



TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
MINUTES
THURSDAY, SEPTEMBER 27, 2018
10:00 a.m.

The meeting was held on September 27, 2018, at 10:00 a.m. in Nashville, TN. Chairman Skiles, Commissioner Jones, and Commissioner Harb Roberts were present. The following staff members were in attendance: Director Byrd, Asst. Director Blair, Commission Counsel Hollingshead-Cook, CLEO Tubbs, and Christopher Dowell.

1. REVIEW/APPROVAL OF THE AUGUST 23, 2018, COMMISSION MEETING MINUTES

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

2. RETAIL MATTERS

1. RICHLAND WINE AND SPIRITS
DAYTON, TENNESSEE (RHEA COUNTY)

Applicant: Titan Management Inc.
Shareholder: John Richard Vaughn, 100%

Date of application: 01/08/2018

Location: 260 16th Avenue, Suite, 138, Dayton, TN 37321

This retail package store application was continued from the January 2018 meeting due to ongoing litigation at the local level and the lack of a certificate of compliance. On June 8th an order was entered dismissing the lawsuit. Additionally, the application for certificate of compliance submitted to the city in 2017 has neither been granted nor denied. Pursuant to Tenn. Code Ann. § 57-3-208(e), "[a] failure on the part of the issuing authority to grant or deny the certificate within sixty (60) days of the written application for such shall be deemed a granting of the certificate." The TABC staff is satisfied that all issues preventing action on the application are now resolved and staff recommends conditional approval of the license subject to receipt of the following items:

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



- d. responsible vendor certification

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommend conditional approval of the request subject to the listed conditional items. Commissioner Jones motioned for the license to be granted subject to receipt of the items stated. The motion was seconded and it passed with three ayes.

2. TANA LIQUOR MEMPHIS, TENNESSEE (SHELBY COUNTY)

Applicant: BGSS Investments Inc. d/b/a Tana Liquor

Current licensee: Tana Investments Inc. (John Shikhule, 100%) d/b/a Tana Liquors (RTLPS-SHE-1811230)

Proposed licensee: BGSS Investments Inc. d/b/a Tana Liquor

Before the Commission is a request for approval of a retail package store licensee to be located at 798 Poplar Avenue, Memphis, TN 38105. The applicant is acquiring the package store from the current owner¹ operating at this location. The applicant will lease the premises from lessor Crossroads Property Management LLC. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

- a. license fee

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to the license fee. Commissioner Harb Roberts moved for conditional approval of the license. The motion for conditional approval was seconded and the motion passed with three ayes.

3. QUEEN CITY LIQUORS INC. CLARKSVILLE, TENNESSEE (MONTGOMERY COUNTY)

Applicant: Queen City Liquors Inc. (Rajan Daswani, 100%)

Current location: 1232 Tylertown Rd., Clarksville, TN 37040

Proposed location: 101 Profit Drive, Suite A, Clarksville, TN 37040

¹ In accordance with Tennessee law, sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.



The retail package store licensee (RTLPS-MTG-1817538) currently doing business at 1232 Tylertown Rd., Clarksville, TN 37040 is requesting approval to transfer its location to 101 Profit Dr., Ste. A, Clarksville, TN 37040. The TABC staff recommends conditional approval of the request subject to receipt of the following item(s):

- a. certificate of occupancy

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to receipt of the certificate of occupancy. Commissioner Harb Roberts moved for conditional approval. The motion was seconded and it passed with three ayes.

4. WEST END LIQUORS DICKSON, TENNESSEE (DICKSON COUNTY)

Applicant: WestSide, LLC
Member(s): Richard Sadler (50%) & Tracey Patterson (50%)

Current licensee: Mahendra Patel d/b/a West End Liquors (no. 3635)
Proposed licensee: WestSide, LLC, d/b/a West End Liquors

Before the Commission is a request for approval of a retail package store licensee to operate at 2025 Highway 70 West, Dickson, TN. The applicant is acquiring the business from Mahendra Patel, the current licensee at that location.² Mahendra Patel also owns the real property where the store is located and is leasing the premises to the applicant. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

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

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and noted that the agent report (conditional item a.) had been completed. Commissioner Jones moved for the license to be granted subject to the item listed. The motion was seconded and it passed with three ayes.

5. HOLIDAY CIGARS & SPIRITS (License No. 4138)

² In accordance with Tennessee law, sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.



FRANKLIN, TENNESSEE (WILLIAMSON COUNTY)

Applicant: Holbev, LLC
 Member(s): Before Alpesh Patel, 100% After Alpa Patel, 100%

The retail package store licensee operating at 108 N. Royal Oaks Blvd., Franklin, TN 37067 is requesting approval of a change in LLC members. Alpesh Patel passed away in 2017 and his spouse will now be the sole member in the LLC. The TABC staff recommends approval of the ownership change.

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended approval of the ownership change. Commissioner Jones moved the license be granted. The motion was seconded and it passed with three ayes.

**6. WHISKERS WINE & SPIRITS
 MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant: Top Liquor Store Inc.
 Shareholder(s): Satnam Virk, 100%

Current licensee: Glenco Enterprises Inc. d/b/a Whiskers Wine and Spirits (license no. 3577)
 Proposed licensee: Top Liquor Store Inc. d/b/a Whiskers Wine & Spirits

Before the Commission is a request for approval of a retail package store licensee to be located at 1323 N. Germantown Pkwy., Memphis, TN 38106. The applicant is acquiring the package store from the existing owner³ and will lease the premises from Chow Investment Company. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

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

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission. Director Byrd noted the completion of the inspection (conditional item a.) and recommended conditional approval of the request. Commissioner

³ In accordance with Tennessee law, sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.



Harb Roberts moved for approval subject the receipt of the license fee. The motion was seconded and it passed with three ayes.

**7. RIVERSIDE WINE & SPIRITS WAREHOUSE
CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)**

Applicant: Gamgee Enterprises, Inc.

Shareholder(s):	<u>Before (%)</u>	<u>After (%)</u>
	Chris Bratcher, 100	Phillip Camden Turner, 100

Before the Commission is a request for approval of a change in shareholders in Gamgee Enterprises Inc., the package store licensee doing business at 600 Manufacturers Rd., Chattanooga, TN 37405. If approved, Phillip Camden Turner will become the 100% owner of the corporation. The TABC staff recommends approval of the request.

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended approval of the new shareholder. Commissioner Jones moved the license be granted. The motion was seconded and it passed with three ayes.

**8. MUDDY WATERS THREE WINE & SPIRITS
SWEETWATER, TENNESSEE (MONROE COUNTY)**

Applicant: Muddy Waters Three Wine & Spirits LLC
Member(s): Candice Beck,⁴ 100%

Current licensee: 68 Wine and Spirits LLC d/b/a 68 Wine & Spirits (no. 3810)⁵

Proposed licensee: Muddy Waters Three Wine and Spirits, LLC d/b/a Muddy Waters Three Wine and Spirits

Before the Commission is a request for approval of a retail package store licensee to be located at 1451 Murrays Chapel Rd., Sweetwater, TN 37874. The

⁴ Candice Beck is also an owner of Muddy Waters Two Wine & Spirits, LLC, d/b/a Muddy Waters Two Wine & Spirits (no. 4043) located at 2622 Decatur Pike, Athens, TN 37303.

⁵ 68 Wine and Spirits LLC operates at 660 Highway 68, Sweetwater, TN 37874.



applicant is acquiring the package store from the current licensee⁶ located at 660 Hwy. 68 in Sweetwater, TN but will operate at a different location. The applicant will lease the premises from C. Jason Cordell & Dianna Cordell. 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 Byrd reviewed the matter to the Commission and recommended conditional approval of the request. Commissioner Harb Roberts moved for conditional approval of the request subject to the missing items. The motion was seconded and it passed with three ayes.

3. WINERY MATTERS

PARIS WINERY (LICENSE NO. W-53) PARIS, TENNESSEE (HENRY COUNTY)

Applicant: Paris Winery Inc.
Shareholder(s): Roger Ciarrocchi (50%) & Lisa Ciarrocchi (50%)
Current location: 2982 Harvey Bowden Road, Paris, TN 38242
Proposed location: 701 E. Spring St., Cookeville, TN 38501

Winery licensee W-53 is requesting approval to relocate the winery from 2982 Harvey Bowden Road, Paris, TN 38242 to 701 E. Spring St., Cookeville, TN 38501. The applicant will lease the premises of the new location from landlord, Redus Family Limited Partnership. The TABC staff recommends approval of the request subject to receipt of the following items:

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

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to the listed conditional item. Commissioner Harb Roberts moved for approval

⁶ In accordance with Tennessee law, sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.



subject to receipt of the missing item. The motion was seconded and it passed with three ayes.

4. WHOLESALE MATTERS

**TAP 26 LLC
MADISON, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Tap 26 LLC
Member(s): Jon Linvet

Before the Commission is a request for approval of a new wholesale licensee to be located at 1228 Northgate Business Pkwy., Unit 4, Madison, TN 37115. The owner is leasing approximately 1,000 square feet of space from landlord, Jim Crossman Realty. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

- a. ~~agent report~~ (received prior to meeting)
- b. Inspection which includes an acknowledgment of rules & regulations
- c. license fee
- d. address correction on TDOR documents

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request. Director Byrd noted that conditional item (a) was completed prior to the meeting. Commissioner Harb Roberts moved for approval subject to receipt of the missing items. The motion was seconded and it passed with three ayes.

5. DISTILLERY/BREWERY MATTERS

**1. WISEACRE BREWING COMPANY (No. 101)
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant:	Wiseacre, LLC	
Member(s):	<u>Before (%)</u>	<u>After (%)</u>
	Frank Smith, 33.3	Frank Smith, 27.67 ⁷
	Kellan Bartosch, 33.3	Kellan Bartosch, 25.255
	Davin Bartosch, 33.3	Davin Bartosch, 25.255
		WIF Wiseacre Investment Trust, 21.82

⁷ The agenda posted to the TABC website prior to the meeting incorrectly listed the percentages for Frank Smith and Davin Bartosh. The percentages for Frank Smith and Davin Bartosh have been corrected in these minutes.



Manufacturer licensee no. 101 doing business at 2783 Broad, Memphis, TN 38112 is requesting approval to add WIF Wiseacre Investment Trust as an LLC member. Bradley Snider will serve as the Trustee. The TABC staff recommends approval of the change.

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and verbally corrected the “after” percentages for Frank Smith and Davin Bartosh. Director Byrd clarified that percentage for Frank Smith should read 26.67% and the percentage for Davin Bartosh should be 25.255%. Director Byrd recommended approval of the ownership changes. Commissioner Harb Roberts moved for approval of the change. The motion was seconded and it passed with three ayes.

**2. GLADIATOR BREWING CO.
CLARKSVILLE, TENNESSEE (MONTGOMERY COUNTY)**

Applicant: Pradke & Company, LLC
Member(s): James Pradke, 100%

Before the Commission is a request for approval of a manufacturer’s license at 1050 International Blvd., Ste. B, Clarksville, TN 37040. The applicant will lease the premises from landlord Matt Lasater Construction LLC. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

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

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to the license fee. Director Byrd noted the agent report (conditional item b.) had been completed. Commissioner Jones moved for approval subject to receipt of the license fee. The motion was seconded and it passed with three ayes.

**3. OLE SMOKY DISTILLERY
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Ole Smoky Distillery, LLC



Member(s): Ole Smoky HoldCo, LLC,⁸ 100%

Before the Commission is a request for approval of manufacturer to be located at 416 S. 7th Ave., Nashville, TN 37203. This would be the fifth manufacturer's license for Ole Smoky Distillery, LLC.⁹ The TABC staff recommends conditional approval of the request subject to receipt of the following items:

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

Discussion/Action Taken: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to the listed conditional items. Commissioner Jones moved for approval of the license. The motion was seconded and it passed with three ayes.

4. **34 NORTH COCKTAIL CO. NOLENSVILLE, TENNESSEE (WILLIAMSON COUNTY)**

Applicant: Wheeler's Raid Distillery, LLC

Member(s): Ryan Joel Thomas, 50%

The Amico Irrevocable Trust (Lorraine Ann Mineo, Trustee), 50%

Before the Commission is a request for approval of a new manufacturer to be located at 2007 Johnson Industrial Boulevard, Building C, Nolensville, TN 37135. The applicant will lease the premises from landlord, Hemrick Family Limited Partnership. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

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

⁸ Ole Smoky HoldCo, LLC: Centerview OS, LLC (55%), Joe Baker (31%), John Cory Cottongim (7.875%), and Tony Breeden (6.125%). The owners of Centerview OS, LLC are: Centerview Capital, L.P. (95.7%) and Centerview Employees, L.P. (4.3%). The primary officer/director of Centerview OS LLC is Brian Ratzan.

⁹ Ole Smoky's existing licenses include the following: license no. 8 at 903 Parkway, Gatlinburg, TN 37738; license no. 131 at 650 Parkway, Gatlinburg, TN 37738; license no. 113 at 131 the Island, Pigeon Forge, TN 37863; and license no. 18 at 2470 East Parkway, Pittman Center, TN 37738. Ole Smoky also has a non-contiguous storage warehouse at 611 Chelan Way, Sevierville, TN 37876.



Discussion/Action Taken: Attorney Curtis Harrington was present on behalf of the applicant. Director Byrd reviewed the matter to the Commission and noted the agent report was completed after the publication of the agenda. Director Byrd recommended conditional approval of the request subject to the receipt of the remaining conditional items. Commissioner Harb Roberts moved for conditional approval subject to receipt of the missing conditional items. The motion was seconded and it passed with three ayes.

6. MISCELLANEOUS

CONSIDERATION OF UPDATED RULES

In September 2017, the Commission adopted proposed rule amendments to chapters 0100-01, 0100-03, and 0100-06. Based on review and feedback from the Attorney General's office, staff has updated the proposed rules by updating the statutory authority citations. Additionally, staff has removed provisions related to delivery service licensees in chapter 0100-03 as a result of legislation passed during the 2018 session of the Tennessee General Assembly.

To view the proposed rules, please visit this link:

https://www.tn.gov/content/dam/tn/abc-documents/abc-documents/Anticipated%20Rules_Version%20B_Updated%20September%202018.pdf.

Discussion/Action Taken: Director Byrd commented on the proposed rules and noted that the staff removed the delivery service provisions from the proposed rules as a result of the legislative session. Director Byrd recommended approval of the updated rules. After a brief discussion regarding the rulemaking process Commissioner Harb Roberts moved for approval of the proposed rules amendments to chapters 01, 03, and 06. The motion was seconded and it passed with three ayes.

Director Byrd updated the commission on inspections processed in RLPS and the number of licenses issued through the online RLPS system.

Director Byrd then commented on his resignation as Executive Director and thanked the Commission, staff, and the industry. The Commissioners thanked Director Byrd for his leadership, service, and work undertaken as the Executive Director.

7. NEXT MEETING – Tuesday, October 23, 2018, at 10:00 a.m.



8. UPCOMING MEETINGS

- October 23rd (Tuesday) 2018, at 10:00 AM CST
- November 15th (Thursday) 2018, at 10:00 AM CST
- December 18th (Tuesday) 2018, at 10.00 AM CST

**APPROVED FOR ENTRY UPON THE MINUTE BOOKS OF THE TENNESSEE ALCOHOLIC
BEVERAGE COMMISSION THIS THE 23rd DAY OF OCTOBER 2018.**



Commissioner



Zack Blair, Chief Administrative Officer