (2%) and Skyland Park, LLC (33 1/3%)

The wholesaler (no. 40) doing business a 5608 Middlebrook Pike, Knoxville, TN 37950 is requesting approval of ownership changes in Lucien L. Bailey & Co., an owner of D&V Distributing Company. In April 2017, Jane O. Bailey was added as an owner through a divorce decree between Ms. Bailey and former husband, David T. Bailey. Upon David T. Bailey's passing in August of 2017, the Estate of David T. Bailey was opened. Additionally, Kreis B. Beall (KB LBC Trust) intends to transfer her 10% interest to Jane O. Bailey. Upon TABC approval the ownership structure of Lucien L. Bailey & Co. will be as follows: Jane O. Bailey, 45%, Keith B. Bailey, 20%,



and the Estate of David T. Bailey, 35%. The TABC staff recommends approval of the changes.

Discussion/Action Taken: Director Blair summarized the request and recommended approval of the request. Commissioner Roberts moved for approval and the motion was seconded. The motion passed with three ayes. Attorney Hank Hildebrand was present on behalf of the three wholesale matters on the agenda.

4. WINERY MATTERS

HONEYTREE MEADERY NASHVILLE, TENNESSEE (DAVIDSON COUNTY)

Applicant: The Honeytree LLC
Members: Matthew Loch, 45%, Ross Welbon, 45%, and Helen Wallace, 10%

Applicant is requesting approval for the issuance of a winery license and will operate at 918 Woodland St., Nashville, TN 37206. The applicant will lease the premises from landlords, Ray and Judy Allen. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

- a. certificate of occupancy
- ~~b. inspection which includes an acknowledgment of TABC rules and regulations~~
- ~~c. agent report~~
- d. license fee

Discussion/Action Taken: Director Blair summarized the request and noted conditional items (b) and (c) had been received. Director Blair recommended conditional approval subject to receipt of item (a) and (d). Commissioner Jones moved for approval subject to completion of those items as stated and the motion was seconded. The motion passed with three ayes.

5. DISTILLERY/BREWERY MATTERS

1. OLD FORGE DISTILLERY (LICENSE NO. 102) PIGEON FORGE, TENNESSEE (SEVIER COUNTY)

Applicant:	Old Forge Distillery, LLC	
Members:	<u>Before (%)</u>	<u>After (%)</u>
	Chris Blanton, 50%	Chris Blanton, 45%



Rodney Craig Faulkner, 50%

Rodney Craig Faulkner, 45%
 Kent Merritt, 5%
 Tatum Family Trust, 5%

The manufacturer doing business at 170 Old Mill Avenue, Pigeon Forge, TN 37863 is requesting approval of changes in LLC members and membership interest. Kent Merritt and the Tatum Family Trust are being added as owners. Charlotte Tatum will serve as trustee. The TABC staff recommends approval of the changes.

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

**2. OLD FORGE DISTILLERY (LICENSE NO. 165)
 SEVIERVILLE, TENNESSEE (SEVIER COUNTY)**

Applicant:	Old Forge Distillery, LLC	
Members:	<u>Before (%)</u>	<u>After (%)</u>
	Chris Blanton, 50%	Chris Blanton, 45%
	Rodney Craig Faulkner, 50%	Rodney Craig Faulkner, 45%
		Kent Merritt, 5%
		Tatum Family Trust, 5%

The manufacturer doing business at 1893 Country Meadows Dr., Sevierville, TN 37862 is requesting approval of changes in LLC members and membership interest. Kent Merritt and the Tatum Family Trust are being added as owners. Charlotte Tatum will serve as trustee. The TABC staff recommends approval of the changes.

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

**3. TENNESSEE DISTILLING LTD. (LICENSE NO. 119)
 COLUMBIA, TENNESSEE (MAURY COUNTY)**

Applicant:	Tennessee Distilling Group, LLC
Members:	Rutherford Investments LLC (66.67%) and TN Distilling Company, LLC ¹⁴ (33.33%)

¹⁴ Mike Williams is the 100% owner of TN Distilling Company, LLC.



The manufacturer licensee doing business at 1929 Ridgecrest Drive, Columbia, TN 38401 has two requests before the commission. First, the applicant is requesting approval to expand its premises to include an additional building to be used mainly for storage of barreled product. Secondly, Mark MacKenzie, currently the 100% owner of Rutherford Investments, LLC, wishes to transfer 75% of his interest in Rutherford Investments, LLC, to the Mark MacKenzie 2018 Family Trust. Jennifer MacKenzie will serve as the trustee. Mark MacKenzie will retain 25% membership interest in Rutherford Investments, LLC. The TABC staff recommends conditional approval of the expansion subject to receipt of a certificate of occupancy and the staff recommends approval of the ownership changes.

Discussion/Action Taken: Director Blair summarized the expansion request and recommended conditional approval subject to a certificate of occupancy. Commissioner Roberts moved for conditional approval of the expansion subject to the certificate of occupancy. The motion was seconded and it passed with three ayes.

Director Blair summarized the ownership change request and recommended approval. Commissioner Roberts moved for approval of the ownership changes and the motion was seconded. The motion passed with three ayes.

6. MISCELLANEOUS

- Consideration of Proposed Rule Filing regarding rule 0100-03-10(2)(b):

All trucks and other motor vehicles owned or leased and operated by any Tennessee licensee ~~ed wholesaler~~, and used to transport, haul, deliver, or carry alcoholic beverages, shall have the name and address of such licensee printed on each side and on the rear of said truck or motor vehicle in legible letters of a minimum height as hereinafter prescribed. The name of the licensee shall be in letters not less than four (4) inches in height, the address of such licensee shall appear in letters of not less than two and one half (2 ½) inches in height ~~and the license number shall appear in letters not less than one and one half (1 ½) inches in height~~. The following words, but no others, may be abbreviated: Tennessee (Tenn.), Company (Co.), and Incorporated (Inc.).

Discussion/Action Taken: Director Blair summarized the proposed rule change and requested the commission approve the proposed rule change that would eliminate the language requiring wholesalers to paint or print their license numbers on their vehicles. Director Blair commented that it would be a burdensome requirement to require wholesalers to repaint their vehicles with the new license numbers. Attorney Hank Hildebrand was present on behalf of



the Wine & Spirits Wholesalers of Tennessee stated the association was in support of the proposed change. Commissioner Roberts moved approval of the proposed rule and the motion was seconded. The motion passed with three ayes.

- RLPS update

Discussion/Action Taken: Director Blair updated the commission on RLPS and the licenses issued. Director Blair commented on changes to the inspection process in the system that will now allow for proactive renewal inspections by automatically generating inspection records on the license record for renewals. Director Blair spoke on the renewal process. Commissioners Skiles inquired about server training and Director Blair spoke on the training and process for application.

- Law enforcement update

Discussion/Action Taken: CLEO Tubbs updated the commission on the law enforcement activity since the last commission meeting including the number of inspections, citations, minor compliance checks, venue events worked, criminal cases, complaints, seizures, training, and personnel. In response to a question from the commission CLEO Tubbs spoke on checking for fake identification.

- Audit committee meeting to follow conclusion of regular meeting

Discussion/Action Taken: The audit committee meeting was held after the conclusion of the regular meeting.

7. NEXT MEETING - - Thursday, January 31, 2019, at 10:00 AM CST (*Proposed meeting date change)

8. UPCOMING MEETINGS

- Thursday, January 31, 2019, at 10:00 AM CST (*Proposed meeting date change)
- Thursday, February 28, 2019, at 10:00 AM CST
- Thursday, March 28, 2019, at 10:00 AM CST (set at the December meeting)

Discussion/Action Taken: The proposed January meeting date of January 31st was confirmed and the February 28th meeting date was confirmed. The March meeting date was set for Thursday, March 28th at 10:00 AM CST.




The regular meeting adjourned and the audit committee meeting was held after the conclusion of the regular meeting on December 18, 2018.

**APPROVED FOR ENTRY UPON THE MINUTE BOOKS OF THE TENNESSEE ALCOHOLIC
BEVERAGE COMMISSION THIS THE 31st DAY OF JANUARY 2019.**



Commissioner



CLEO Bond Tubbs