



TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

MINUTES

THURSDAY, JANUARY 31, 2019

10:00 a.m.

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

The meeting was held on January 31, 2019 in Nashville, Tennessee. Chairman Skiles and Commissioner Roberts were present at the meeting and Commissioner Jones participated in the meeting via electronic communication. The following staff members were present: Keith Hollingshead-Cook, CLEO Tubbs, Joshua Stepp, Christopher Dowell, and Nichelle Dorroh.

At the beginning of the meeting Commission Counsel Keith Hollingshead-Cook commented on the additional formalities for this meeting and Commissioner Jones identified a Michelle Goebel as present in the location from which he was participating. Additionally, Mr. Hollingshead-Cook confirmed for the record that all Commissioners received the same materials to be discussed, and Mr. Hollingshead-Cook noted that the votes for the meeting must be roll call votes.

1. REVIEW/APPROVAL OF THE DECEMBER 18, 2018, COMMISSION MEETING MINUTES

Discussion/Action Taken: Commissioner Jones moved the minutes be accepted as presented and the motion was seconded. A roll call vote was taken and the motion passed with three ayes.

2. APPOINTMENT OF EXECUTIVE DIRECTOR

Discussion/Action Taken: Commissioner Roberts moved to appoint Mr. Thomas as the Director of the Alcoholic Beverage Commission and the motion was seconded. A roll call vote was taken and the motion passed with three ayes.

3. RETAIL MATTERS

**1. GATEWAY PACKAGE STORE (LICENSE NO. 0997)
GATLINBURG, TENNESSEE (SEVIER COUNTY)**

Applicant:	Gateway Package Store, Inc.	
Shareholders:	<u>Before</u>	<u>After</u>
	Robert M. Trospen, 50%	Robert M. Trospen, 50%
	The Estate of Kelly J. Rader, 50%	Tanda S. Paine, 50%



Before the Commission is a request for approval of a change in shareholders in Gateway Package Store, Inc., the retail package store licensee doing business at 1125 Parkway, Gatlinburg, TN 37738. Tanda S. Paine is being added as a 50% shareholder in the corporation. The TABC staff recommends approval of the request.

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request to the commission and recommended approval of the request. Commissioner Roberts moved for approval and the motion was seconded. A roll call vote was taken and the motion passed with three ayes.

2. FIREHOUSE DISCOUNT LIQUORS NASHVILLE, TENNESSEE (DAVIDSON COUNTY)

Applicant: Sheena, LLC (Sanjay Patel, 100%)

The retail package store¹ located at 3049 Dickerson Pike, suite 109, Nashville, TN 37207 is requesting approval to expand its premises. A wall between the current premises and an adjacent suite will be removed to combine the spaces. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

- a. certificate of occupancy
- b. TABC inspection

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request to the commission and recommended conditional approval of the request subject to a certificate of occupancy and inspection. Commissioner Roberts moved approval subject to receipt of the missing items and the motion was seconded. A roll call vote was taken and the motion passed with three ayes.

3. WATERTOWN WINE AND SPIRITS WATERTOWN, TENNESSEE (WILSON COUNTY)

Applicant: Watertown Wine and Spirits, LLC
Member(s): Gawargious Riad, 100%

Current: Watertown Wine & Liquors, LLC² (Emad Ayad, 100%)

¹ RTLPS-DAV-1828507

² RTLPS-WLS-1814602



Proposed: Watertown Wine & Spirits, LLC d/b/a Watertown Wine and Spirits

Before the commission is a request for approval of a retail package store licensee to be located at 8488 Sparta Pike, Watertown, TN 37814. The applicant is acquiring the package store from the current licensee at that location and will lease the premises from DAB Partnership. The TABC staff recommends conditional approval of the license subject to the following:

- a. ~~agent report~~ (received)
- b. license fee

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request to the commission and recommended conditional approval of the request subject to the license fee. Commission Counsel Hollingshead-Cook noted the agent report had been completed. Commissioner Jones moved for approval subject to receipt of the license fee and the motion was seconded. A roll call vote was taken and the motion passed with three ayes

4. SOUTHSIDE LIQUOR & WINE JACKSON, TENNESSEE (MADISON COUNTY)

Applicant: Nilkant Inc.
Shareholder(s): Chandrikaben S. Patel, 100%

Current: Lindsey & Lindsey, LLC d/b/a Southside Liquors³
Proposed: Nilkant Inc. d/b/a Southside Liquor & Wine

Before the commission is a request for approval of a retail licensee to be located at 1429 S. Highland Avenue, Jackson, TN 38301. The applicant is acquiring the existing package store at that location and will lease the premises from HCB Corporation. The TABC staff recommends conditional approval of the request subject to receipt of the following:

- a. license fee

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request to the commission and recommended conditional approval of the request subject to the license fee. Commissioner Roberts moved for approval

³ RTL RPS-MAD-1822528



subject to receipt of the license fee and the motion was seconded. A roll call vote was taken and the motion passed with three ayes.

**5. KAVIYA ABC LIQUORS
CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)**

Applicant: Kaviya III Inc.
Shareholders: Jayendra Chaudhari,⁴ 100%

Current: ABC Liquors Inc. d/b/a ABC Liquors⁵
Proposed: Kaviya III Inc. d/b/a Kaviya ABC Liquors

Before the Commission is a request for approval of a retail package store licensee to be located at 3948 Brainerd Rd., Chattanooga, TN 37411. The applicant is acquiring the package store from the current licensee at that location and will lease the premises from Jai Amaa, LLC. The TABC staff recommends conditional approval of the request subject to receipt of the following:

- a. deed after closing
- b. certificate of occupancy
- c. license fee

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request to the commission and recommended conditional approval of the request subject to the deed after closing, certificate of occupancy, and the license fee. Commissioner Jones moved for approval subject to receipt of the items as stated and the motion was seconded. A roll call vote was taken and the motion passed with three ayes.

**6. BUD & HAL'S LIQUORS (LICENSE NO. 0371)
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant: Don Brignole

Before
Mildred Brignole & Don Brignole

After
Don Brignole

⁴ Jayendra Chaudhari is a 50% owner of JayRaj Group Corporation d/b/a RJV Liquor, retail package store licensee no. RTLRRS-HAM-1830905, doing business at 3604 Brainerd Rd. suite B, Chattanooga, TN 37411.

⁵ RTLRRS-HAM-1817522



Before the commission is a request for approval of a change in ownership of the retail package store located at 4128 S. Plaza Dr., Memphis, TN 38116. Mildred Brignole passed away in 2017 and Don Brignole is now the sole owner of the package store. The TABC staff recommends approval of the ownership change.

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request to the commission and recommended approval of the request. Commissioner Roberts moved approval of the request and the motion was seconded. A roll call vote was taken and the motion passed with three ayes.

4. WINERY MATTERS

THE WINERY AT SEVEN SPRINGS FARM MAYNARDVILLE, TENNESSEE (UNION COUNTY)

Applicant: The Winery at Seven Springs Farm, LLC

The winery doing business at 1474 E. Highway 61, Maynardville, TN 37087 is requesting approval to expand its premises and the expansion will include the addition of a warehouse on contiguous property leased by the applicant.⁶ The TABC staff recommends approval of the request.

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request to the commission and recommended approval of the request. Commissioner Jones moved approval and the motion was seconded. A roll call vote was taken and the motion passed with three ayes.

5. SATELLITE FACILITIES

THE KNOTTY VINE GATLINBURG, TENNESSEE (SEVIER COUNTY)

Applicant: Goodwater Vineyard, LLC

Goodwater Vineyard, LLC, is requesting approval to transfer its satellite facility permit⁷ from 101 Hedrick Dr., Newport, TN 37821 to 651 Parkway, suite #105, Gatlinburg, TN 37738. The applicant will lease the premises from landlord, TAO

⁶ Tenn. Code Ann. § 57-3-207(f)(3): For purposes of this section, "premises" means any and all of the real property owned or leased by the winery.

⁷ RTLSAT-COC-1823969



Enterprises Inc. The TABC staff recommends conditional approval of the request subject to an inspection which includes an acknowledgment of rules & regulations.

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request to the commission and recommended conditional approval of the request subject to completion of an inspection which includes an acknowledgment of rules & regulations. Commissioner Roberts moved approval subject to the inspection and the motion was seconded. A roll call vote was taken and the motion passed with three ayes.

6. FARM WINERY MATTERS

CHISHOLM VINEYARD ARRINGTON, TENNESSEE (WILLIAMSON COUNTY)

Applicant: Chisholm Winery, LLC
Members: Walter Chism, 100%

Before the commission is a request for permitting of a farm wine producer⁸ to be located at 4893 Murfreesboro Rd, Arrington, TN 37014. The applicant has a custom crush agreement with Natchez Hills Vineyard in Hampshire, TN. The TABC staff recommends conditional approval of the request subject to receipt of the following:

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

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request to the commission and recommended conditional approval of the request subject an inspection which includes and acknowledgment of rules and regulations and the license fee. Commissioner Jones moved approval subject to receipt of those items as stated and the motion was seconded. A roll call vote was taken and the motion passed with three ayes.

7. DISTILLERY/BREWERY MATTERS

⁸ Tenn. Code Ann. § 57-3-207(o)(4) provides: "The holder of a farm wine permit may: (A) Transport or have transported produce grown on the farm to a winery licensed pursuant to subsection (b), for the manufacture, bottling and labeling of unfortified wine from such produce; (B) Receive such wine back from the winery manufacturing, bottling and labeling the wine for the farm wine producer; (C) Offer on the premises of the farm single servings of its wine, with or without charge, as tastings for each wine sample; and (D) Sell at retail on the premises of the farm sealed containers of wine made from the produce of its vineyard, orchard or fruit garden in a designated building or area.(5) Subsections (d), (h), (i), (j), (m), (n), and (q) which apply to wineries shall also apply to farm wine permittees.



**1. APPALACHIAN HERITAGE DISTILLERY (LICENSE NO. 178)
BRISTOL, TENNESSEE (SULLIVAN COUNTY)**

Applicant:	Appalachian Heritage Distillery, LLC	
Members:	<u>Before</u>	<u>After</u>
	Ester Nichols, 67.5%	Ester Nichols, 90%
	Blake Putnam, 22.5%	-----
	Rodney Jackson, 10%	Rodney Jackson, 10%

The manufacturer doing business at 102 Vance Drive, Bristol, TN 37620 is requesting approval of a change in LLC membership and membership interest. Ester Nichols acquired the interest held by Blake Putnam, leaving Ester Nichols and Rodney Jackson as members. The TABC staff recommends approval of the change.

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request to the commission and recommended approval of the request. Commissioner Roberts moved approval of the change and the motion was seconded. A roll call vote was taken and the motion passed with three ayes.

**2. EAST TENNESSEE DISTILLERY (LICENSE NO. 9)
PINEY FLATS, TENNESSEE (SULLIVAN COUNTY)**

Applicant:	RMRH Enterprises, LLC	
Members:	<u>Before</u>	<u>After</u>
	Neil Roberson, 33%	Neil Roberson, 74.17%
	Gary Melvin, 33%	Gary Melvin, 25.83%
	Byron Reece, 33%	
	Darrel Hunt, 1%	

The manufacturer (license no. 9) doing business at 220 Piney Flats Rd., Piney Flats, TN is requesting approval of the current ownership of the LLC: Neil Roberson, 74.17% and Gary Melvin, 25.83%. The TABC staff recommends approval of the changes.

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request to the commission and recommended approval of the request. Mr. Hollingshead-Cook noted the change in ownership occurred in part as litigation. Commissioner Jones inquired whether any one was present regarding this matter and no one was in attendance on behalf of this matter. Commissioner Jones



moved to approve the change in ownership as presented and the motion was seconded. A roll call vote was taken and the matter passed with three ayes.

8. COLLECTOR

MICHAEL HINDS

Mr. Hines d/b/a NVS is requesting approval for licensing pursuant to T.C.A. § 57-3-209⁹ as an alcoholic beverage collector and intends to display the collection at 600 12th Ave. S. #302, Nashville, TN 37203. The TABC staff recommends conditional approval of the license subject to payment of the license fee.

Discussion/Action Taken: Commission Counsel Hollingshead-Cook summarized the request and recommended approval of the request subject to payment of the license fee. Commissioner Roberts moved approval subject to receipt of the license fee and the motion was seconded. A roll call vote was taken and the motion was approved with three ayes.

9. MISCELLANEOUS

- Update on rulemaking hearing rules

Discussion/Action Taken: Commission Counsel Hollingshead-Cook updated the commission on this item and noted that rules adopted by the commission in September 2018 will become effective on April 25, 2019.

Commission Counsel Hollingshead-Cook updated the commission on the budget and noted that the revenues and expenses for the quarter that ended December 31st are in line with what was anticipated and that the staff had not yet been notified the dates of the budget hearings.

10. NEXT MEETING – Thursday, February 28, 2019, at 10:00 AM CST

11. UPCOMING MEETINGS

⁹ T.C.A. 57-3-209(a) For purposes of this section: (1) "Alcoholic beverage collector" means an individual who collects commemorative bottles containing alcoholic beverages, wine or distilled spirits, where the individual displays the collection in a location available to the public, either by appointment or on a regular schedule, and who sells collectible alcoholic beverages for the purpose of collection, without the intent that the collectible alcoholic beverage be consumed; and

(2) "Collectible alcoholic beverage" means an alcoholic beverage, distilled spirit or wine in a unique or commemorative bottle, decanter or other container, not generally available at a licensee holding a permit issued pursuant to § 57-3-204.



- Thursday, February 28, 2019, at 10:00 AM CST
- Thursday, March 28, 2019, at 10:00 AM CST
- April - Tentatively set for Tuesday, April 23, 2019

Discussion/Action Taken: The April meeting was tentatively set for Tuesday, April 23, 2019 at 10:00 am cst.

The meeting adjourned.

**APPROVED FOR ENTRY UPON THE MINUTE BOOKS OF THE TENNESSEE ALCOHOLIC
BEVERAGE COMMISSION THIS THE 28th DAY OF FEBRUARY 2019.**



Commissioner



Director Thomas