

MINUTES OF THE TOWN OF SMYRNA BEER BOARD

June 7, 2021

The June meeting of the Town of Smyrna Beer Board was held on Monday, June 7, 2021. The meeting was called to order by Chairwoman Miranda Swift at 5:00 p.m. at Town Hall, Smyrna, Tennessee.

The pledge of allegiance was led by Chairwoman Miranda Swift.

Daniel Akpan, Michael Forrest, Matthew Fry, and Miranda Swift were present. Amanda Newbern was absent. Assistant Town Attorney Eric Hennessee and Town Clerk Dianne Waldron were also in attendance.

There were no citizen comments to consider.

The Board first considered a motion by Matthew Fry to approve the minutes of the April 5, 2021 regular meeting of the Beer Board. The motion was duly seconded by Daniel Akpan. Following discussion, the motion was approved unanimously.

There was no old business to consider.

The Board next considered an application for a special event permit to sell beer from Smyrna Independent Merchants Association (Simply Smyrna). Chairwoman Miranda Swift called the public hearing to order. Jamonn Kinte Brady spoke concerning the application. The event will be held June 12th from 6:00 p.m. to 10:00 p.m. Following discussion, Matthew Fry made a motion to approve the application. The motion was duly seconded by Daniel Akpan. Following further discussion, the motion was approved unanimously. A copy of said document is attached and incorporated herein by reference as Exhibit "1".

The Board next considered an application for a special permit to sell beer from Smyrna Independent Merchants Association (Depot Days). Chairwoman Miranda Swift called the public hearing to order. Jamonn Kinte Brady spoke concerning the application. The event will be held September 24, 2021 from 7:00 p.m. to 10 p.m. and September 25, 2021 from 10:00 a.m. to 4:00 p.m. Following discussion, Matthew Fry made a motion to approve the application. The motion was duly seconded by Daniel Akpan. Following further discussion, the motion was approved unanimously. A copy of said document is attached and incorporated herein by reference as Exhibit "2".

The Board next considered an application for an off premises permit to sell beer from 7-Eleven, Inc. dba 7-Eleven #41082. Chairwoman Miranda Swift called the public hearing to order. Michael Rosenzweig, Area Leader, spoke concerning the application. Following discussion, Matthew Fry made a motion to approve the application. The motion was duly seconded by Michael Forrest. Following further discussion, the motion

was approved unanimously. A copy of said document is attached and incorporated herein by reference as Exhibit "3".

The Board next considered an application for an off premises permit to sell beer from Dolgencorp, LLC dba Dollar General Store #2728. Chairwoman Miranda Swift called the public hearing to order. Carlos Jones, Manager, spoke concerning the application. Following discussion, Daniel Akpan made a motion to approve the application. The motion was duly seconded by Matthew Fry. Following further discussion, the motion was approved unanimously. A copy of said document is attached and incorporated herein by reference as Exhibit "4".

Prior to the suspension or revocation hearings, Assistant Town Attorney Eric Hennessee explained the procedures and options to the Board.

The Board next considered the suspension or revocation of Beer Permit #00401 held by Kwik Sak Tobacco and Beer. Board packets included the notice of violation and order to show cause, case number 2021-003 and incident report case number 21-002345. A public hearing was held in which Detective Grant Rowlett from the Smyrna Police Department provided information regarding the beer sting. Assistant Town Attorney Eric Hennessee questioned Detective Rowlett concerning the circumstances of the sting. The permit holder was also questioned and did not dispute the fact that beer had been sold to a minor in violation of state law and the Town of Smyrna beer ordinance. Attorney Steve Fuller spoke on behalf of the store. Following conclusion of the hearing, the Board considered a motion by Matthew Fry to suspend Permit #00401 for a period of two weeks for the sale of beer to a minor, and to offer the permit holder the option of paying a civil penalty of \$2,000.00 in lieu of such suspension. The motion was duly seconded by Chairwoman Miranda Swift. Following further discussion, the motion was approved unanimously. Matthew Fry next made a motion that the permit holder be given seven days to pay the civil penalty and if not paid by that time, the license would be suspended for two weeks. The motion was duly seconded by Daniel Akpan. Following further discussion, the motion was approved unanimously.

The Board next considered the suspension or revocation of Beer Permit #00474 held by Kwik Sak #632. Board packets included the notice of violation and order to show cause, case number 2021-004 and incident report case number 21-002340. A public hearing was held in which Detective Grant Rowlett from the Smyrna Police Department provided information regarding the beer sting. Assistant Town Attorney Eric Hennessee questioned Detective Rowlett concerning the circumstances of the sting. The permit holder was also questioned and did not dispute the fact that beer had been sold to a minor in violation of state law and the Town of Smyrna beer ordinance. Following conclusion of the hearing, the Board considered a motion by Chairwoman Miranda Swift to suspend Permit #00474 for a period of two weeks for the sale of beer to a minor, and to offer the permit holder the option of paying a civil penalty of \$2,000.00 in lieu of such suspension and to give the permit holder seven days to pay the civil penalty and if not paid by that time, the license would be suspended for two weeks. The motion was duly seconded by Matthew Fry. Following further discussion, the motion was approved unanimously.

The Board next considered the suspension or revocation of Beer Permit #00495 held by Mapco Express #3316. Board packets included the notice of violation and order to show cause, case number 2021-001 and incident report case number 21-002346. A public hearing was held in which Detective Grant Rowlett from the Smyrna Police Department provided information regarding the beer sting. Assistant Town Attorney Eric Hennessee questioned Detective Rowlett concerning the circumstances of the sting. The permit holder was not present at the meeting. Following conclusion of the hearing, the Board considered a motion by Chairwoman Miranda Swift to suspend Permit #00495 for a period of two weeks for the sale of beer to a minor, and to offer the permit holder the option of paying a civil penalty of \$2,500.00 in lieu of such suspension and to give the permit holder seven days to pay the civil penalty and if not paid by that time, the license would be suspended for two weeks. The motion was duly seconded by Matthew Fry. Following further discussion, the motion was approved unanimously.

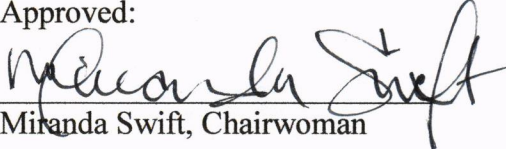
The Board next considered the suspension or revocation of Beer Permit #00509 held by Circle K #3693. Board packets included the notice of violation and order to show cause, case number 2021-002 and incident report case number 21-002342. A public hearing was held in which Detective Grant Rowlett from the Smyrna Police Department provided information regarding the beer sting. Assistant Town Attorney Eric Hennessee questioned Detective Rowlett concerning the circumstances of the sting. The permit holder was also questioned and did not dispute the fact that beer had been sold to a minor in violation of state law and the Town of Smyrna beer ordinance. Following conclusion of the hearing, the Board considered a motion by Matthew Fry to suspend Permit #00509 for a period of two weeks for the sale of beer to a minor, and to offer the permit holder the option of paying a civil penalty of \$2,000.00 in lieu of such suspension and to give the permit holder seven days to pay the civil penalty and if not paid by that time, the license would be suspended for two weeks. The motion was duly seconded by Chairwoman Miranda Swift. Following further discussion, the motion was approved unanimously.

The Board next considered the suspension or revocation of Beer Permit #00542 held by Gil's Market. Board packets included the notice of violation and order to show cause, case number 2021-005 and incident report case number 21-002348. A public hearing was held in which Detective Grant Rowlett from the Smyrna Police Department provided information regarding the beer sting. Assistant Town Attorney Eric Hennessee questioned Detective Rowlett concerning the circumstances of the sting. The permit holder was also questioned and did not dispute the fact that beer had been sold to a minor in violation of state law and the Town of Smyrna beer ordinance. Following conclusion of the hearing, the Board considered a motion by Matthew Fry to suspend Permit #00542 for a period of two weeks for the sale of beer to a minor, and to offer the permit holder the option of paying a civil penalty of \$2,000.00 in lieu of such suspension and to give the permit holder seven days to pay the civil penalty and if not paid by that time, the license would be suspended for two weeks. The motion was duly seconded by Daniel Akpan. Following further discussion, the motion was approved unanimously.

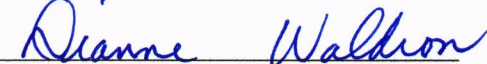
Chairwoman Miranda Swift stated the next meeting will be July 12, 2021 due to the 4th of July holiday.

There being no further business to come before the Board, Daniel Akpan made a motion to adjourn the meeting. The motion was duly seconded by Matthew Fry. Following discussion, the motion was approved unanimously. The meeting was adjourned at 6:00 p.m.

Approved:


Miranda Swift, Chairwoman

Attest:


Dianne Waldron, Town Clerk