



TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
MINUTES
THURSDAY, JULY 26, 2018
1:00 p.m.

The meeting was held on July 26, 2018, in Nashville, TN. Commissioner Skiles, Commissioner Jones, and Commissioner Harb Roberts were present. In attendance of behalf of staff were the following: Director Byrd, Assistant Director Blair, CLEO Tubbs, Commission Counsel Stepp, Commission Counsel Hollingshead-Cook, Nancy Townsend, and Chris Dowell.

1. REVIEW/APPROVAL OF THE JUNE 28, 2018, COMMISSION MEETING MINUTES

DISCUSSION/ACTION TAKEN: Commissioner Jones moved to accept the minutes as presented. The motion was seconded and it passed with three ayes.

2. RETAIL MATTERS

**1. ROBERT'S PACKAGE STORE & PARTY SHOP
HUMBOLDT, TENNESSEE (GIBSON COUNTY)**

Applicant: Robert's Center, Inc.

Retail package store licensee (no. 3922) located at 3035 East End Drive, Humboldt, TN is requesting approval to expand the package stores premises into an adjacent suite currently operated as Robert's Party Shop and owned by Robert's Center Inc. A wall will be removed to combine the two spaces into one and the d/b/a name of the business will become Robert's Package Store & Party Shop. The TABC staff recommends approval of the d/b/a name change and the staff recommends conditional approval of the expansion subject to an inspection and certificate of occupancy (if applicable).

DISCUSSION/ACTION TAKEN: Director Byrd reviewed the matter to the commission and recommended approval of the d/b/a name change. Commissioner Jones moved for approval and the motion was seconded. It passed with three ayes. The Director then recommended conditional approval of the expansion request subject to an inspection and certificate of occupancy (if applicable) and Commissioner Harb Roberts moved for approval of the expansion and the motion was seconded; it passed with three ayes.

**2. SUNSET WINE & SPIRITS
MADISONVILLE, TENNESSEE (MONROE COUNTY)**



Applicant: NBP Corporation
Shareholder(s): Nimesh Patel, 100%

Current licensee: TLM Inc. d/b/a Sunset Wine & Spirits (license no. 3804)
Proposed licensee: NBP Corporation d/b/a Sunset Wine & Spirits

Before the Commission is a request for approval of a retail package store licensee to be located at 4435 Highway 411, Madisonville, TN 37354. The applicant is purchasing the business from the existing owner¹ and the real property is being purchased in conjunction with the sale of the business. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. deed and lease after closing
- b. inspection which includes an acknowledgment of rules and regulations
- c. 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 subject to receipt of any missing items and the motion was seconded; it passed with three ayes.

3. KNOXVILLE ROOM SERVICE KNOXVILLE, TENNESSEE (KNOX COUNTY)

Applicant: Knoxville Room Service (General Partnership)
Partners: Haley Krotz (50%) and Gregory Zellner (50%)

Current licensee: Turkey Creek Wine & Spirits LLC d/b/a Turkey Creek Wine & Spirits (license no 3015) located at 10903 Turkey Dr., Knoxville, TN 37922

Proposed licensee: Knoxville Room Service d/b/a Knoxville Room Service to be located at 10670 Parkside Dr., Suite 105, Knoxville, TN 37922

Before the Commission is a request for approval of a retail package store licensee at 10670 Parkside Drive, Ste. 105, Knoxville, TN 37922. The applicant is acquiring

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.



Turkey Creek Wine & Spirits (license no. 3015)² that is operated at 10903 Turkey Dr., Knoxville, Tennessee. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

- a. license fee
- b. amended certificate of compliance with distance language³

DISCUSSION/ACTION TAKEN: Director Byrd reviewed the matter to the Commission and recommended conditional approval of the request subject to the listed conditional items. Director Byrd commented on the amended certificate of compliance with distance language conditional item and noted that it was a requirement as part of the new moratorium law. Commissioner Jones moved for approval subject to receipt of those items as stated and the motion was seconded; it passed with three ayes.

4. FRANKLIN WINE AND SPIRITS FRANKLIN, TENNESSEE (WILLIAMSON COUNTY)

Applicant: Gino Wine and Spirits LLC
Member(s): Harry Gino DeSalvatore, 100%

Existing licensee: JDC Wines & Spirits LLC d/b/a Franklin Wine & Spirits
(license no. 3800)

Proposed Licensee: Gino Wine and Spirits LLC d/b/a Franklin Wine & Spirits

Before the Commission is a request for approval of a retail package store licensee to be located at 1400 Liberty Pike, Ste. 300, Franklin, Tennessee 37067. The applicant is acquiring the package store from the existing owner⁴ and the current owner's lease will be assigned to the applicant. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

- a. assignment of lease
- b. license fee

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.

³ Section 12 of Public Chapter 783 of 2018 contains a new requirement for certificates of compliance issued by local governments for retail package stores. If an applicant is purchasing an existing package store license and moving the package store to a new location, the certificate of compliance for the applicant must state "that the new location is not within one thousand five hundred feet (1,500') of another" retail package store. See T.C.A. 57-3-208(b)(1)(D).

⁴ In accordance with Tennessee law, sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.



DISCUSSION/ACTION TAKEN: Director Byrd reviewed the matter to the Commission and recommended conditional approval subject to the listed conditional items. Commissioner Harb Roberts moved for conditional approval subject to the receipt of the missing items. The motion was seconded and it passed with three ayes.

5. LENO'S LIQUORS MEMPHIS, TENNESSEE (SHELBY COUNTY)

Applicant: Aum Inc.
Shareholder(s): Ketan Kher, 100%

Current: Swami Bapa of Memphis LLC d/b/a Leno's Liquor, 5933 Summer Avenue, Memphis, TN (RTLPS-SHE-1810894)

Proposed: Aum Inc. d/b/a Leno's Liquors, 1664 Sycamore View⁵ Rd., Suite 101, Memphis, TN 38134

Before the Commission is a request for approval of a retail package store licensee to be located at 1664 Sycamore View Rd., Suite 101, Memphis, TN 38134. The applicant is acquiring the existing package store located at 5933 Summer Avenue⁶; however, the applicant will operate at a different location. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

- a. amended certificate of compliance with distance language and corrected suite number⁷
- b. license fee

DISCUSSION/ACTION TAKEN: Director Byrd reviewed the matter to the Commission and noted that the correct address is "Sycamore View Rd." and Director Byrd recommended conditional approval subject to the listed conditional items. Rob Pinson was present on behalf of the applicant. A member of the audience, Mr. Savi Riar, requested to address the Commission and commented that he was the broker and that a civil lawsuit has been filed with against the seller.

⁵ The meeting agenda incorrectly listed the address as Sycamore Rd. The correct street address is Sycamore View Rd. and the address has been corrected in these meeting minutes.

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.

⁷ Section 12 of Public Chapter 783 of 2018 contains a new requirement for certificates of compliance issued by local governments for retail package stores. If an applicant is purchasing an existing package store license and moving the package store to a new location, the certificate of compliance for the applicant must state "that the new location is not within one thousand five hundred feet (1,500') of another" retail package store. See T.C.A. 57-3-208(b)(1)(D).



Commission Counsel Stepp commented that the matter involved a civil dispute with the seller and that he had no reason to believe it impacts this transaction. Rob Pinson addressed the Commission. Director Byrd then recommended conditional approval. A brief discussion was held and included comments from the Commission. Commissioner Harb Roberts then moved for approval of the request subject to the amended certificate and the license fee. The motion was seconded and it passed with three ayes.

6. GREENLAND LIQUOR AND WINE MURFREESBORO, TENNESSEE (RUTHERFORD COUNTY)

Applicant: SITARAM Inc.
Shareholder(s): Arvindkumar Patel, 100%

Current: Steven Tambornini d/b/a MacGregor's Wine and Liquors
(license no. 2018); 902 Memorial Boulevard, Murfreesboro,
TN 37129

Proposed: SITARAM Inc. d/b/a Greenland Liquor and Wine;
1415 Greenland Dr., Murfreesboro, TN 37130

Before the Commission is a request for approval of a retail package store licensee to be located at 1415 Greenland Dr., Murfreesboro, TN 37130. The applicant is acquiring the existing package store (license no. 2018)⁸ located at 902 Memorial Blvd., Murfreesboro, TN 37130; however, the applicant will operate at a different location. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

- a. certificate of occupancy
- c. inspection which includes an acknowledgment of rules and regulations
- d. license fee
- e. amended certificate of compliance with distance language⁹

DISCUSSION/ACTION TAKEN: Director Byrd reviewed the matter to the Commission and recommended conditional approval subject to the listed

⁸ In accordance with Tennessee law, sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

⁹ Section 12 of Public Chapter 783 of 2018 contains a new requirement for certificates of compliance issued by local governments for retail package stores. If an applicant is purchasing an existing package store license and moving the package store to a new location, the certificate of compliance for the applicant must state "that the new location is not within one thousand five hundred feet (1,500') of another" retail package store. See T.C.A. 57-3-208(b)(1)(D).



conditional items. Commissioner Jones moved for approval subject to receipt of the items as stated and the motion was seconded; the motion passed with three ayes.

3. WINERY MATTERS

1. BIG CREEK WINERY (LICENSE W-107) PULASKI, TENNESSEE (GILES COUNTY)

Applicant: Big Creek Winery, LLC

Member(s):	<u>Before(%)</u>	<u>After(%)</u>
	William Brymer, 100	William Brymer, 51 Rachel Brymer, 49

Winery licensee no. 107 is requesting approval for a change in LLC members and membership interest. Rachel Brymer is acquiring 49% interest in the LLC from spouse, William Brymer. The TABC staff recommends approval of the request.

DISCUSSION/ACTION TAKEN: Director Byrd reviewed the matter to the Commission and recommended approval of the request. Commissioner Harb Roberts moved for approval of the request and the motion was seconded; it passed with three ayes.

2. BIG CREEK TASTING ROOM 1 (RTLSAT-RUT-1813700) CHRISTIANA, TENNESSEE (RUTHERFORD COUNTY)

Applicant:	Big Creek Winery LLC	
Member(s):	<u>Before (%)</u>	<u>After (%)</u>
	William Brymer, 100	William Brymer, 51 Rachel Brymer, 49

The satellite facility licensee operating at 7027 Main St., Christiana TN is requesting approval for a change in LLS members and membership interest. Rachel Brymer is acquiring 49% interest in the LLC from spouse, William Brymer. The TABC staff recommends approval of the request.

DISCUSSION/ACTION TAKEN: Director Byrd reviewed the matter to the Commission and recommended approval of the request. Commissioner Jones moved for approval of the request and the motion was seconded; it passed with three ayes.



3. SHINE WINE PIGEON FORGE, TENNESSEE (SEVIER COUNTY)

Applicant: XXX Distillery LLC
Member(s): Herman Jones (33.34%), Walter C. Mills, (33.33%), Larry Sorrell (33.33%)

Before the Commission is a request for approval of a winery licensee to be located at 3425 Teaster Lane, Pigeon Forge, Tennessee 37863. The applicant also holds manufacturer license no. 164 doing business as Tennessee XXX Moonshine in Pigeon Forge¹⁰ and license no. 126 doing business as Tennessee XXX Moonshine in Sevierville, Tennessee¹¹. The TABC staff recommends conditional approval of this request subject to receipt of the following items:

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

DISCUSSION/ACTION TAKEN: Director Byrd reviewed the matter to the Commission and noted that the certificate of occupancy had been received. Director Byrd recommended conditional approval of the request subject to the remaining conditional items. Commissioner Harb Roberts moved for conditional approval subject to receipt of the missing items. The motion was seconded and it passed with three ayes.

4. DISTILLERY/BREWERY MATTERS

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

Applicant: Tennessee Distilling Group LLC

Licensee no. 119 located at 1929 Ridgecrest Drive, Columbia, TN 38401 is requesting approval to expand the premises to include five additional acres and a new warehouse building. The TABC staff recommends approval of this request.

DISCUSSION/ACTION TAKEN: Director Byrd reviewed the matter to the Commission and recommended approval of the request. Commissioner Harb

¹⁰ Tennessee XXX Moonshine (license no. 126) operates at 3303 Wears Valley Rd., Sevierville, TN.

¹¹ Tennessee XXX Moonshine (license no. 164) operates at 3435 Teaster Lane, Pigeon Forge, TN.



Roberts moved for approval of the request and the motion was seconded; it passed with three ayes.

**2. EDWIN AND SONS COCKTAIL CO.
KNOXVILLE, TENNESSEE (KNOX COUNTY)**

Applicant: Edwin and Sons Beverage, LLC
Member(s): Zachary Schaumburg, 100%

Before the Commission is a request for approval of a new manufacturer to be located at 302 W. Jackson Ave. Suite 4, Knoxville, TN 37902. The applicant will lease the premises from TNA Master Tenant, LLC. The TABC staff recommends conditional approval of the request subject to receipt of the following items:

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

DISCUSSION/ACTION TAKEN: Director Byrd reviewed the matter to the commission and recommended conditional approval subject to the listed conditional items. Curtis Harrington was present on behalf of the applicant. Commissioner Jones moved for approval and the motion was seconded. The motion was approved with three ayes.

**3. CLASSIC BREWING COMPANY (LICENSE NO. 83)
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant: Classic Brewing Company
Owner: Before Julie Pallow, 100% After Dan Marci, 100%

TABC licensee no. 83 is requesting approval for a change in LLC members. Dan Marci replaced Julie Pallow as the owner of the company. The TABC staff recommends conditional approval of the request subject to the following:

- ~~a. payment of citation RI 8189 for ownership transfer prior to approval (received)~~

DISCUSSION/ACTION TAKEN: Director Byrd reviewed the matter to the Commission and noted that the citation payment had been received and as such the staff recommended approval of the request. Commissioner Harb Roberts moved for approval and the motion was seconded; it passed with three ayes.



5. MISCELLANEOUS

RLPS UPDATE

DISCUSSION/ACTION TAKEN: Director Byrd updated the Commission on the licenses issued in RLPS. The Commission commended the staff on the system implementation.

6. **NEXT MEETING** - Thursday, August 23, 2018, at 1:00 p.m.

7. UPCOMING MEETINGS

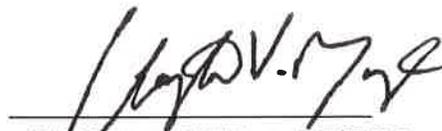
- Thursday, August 23, 2018, at 1:00 p.m.
- Thursday, September 27, 2018, at 10:00 a.m. (set at the July meeting)

DISCUSSION/ACTION TAKEN: The September meeting was scheduled for Thursday, September 27, 2018, at 10:00 a.m.

* THE AUDIT COMMITTEE MEETING WAS HELD AFTER THE REGUALR MEETING ON JULY 26, 2018.

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


COMMISSIONER


CLAYTON BYRD, DIRECTOR