

Police Memorandum

22-07

January 18, 2022

To: Bristol Tennessee Beer Board
William L. Sorah, City Manager
Danielle S. Smith, City Attorney

From: Matt Austin, Chief of Police

Subject: Beer Board Agenda for January 19, 2022 at 5:00pm

1. Enclosed are the minutes of the September 15, 2021 meeting.
2. Application(s):
 - a. None
3. Other New Business:
 - a. AJ's Discount Tobacco has been summoned to appear before the Beer Board to respond to an allegation that employees of this business sold an alcoholic beverage to a person under the age of twenty-one (21). Please refer to the attached underage sales history for this business. Also attached is a checklist for Beer Board Sanctions (Sales to Minors) for member's reference.
 - b. Discount Tobacco III has been summoned to appear before the Beer Board to respond to an allegation that employees of this business sold an alcoholic beverage to a person under the age of twenty-one (21). Please refer to the attached underage sales history for this business. Also attached is a checklist for Beer Board Sanctions (Sales to Minors) for member's reference.
 - c. Dollar General #17436 has been summoned to appear before the Beer Board to respond to an allegation that employees of this business sold an alcoholic beverage to a person under the age of twenty-one (21). Please refer to the attached underage sales history for this business. Also attached is a checklist for Beer Board Sanctions (Sales to Minors) for member's reference.
 - d. Express Mart has been summoned to appear before the Beer Board to respond to an allegation that employees of this business sold an alcoholic beverage to a person under the age of twenty-one (21). Please refer to the attached underage sales history for this business. Also attached is a checklist for Beer Board Sanctions (Sales to Minors) for member's reference.
 - e. Roadrunner Market #6027 has been summoned to appear before the Beer Board to respond to an allegation that employees of this business sold an alcoholic beverage to a person under the age of twenty-one (21). Please refer to the attached underage sales history for this business. Also attached is a checklist for Beer Board Sanctions (Sales to Minors) for member's reference.
 - f. Levy Premium Foodservice, Bristol Motor Speedway, has been summoned via

email (has not replied) to appear before the Beer Board to respond to an allegation that employees of this business sold an alcoholic beverage to a person under the age of twenty-one (21) at five separate concession stands. Please refer to the attached underage sales history for this business. Also attached is a checklist for Beer Board Sanctions (Sales to Minors) for member's reference.

Permit#	Stand
Permit# T07-0828-32	Concession Stand BGSA
Permit# T07-0828-32	Concession Stand BGSA
Permit# T07-0828-32	Concession Stand BGSA
Permit# T07-0828-32	Concession Stand BGSA
Permit# T07-0828-34	Concession Stand BGS6

4. Old Business
 - a. None



Matt Austin

**CITY OF BRISTOL, TENNESSEE
MINUTES OF THE BEER BOARD MEETING
September 15, 2021**

BOARD MEMBER PRESENT

Mr. Jason Booher- Chairman
Mr. Michael Ketron- Vice Chairman
Mr. Matt Slagle
Mr. Robert Greeson
Mr. Miles Vance

CITY EMPLOYEES PRESENT

Officer Adam Dye
David Anderson
Danielle Smith
Chief Austin

Call to order-At approximately 5:03 pm on September 15, 2021, Mr. Booher, Chairman of the Beer Board for the City of Bristol, Tennessee, called the meeting to order. Roll call was taken.

Review of minutes-Board members reviewed the minutes from the September 1, 2021 meeting. The minutes were approved as read.

NEW BUSINESS

The Last Lap LLC: Mr. Brandon Rogers was present to represent The Last Lap LLC, seeking a Temporary Beer Permit for the location of 2800 Highway 11E. The application has been completed. All fees have been paid. Education is complete. The inspection is not required. No known adverse conditions. Mr. Vance made a motion to pass. Mr. Greeson seconded the motion. Roll call was taken. Motion passed unanimously.

OLD BUSINESS-None

PENDING BUSINESS-None

The next Board Meeting will be held on October 20, 2021. With no further business the meeting was adjourned at approximately 05:09 pm.

Historically, the Board has considered the history of a business for a period of the previous five (5) years, when considering allegations of selling alcoholic beverages to a person under the age of twenty-one (21). Accordingly, I have included only the period of 2017 through 2021 in this summary. I will have the business folder available at the Board meeting, should further information be required.

AJ's Discount Tobacco Permit# 20-4245

Permit was issued on 07/22/2020
This is the first occurrence for this business.

Discount Tobacco III Permit# 21-5265

Permit was issued on 07/21/2021
This is the first occurrence for this business.

Dollar General #17436 Permit# 17-3183

Permit was issued on 05/17/2017
One previous violation on 05/23/2019

Express Mart Permit# 21-1911

Permit was issued on 03/17/2021
This is the first occurrence for this business.

Roadrunner Market #6027 Permit# 17-2448

Permit was issued on 04/12/2017
This is the first occurrence for this business.

Levy Premium Food Service Permit# T07-0828-32

Permit was issued on 05/17/2017
This is the first occurrence for this business.

Levy Premium Food Service Permit# T07-0828-34

Permit was issued on 05/17/2017
One previous violation on 08/16/2019

**CHECKLIST FOR BEER BOARD SANCTIONS
(Sales to Minors)**

I. If OFF-Premises Permit:

A. Has the *business* received certification from the ABC as a "certified vendor"?

Yes No

B. Has the selling *clerk* received certification from the ABC as a "certified clerk", or was the *clerk* within 61 days of his/her hire at the time of the violation?

Yes No

If the answer to BOTH questions is "Yes," then the Beer Board may only:

- impose a civil penalty up to \$1,000 per offense – suspension or revocation is NOT allowed (TCA § 57-5-608)

If the answer to EITHER question is "No," then the Beer Board may:

- suspend for any length of time, **or**
- suspend for any length of time and allow payment of a civil penalty up to \$2500 in lieu of suspension, **or**
- permanently revoke the permit if there have been two violations within 12 months. (TCA § 57-5-108)

[NOTE: In order to receive preferential treatment under the Responsible Vendor Act, burden is on the permit holder to establish to the Beer Board that both the vendor and clerk were certified by the ABC.

II. If ON-Premises Permit:

The Beer Board may:

- suspend for any length of time, **or**
- suspend for any length of time and allow payment of a civil penalty up to \$2500 in lieu of suspension, **or**
- permanently revoke the permit if there have been two violations within 12 months. (TCA § 57-5-108)

III. When False ID is involved:

Revocation NOT permitted if minor reasonably appeared to be of age and is unknown to the seller.

The Beer Board may:

- Suspend for a period not to exceed 10 days, **or**
- Impose a penalty of up to \$1500.