

MINUTES OF THE TOWN OF SMYRNA BEER BOARD

February 7, 2022

The February meeting of the Town of Smyrna Beer Board was held on Monday, February 7, 2022. 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, Amanda Newbern, and Miranda Swift were present. Attorney Eric Hennessee and Town Clerk Amber Hobbs were also in attendance.

There were no citizen comments to consider.

The Board first considered a motion by Amanda Newbern to approve the minutes of the January 10, 2022, regular meeting of the Beer Board. The motion was duly seconded by Michael Forrest. Following discussion, the motion was approved unanimously.

There was no old business to consider.

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

The Board next considered the suspension or revocation of Beer Permit #00568 held by Quickee Mart/COVID19 Market. Board packets included the Notice of Violation and Order to Show Cause, case number 2022-002 and incident report case number 21-006618. A public hearing was held in which Detective Sergeant Elstran from the Smyrna Police Department provided information regarding the beer sting. Attorney Eric Hennessee questioned Detective Sergeant Elstran 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. Owner Sherif Rezkalla spoke on behalf of the store. Following conclusion of the hearing, the Board considered a motion by Amanda Newbern to suspend Permit #00568 for a period of two weeks, beginning February 14, 2022 thru February 28, 2022, 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, prior to February 14, 2022, in lieu of such suspension. 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 #00536 held by Rock Springs Market. Board packets included the Notice of Violation and Order to Show Cause, case number 2022-003 and incident report case number 21-006614. A public hearing was held in which Detective Sergeant Elstran from the Smyrna Police Department provided information regarding the beer sting. Attorney Eric Hennessee

questioned Detective Sergeant Elstran 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 Jack Gritton and store manager Om Patel spoke on behalf of the store. Following conclusion of the hearing, the Board considered a motion by Chairwoman Miranda Swift to suspend Permit #00536 for a period of two weeks, beginning February 14, 2022 thru February 28, 2022, 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, prior to February 14, 2022, in lieu of such suspension. The motion was duly seconded by Amanda Newbern. Following further discussion, the motion was approved unanimously.

The Board next considered the suspension or revocation of Beer Permit #00503 held by Shell/N Lowry, LLC. Board packets included the Notice of Violation and Order to Show Cause, case number 2022-004 and incident report case number 21-006621. A public hearing was held in which Detective Sergeant Elstran from the Smyrna Police Department provided information regarding the beer sting. Attorney Eric Hennessee questioned Detective Sergeant Elstran 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 Derek Howard and store owner Ambalal Patel spoke on behalf of the store. Following conclusion of the hearing, the Board considered a motion by Matthew Fry to suspend Permit #00503 for a period of two weeks, beginning February 14, 2022 thru February 28, 2022, 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, prior to February 14, 2022, in lieu of such suspension. The motion was duly seconded by Michael Forrest. Following further discussion, the motion was approved unanimously.

The Board next considered the suspension or revocation of Beer Permit #00567 held by Stop and Shop Tobacco and Beer. Board packets included the Notice of Violation and Order to Show Cause, case number 2022-005 and incident report case number 21-006613. A public hearing was held in which Detective Sergeant Elstran from the Smyrna Police Department provided information regarding the beer sting. Attorney Eric Hennessee questioned Detective Sergeant Elstran 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 Derek Howard and store owner Hani Mansour spoke on behalf of the store. Following conclusion of the hearing, the Board considered a motion by Amanda Newbern to suspend Permit #00567 for a period of two weeks, beginning February 14, 2022 thru February 28, 2022, for the sale of beer to a minor, and to offer the permit holder the option of paying a civil penalty of \$1,500.00, prior to February 14, 2022, in lieu of such suspension. The motion was duly seconded by Daniel Akpan. Following further discussion, the motion was approved 4-1, with Matthew Fry opposing.

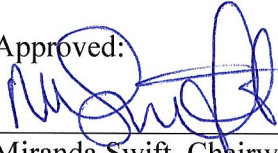
The Board next considered the suspension or revocation of Beer Permit #00541 held by Discount Tobacco and Beer/Nimri Market. Board packets included the Notice of Violation and Order to Show Cause, case number 2022-001 and incident report case

number 21-006619. Attorney Eric Hennessee announced to the Board that Discount Tobacco and Beer/Nimri Market had been sold since the time of the violation and that the new owners were granted a permit at the January 2022 meeting. For this reason, Attorney Eric Hennessee recommended that this matter be dismissed. Following Attorney Eric Hennessee's recommendation, the Board considered a motion by Chairwoman Miranda Swift to dismiss the proceedings against Discount Tobacco and Beer/Nimri Market. The motion was duly seconded by Matthew Fry. Following further discussion, the motion was approved unanimously.

Chairwoman Miranda Swift stated the next meeting will be March 7, 2022.

There being no further business to come before the Board, Amanda Newbern made a motion to adjourn the meeting. The motion was duly seconded by Daniel Akpan. Following discussion, the motion was approved unanimously. The meeting was adjourned at 5:59 p.m.

Approved:



Miranda Swift, Chairwoman

Attest:



Amber Hobbs, Town Clerk