

CITY OF BRISTOL, TENNESSEE
MINUTES OF THE BEER BOARD MEETING
HELD June 13, 2018

BOARD MEMBERS PRESENT

Mr. Craig Kistner – Chairman
Mr. Vince Turner
Mr. Jason Walden
Mr. Robert Greeson

CITY EMPLOYEES PRESENT

Chief Blaine Wade
Capt. Glenn James
Lt. Walter Brown
Lt. Brad Tate
Investigator Micha Doty
Investigator Michael Carlson
Ms. Kristen Olinger

Call to order - At approximately 5:00 pm on June 13, 2018, Mr. Kistner, Chairman of the Beer Board for the Beer Board for the City of Bristol, Tennessee, called the meeting to order in the conference room of the Ewell L. Easley Municipal Bldg., located at 104 Eighth St., Bristol Tennessee.

Review of Minutes - Board members reviewed minutes from the May 16, 2018 meeting and the minutes were approved as read.

NEW BUSINESS

Drake's, 508 Pinnacle Parkway, Bristol, TN: Mr. Kevin Lubrano appeared before the board to request an on-premises permit. Lieutenant Brown advised the board that the application was in order, fees have been paid, ABC training has been completed, and the inspection has been completed. Chairman Kistner call for questions from the board. Mr. Turner made a motion to approve and Mr. Greeson seconded the motion. Mr. Kistner called for a vote. The motion was approved unanimously by the board.

Quickstop Market #35, 101 Bluff City Hwy, Bristol, TN: Tim Pinkston, District Manager appeared before the board on a violation of selling alcohol to an underage, confidential informant. Mr. Kistner advised that this location has had two previous violations within the last five years. Investigator Doty was called upon to brief the board on the events that took place on the date of the sale, May 29, 2018. Investigator Doty stated the CI entered the store, selected an alcoholic beverage and proceeded to the cash register. The CI presented his ID which shows 7-17-98 as his DOB. Investigator Doty presented a photo copy of the CI's ID to the board. Investigator Doty advised that the cashier entered the birthdate from the ID card and the register declined the sale. The cashier then entered a different date which allowed the sale to go through. Mr. Kistner called for questions and then called Mr. Pinkston to stand. Mr. Pinkston advised the board that all employees are required to go through alcohol sales training and that the cashier involved in the underage sale on May 29 has been terminated. Mr. Pinkston advised that the store has installed a scanner for IDs within the previous two weeks. However, the cashier can still override a declined sale so it is not a completely fail safe system. Mr. Turner asked Mr. Pinkston if they were a certified vendor with the state of Tennessee. Mr. Pinkston advised they were certified and provided a copy of their certificate to Mr. Kistner and Captain James to review. Captain James clarified for the board that even though this store shows three violations in five years, they were not within the same twelve month period therefore the state certification is still valid. Mr. Kistner explained the board's history of penalties for violations. With no further questions, Mr. Turner made a motion for a 10 day suspension or \$1000.00 civil penalty. Mr. Walden seconded the motion and Mr. Kistner called for a vote. The motion was unanimously approved.

Roadrunner #6001, 1716 Volunteer Parkway, Bristol, TN: Bob Orfield, Regional Operations Manager for Roadrunner appeared before the board on a violation of selling alcohol to an underage, confidential informant on May 29, 2018. Investigator Doty was called to brief the board on the events that took place. Investigator Doty advised the board that the same CI was used. The CI entered the store and retrieved a beverage from the cooler and proceeded to the check-out counter. He presented his ID to the cashier. The cashier entered a DOB year of 1975 instead of 1998. The sale was completed. Mr. Kistner asked if there was a significance to the date that was entered. Inv. Doty answered there was no significance. With no further questions for Inv. Dot, Mr. Orfield was called to stand. Mr. Orfield advised the board that the employee involved in the sale was new as of May 21 and had completed certified training and signed an agreement stating they will require ID for all alcohol sales. Mr. Kistner asked if they have the ability to review alcohol sales in order to see the dates that are keyed in. Mr. Orfield replied yes and advised the system used has the ability to scan IDs as well. Mr. Orfield advised that the employee had been terminated. Mr. Turner asked if they are a certified vendor with the state. Mr. Orfield advised that he is unaware at this time but his counterpart in Virginia is advising yes, they are. Mr. Orfield did not have a certificate to present to the board. Mr. Kistner advised the board that this is the first occurrence since the license was issued. With no further questions, Mr. Turner made a motion for a 10 day suspension or \$1500.00 civil penalty. Mr. Gleeson seconded the motion and Mr. Kistner called for a vote. The motion was then unanimously approved by the board.

Dollar General #3504, 1990 Hwy 394, Bristol, TN: Brooke Patrick, Store Manager, appeared before the board on a violation of selling alcohol to an underage, confidential informant on May 29, 2018. Investigator Doty was called to brief the board on the events. Inv. Doty advised the board that the same individual/ID was used. The CI entered the store and selected a beverage and proceeded to the cash register. The cashier entered an unknown DOB that allowed completion of the sale. The DOB entered was not printed on the receipt. Ms. Patrick was called to stand. Mr. Kistner asked if the birthdates are keyed in manually. Ms. Patrick responded yes as they do not have a scanner for the ids. Ms. Patrick advised that she believes the employee unintentionally typed the wrong date and she has since been terminated. Mr. Kistner advised that this is the first occurrence since the permit was issued. With no further questions, Mr. Walden made a motion for 10 day suspension or \$1500.00 penalty. Mr. Turner seconded the motion. Mr. Kistner called for a vote and the motion was approved unanimously.

Food City, 1317 Virginia Ave, Bristol, TN: Molly Austin, District Front End Training Supervisor, appeared before the board on a violation of selling alcohol to an underage, confidential informant on May 24, 2018. Investigator Carlson was called to brief the board on the events. Inv. Carlson advised the board that at approximately 6:45pm on May 24 the CI entered the store, selected beer, and proceeded to the check-out. The same CI was used on this date as in the previous operations. The cashier was also underage and not allowed to complete alcohol sales. Inv. Carlson stated another employee, Caleb, came to the register in order to complete the sale. The ID was checked and the birthdate was entered manually. The date was unknown as the receipt does not record the date. Mr. Kistner called Ms. Austin to stand and speak on the process that the store takes in order to authorize alcohol sales. Ms. Austin stated that when an employee is underage, another employee will step in to authorize and complete the sale. She advised that their system has a two-step process. It will ask for the birthdate and then ask for confirmation. The employee will have to key in the date and then hit 'yes' or 'no' to confirm the date. Ms. Austin states the employee keyed in a date of 7-14-88 instead of 7-17-98. Ms. Austin advised that they provide TIPS training on a yearly basis to employees as well as require monthly, signed agreements regarding alcohol sales from the employees. She advised that they have purchased a scanning system to be implemented in the future and the employee involved in this occurrence has been terminated. Ms. Austin confirmed that they are a state certified vendor for wine only. Mr. Kistner advised the board that there have been no other violations in the past five years. Mr. Greeson made a motion

for a 10 day suspension or \$1500.00 penalty. The motion was seconded by Mr. Walden. Mr. Kistner called for a vote and the motion was unanimously approved by the board.

OLD BUSINESS – None discussed.

PENDING BUSINESS – None presented.

Mr. Kistner advised members that the next meeting will be held on July 18, 2018. The August meeting will be moved up to August 8, 2018 due to the Bristol Races. With no further business, the meeting was adjourned at approximately 6:05pm.