

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

Minutes
August 20, 2009
1:30 p.m.

ADDENDUM

I. Retail Stores

A. Smyrna's Divine Wine and Spirits Smyrna, Tennessee (Rutherford County)

Applicant: Smyrna's Divine Wine and Spirits, LLC
Member: Shirley Hasan

Before the Commission is a request for a new retail store to be located at 291 Sam Ridley Parkway, Suite 100 in Smyrna, Tennessee. Ms. Hasan wishes to initially invest approximately \$260,000 to operate the business, and if approved, operate it as a LLC. Financing is based upon two home equity lines of credits with Bank of America and existing personal funds. The LLC is leasing the is leasing the property from David Wampler, d/b/d/a Weakley Plaza Partnership for a period of five years, with rent beginning at \$6400/month and increasing to \$6933/month. All documentation has been submitted with the exception of the following:

- a. Deed to Weakley Plaza Partnership;
- b. TABC Inspection;
- c. Use and Occupancy permit;
- d. Acknowledgement of the rules/regulations.

Discussion/Action Taken:

Director Elks reviewed the application to the Commissioners and recommended approval upon submission of the following documentation:

- a. Deed to Weakley Plaza Partnership;
- b. TABC Inspection;
- c. Use and Occupancy permit;
- d. Acknowledgement of the rules/regulations.

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. LaVergne Beverage Depot
LaVergne, Tennessee (Rutherford County)**

Seller/Licensee: Shaan, Inc.

Stockholder: Natvar Patel

New Stockholder: Gaurang Patel

Before the Commission is a request for a transfer of stock ownership of the retail store located at 5033-B Murfreesboro Road in LaVergne, Tennessee. Gaurang Patel wishes to purchase 80% of the stock of Shaan, Inc. for a purchase price of \$436, 140. Financing is based upon a promissory note with Natvar Patel, who will maintain 20% interest. All documentation has been submitted with the exception of the following:

- a. Modify list of stockholders;
- b. Signatures on promissory note;
- c. Acknowledgement of the rules/regulations.

Discussion/Action Taken:

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

- a. Modify list of stockholders;
- b. Signatures on promissory note
- c. Acknowledgement of the rules/regulations

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

2. COLLECTOR’S LICENSE

**A. Randall Piper
Goodlettsville, Tennessee (Sumner County)**

Applicant: Randall Piper

Before the Commission is a request for a new collector’s license pursuant to Public Chapter 484. Randall Piper requests permission to sell collectible bottles containing alcoholic beverages not meant to be consumed. The collection will be available for public

viewing at the following locations: 50 Hiles Street and 60 Hiles Street in Lynchburg, Tennessee, as well as 125 Hogans Branch Road in Goodlettsville, Tennessee. All documentation has been submitted with the exception of the following:

- a. TABC Inspection
- b. Inventory addendum

Discussion/Action Taken:

Assistant Director Smith reviewed the application to the Commissioners and recommended approval upon submission of the TABC Inspection and Inventory addendum.

Commissioner Mathews stated that he regretted, as a member of the Commission, what Mr. Piper had to go through prior to obtaining his license. (See Commission meeting minutes from January 21, 2009.)

Commission Mathews made a motion to approve. Commissioner Bond seconded the motion and it passed with 3 ayes.

3. SUMMARY OF LEGISLATIVE CHANGES IN 2009 –

Assistant Director Carolyn Smith stated that Direct Shipment was passed this session. Also, Assistant Director Smith stated that Public Chapter No. 524 increased the number of counties where alcoholic beverages can be manufactured in Tennessee. A collector's license has been approved. She stated there also changes to the Grape and Wine Law. Assistant Director Smith

stated the Commission will no longer be ruling on the J-6 Waivers. Assistant Director Smith stated the residency for wineries no longer exists and the staff will be issuing licenses to wineries located outside of Tennessee. She stated that individuals will be able to purchase wine at those licensed wineries up to 5 cases or 60 liters to one customer in a single day and they can transport back into Tennessee.

Assistant Director Smith stated that there were so new Premier Tourist Resort bills passed.

Assistant Director Smith stated that the definition of a restaurant as an establishment that can become licensed changed. Assistant Director Smith stated that the previous law had to serve at least one meal a day five days a week with the exception of holidays, vacations and redecorating and serving meals should be the principal business conducted or if it was only open four days a week, then the establishment had to serve at least one meal on each of those four days. Assistant Director Smith stated that those provisions were taken out. Instead, the establishment has to be opened at least three days a week and serving meals as the principal business conducted each day the establishment is open.

John A. Jones
Chairman

Shari Danielle Elks
Executive Director