

**OAK RIDGE BEER PERMIT BOARD
SPECIAL MEETING**

Municipal Building Courtroom
Thursday, August 28, 2014
6:00 p.m.

AGENDA

1. ATTENDANCE

2. SHOW CAUSE HEARINGS

At the regular meeting on July 14, 2014, the Oak Ridge Beer Permit Board voted to hold show cause hearings for all five (5) Oak Ridge businesses that sold beer/alcohol to a minor (underage purchaser, 19 years old) during the Tennessee Alcoholic Beverage Commission's minor compliance check that took place in June 2014. Two (2) of the five (5) show cause hearings are scheduled for this meeting.

Show Cause Hearing # 2014-04

Oak Ridge Moose Lodge #1316 (Loyal Order of the Moose)
103 N. Jefferson Avenue
Class "D" Permit #984, Approved 4/11/1988
Owners: Membership Based
Manager: Carl Kelly Smith (4/14/14)

Per the records of the Tennessee Alcoholic Beverage Commission, as sent to the Oak Ridge Beer Permit Board through Special Agent Derrick Dalton, the Moose sold alcohol to an underage person (19 year old) on June 26, 2014 after checking the underage person's identification.

Show Cause Hearing # 2014-05

Lincoln's Sports Grille
119 S. Illinois Avenue
Class "C" Permit #1406, Approved 8/9/10
Class "B" Permit #1439, Approved 11/14/11 (for catering only)
Owners: Edward Green, Lendon Aaron Hart, Mike Lincoln, and Vander J. Murray
Manager: Victoria Renee Ballard (7/14/14)

Per the records of the Tennessee Alcoholic Beverage Commission, as sent to the Oak Ridge Beer Permit Board through Special Agent Derrick Dalton, Lincoln's sold beer to an underage person (19 year old) on June 9, 2014 after checking the underage person's identification.

3. ADJOURNMENT

SHOW CAUSE HEARINGS – GENERALLY

Section 4.D. of the Board's Rules and Procedures govern the procedure for show cause hearings, which shall be conducted as nearly as practicable in accordance with judicial tribunal proceedings.

In the past, the Beer Board has used the following procedure for show cause hearings:

1. The Chairman announces the reason for hearing, specifying the establishment's name and the incident(s) that resulted in the Board voting to hold the show cause hearing.
2. The Chairman swears in all witnesses – "Everyone who may give testimony, please come forward. Raise your right hand. Do you swear or affirm that the testimony you give in this hearing will be the truth, the whole truth and nothing but the truth?"
3. Testimony – The Board may hear testimony from the City and the establishment. Board members may ask questions of the witnesses. This is the establishment's opportunity to show cause as to why the Board should not take any negative action against the establishment's beer permit(s).
4. Discussion – After testimony, the Board discusses whether the establishment has shown cause as to why the Board should not take action against the beer permit. If a member feels the establishment has not shown sufficient reasons for the Board to not take action against the beer permit, then the motion would read as follows:

"I move that [name of establishment] HAS NOT SHOWN adequate cause as to why the Board should not take action against the beer permit."

If a member feels the establishment has shown sufficient cause, then the motion would read the same without the "not" inserted above.

"I move that [name of establishment] HAS SHOWN adequate cause as to why the Board should not take action against the beer permit."

If there is a majority vote that the establishment has not shown sufficient cause for the Board to not take negative action, the next decision for the Board is what action to take against the beer permit(s).

The Board may revoke or suspend a beer permit. A revocation is permanent removal of the beer permit. A suspension is temporary and can be effective for any time period up to eleven months and twenty-nine days. If a suspension is the decision, the Board may also choose to accept a civil penalty in lieu of said suspension (maximum. \$2,500 civil penalty per violation for sales of beer to a minor, \$1,000 civil penalty per violation for all other offenses). An establishment has seven days to pay any civil penalty imposed or the suspension will take effect.

The Board is requested to be specific in your actions and specific as to the grounds for your actions.

A court reporter is provided by the City for all show cause hearings which enables a transcript of the hearing to be available should an establishment appeal the decision of the Board. Please speak clearly for the court reporter and do not speak over each other or witnesses. The court reporter can only be expected to transcribe what is said by one person at a time in order to provide, if needed for court purposes, a complete and accurate verbatim accounting of the hearing.

SHOW CAUSE HEARING # 2014-04

Show Cause Hearing # 2014-04

Oak Ridge Moose Lodge #1316 (Loyal Order of the Moose)

103 N. Jefferson Avenue

Class "D" Permit # 984, Approved: 4/11/88

Owners: Membership Based

Manager: Carl Kelly Smith (Approved 4/14/14)

Per the records of the Tennessee Alcoholic Beverage Commission, as sent to the Oak Ridge Beer Permit Board through Special Agent Derrick Dalton, the Moose sold alcohol to an underage person (19 year old) on June 26, 2014 after checking the underage person's identification.

At the July 14, 2014 meeting, the Oak Ridge Beer Permit Board voted to hold a Show Cause Hearing for the Moose Lodge regarding the sale of alcohol to a minor which occurred on June 26, 2014 as part of a minor compliance check conducted by the Tennessee Alcoholic Beverage Commission. The notice of the Show Cause Hearing was hand-delivered by Sergeant Bob Pitts, Oak Ridge Police Department, to Carl K. Smith on August 14, 2014. A copy of the notice is attached and labeled as Exhibit A (One Page).

Documentation from the TABC is attached and labeled as Exhibit B (Eight Pages). The following information is provided based upon TABC documents:

- On June 26, 2014 an employee of the Moose Lodge (Elizabeth Kelly) served a minor (19 year old confidential informant) a mixed drink vodka cranberry.
- The employee did check the minor's driver's license.
- The sale was in violation of state law (Tennessee Code Annotated §57-4-203(b)(1)(A))
- This is the second violation at the Moose Lodge for sale to a minor by the TABC.
- By an Agreed Order, the Moose Lodge paid a \$2,000.00 civil penalty for the violation and agreed to a fifteen (15) day suspension of their liquor-by-the-drink license (July 13 – 27, 2014).

TABC Special Agent Derrick Dalton will be present for the hearing to answer any questions of the Board.

By City Code §8-712(1)(a), the Board has authority to revoke or suspend the beer permit for the sale of beer to a minor or to offer the imposition of a civil penalty (not to exceed \$2,500.00) in lieu of suspension. By City Code §8-712(3), if a civil penalty is imposed in lieu of suspension, the permittee has seven days to pay the civil penalty before the suspension shall be imposed and, if paid, the suspension is deemed withdrawn.

By City Code §8-712(9), prior suspensions and other disciplinary actions taken by the Board against a permittee may be considered by the Board for a determination of disciplinary action in any show cause hearing. Prior disciplinary actions taken by the Board are attached and labeled as Exhibit C (One Page).

A decision of the Board to either suspend or revoke must be posted at the main entrance to the establishment and remain posted for the duration of the suspension or revocation.

Note: The business was given the opportunity to provide a written response for the show cause. No response was received by the deadline for publication of the agenda. If a response is received, it will be distributed to the Board via email.

CITY OF OAK RIDGE



OAK RIDGE BEER PERMIT BOARD
Telephone: (865) 425-3530
Fax: (865) 425-3420

POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

HAND-DELIVERED BY ORPD

August 14, 2014

Carl Kelly Smith, Manager
Oak Ridge Moose Lodge #1316
103 N. Jefferson Avenue
Oak Ridge, Tennessee 37830

Re: Show Cause Hearing #2014-04 (Beer Permit #984D) – August 28, 2014
Notice to Appear

On July 14, 2014, the Oak Ridge Beer Permit Board (Board) voted to hold a Show Cause Hearing for the Moose in response to communication the Board received from the Tennessee Alcoholic Beverage Commission regarding a sale of beer to a minor (under the age of 21) that occurred on June 26, 2014 in violation of Tennessee Code Annotated §57-4-203(b)(1)(B). Serving beer to an underage person is grounds for action by the Beer Board. By City Code §8-712(1)(a), the Board has authority to revoke or suspend the beer permit, or impose a civil penalty up to \$2,500.00 in lieu of suspension.

On August 11, 2014, the Board voted to schedule the hearing for August 28, 2014. The Show Cause Hearing has been set for **Thursday, August 28, 2014**, beginning at 6:00 p.m. in the Municipal Building Courtroom located at 200 S. Tulane Avenue. The show cause hearing will be the business's opportunity to explain to the Board why negative action should not be taken against the beer permit. If the business wishes to do so, a written response to the hearing may be provided to me no later than 10:00 a.m. Friday, August 22, 2014 for inclusion in the Board's agenda packet.

The Board did not request the presence of any specific persons from the establishment at this hearing. However, you may bring any persons and/or documentation you wish to the hearing. The business has the right to be represented by legal counsel at the hearing.

The City's Legal Department can be reached at (865) 425-3530; however, we cannot offer legal advice or representation regarding the show cause hearing.

Handwritten signature of Tammy M. Dunn in cursive.

Tammy M. Dunn
Senior Staff Attorney/Staff Liaison to the Board

Delivered to Moose Lodge

Left original with: CARL K. SMITH
Employee's Printed Name and Signature

Officer's Signature/Date: R. (3153) 8/14/14



STATE OF TENNESSEE
ALCOHOLIC BEVERAGE COMMISSION
DAVY CROCKETT TOWER
500 JAMES ROBERTSON PARKWAY, 3RD FLOOR
NASHVILLE, TENNESSEE 37243-0755



PHONE 615.741.1602

FAX 615.741.0847

July 24, 2014

Attn: City of Oak Ridge
Beer Board
P.O. Box 1
Oak Ridge, Tennessee 37831

RE: LOYAL ORDER OF MOOSE
MOOSE LODGE #1316 - OAK RIDGE
103 N. JEFFERSON CR.,
OAK RIDGE, TN 37831
Permit #99400

Attn: Beer Board

The above captioned establishment has been found in violation of T.C.A. § 57-4-203(b)(1)(A) - Sale of alcoholic beverages to a minor. This is the second sale to a minor since 2013. As a result, the licensee has agreed to a fifteen (15) day suspension of their liquor-by-the-drink permit. Pursuant to § 57-4-202, I have enclosed a copy of the Agreed Order and the citation issued by the TABC.

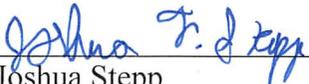
Please feel free to contact me if you have any questions or concerns.

Thank You,


Joshua Stepp
Staff Attorney
Tennessee Alcoholic Beverage Commission
500 James Robertson Parkway
Davy Crockett Tower, 3rd Floor
Nashville, Tennessee 37243

Certificate of Service

I, the undersigned, hereby certify that a true and exact copy of the foregoing Beer Board Notice has been sent by certified mail via the United States Postal Services, with sufficient postage to make it to its destination, City of Oak Ridge, P.O. Box 1, Oak Ridge Tennessee; 37831, on this the 24th day of July, 2014.



Joshua Stepp



REGULATORY CITATION

THE NUMBER OF VIOLATIONS ON THIS REGULATORY CITATION IS (TOTAL)= 1 (MAX. 5)

THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPOSES THAT:

ON THE 26th DAY OF JUNE, 20 14
 PERMITEE: Moose Lodge 1316 ADDRESS: 103 North Jefferson Circle
 CITY: OAK Ridge, TN COUNTY: Anderson ZIP: 37831 PHONE: 865-482-2427
 PERMIT NUMBER: 99400 EXPIRATION DATE: 11/20/14

AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

- | No. of Counts | | No. of Counts | |
|-------------------------------------|--|--------------------------|---|
| <input checked="" type="checkbox"/> | Sale of Alcoholic Beverage/Beer to Minor-\$1,500
TCA§ 57-4-203(b)(1)(A) or (B); 57-3-406(d) | <input type="checkbox"/> | Health Inspection Displayed TCA§ 68-14-317(d)
\$150.00 |
| <input type="checkbox"/> | Minor in Possession TCA§ 57-4-203(b)(2)(A)- \$1,500 | <input type="checkbox"/> | Employing Persons to Dispense Alcoholic Beverages W/O a
Permit TCA§ 57-4-203(h); 57-3-204(4)(c) \$150.00 |
| <input type="checkbox"/> | Sell/Furnishing Alcoholic Beverage to Visibly Intoxicated Person TCA§57-4-203(c)(1); 57-3-406(c) | <input type="checkbox"/> | Failure to Timely Renew TCA§57-4-201(a)(3); 57-3-213(a)
\$350.00 |
| <input type="checkbox"/> | Failure to Maintain Min Seating Requirements-\$300.00
TCA§57-4-102(29)(A); 57-3-211 | <input type="checkbox"/> | On Premises Sale By Bottle Restricted Rule #0100-1-.03(8)
TCA§57-4-203(e)(1)-\$250.00 |
| <input type="checkbox"/> | Failure to Properly Display Permit in a Conspicuous Place
TABC Rule #0100-1-03(17) - \$200.00 | <input type="checkbox"/> | Hours of Sale Violation TCA§57-4-203(d); 57-3-406(e)
Rule #0100-1-.03(2); 0100-03-.13(4)-\$750.00 |
| <input type="checkbox"/> | Failure to Post "Pregnancy Warning " TCA§ 57-1-211 -
\$150.00 | <input type="checkbox"/> | Purchasing Alcoholic Beverages From Other Than A Licensed
Wholesaler TCA§57-3-404 et seq.-\$1,500.00 |
| <input type="checkbox"/> | Other _____ | <input type="checkbox"/> | Other _____ |

NARRATIVE: ON JUNE 26, 2014 @ Approximately 6:49 PM Elizabeth Kelley (416665) served a mixed drink, vodka cranberry to JH-0011C, date of birth 3/27/95, 19 years old. Did check identification

The undersigned further states that he/she has just and reasonable grounds to believe and does believe, that the person/establishment named above committed the offense(s) herein set forth, contrary to Law and/or Rule. This 26 day of JUNE, 20 14.

[Signature]
 TENNESSEE ALCOHOLIC BEVERAGE COMMISSION SPECIAL AGENT

NOTICE: This Regulatory Citation imposes a total civil penalty in the amount of \$ Hearing. If you choose to settle this Regulatory Citation without contesting the alleged violation(s), you are **REQUIRED** to pay the total civil penalty amount not later than twenty (20) calendar days from the citation date listed above. If you wish to contest this Regulatory Citation and the violation(s) contained therein you may do so by appearing before the Tennessee Alcoholic Beverage Commission: 500 James Robertson Pkwy, Davy Crockett Tower, 3rd Floor, Nashville, TN 37243-0755, on the 14 day of AUGUST, 20 14 at 9:30 A.M. Failure to appear on the date and time noted above may result in additional administrative penalties and/or costs being assessed against you, including suspension and/or revocation of your TABC Permit. It has been explained to me and I understand the above notice, and my signature below is an acknowledgement of my understanding and not an admission of guilt.

Carl Smith Signature of Recipient/Authorized Agent of Permittee Date 6/26/14 Recipient's Name and Title (PRINT) Carl Smith 6/26/14

ADMISSION OF GUILT:

I/we agree to settle this TABC Regulatory Citation with the admission of my/our guilt as to the violation(s) noted above and the payment of the total civil penalty imposed, as noted above, and in the amount of \$ _____ (by business check, cashier's check or money order [no personal checks or cash accepted]). Upon the plea of guilty as to the above noted violations I/we enter a plea of guilt hereby waving any and all rights to a TABC administrative hearing and/or appeals.

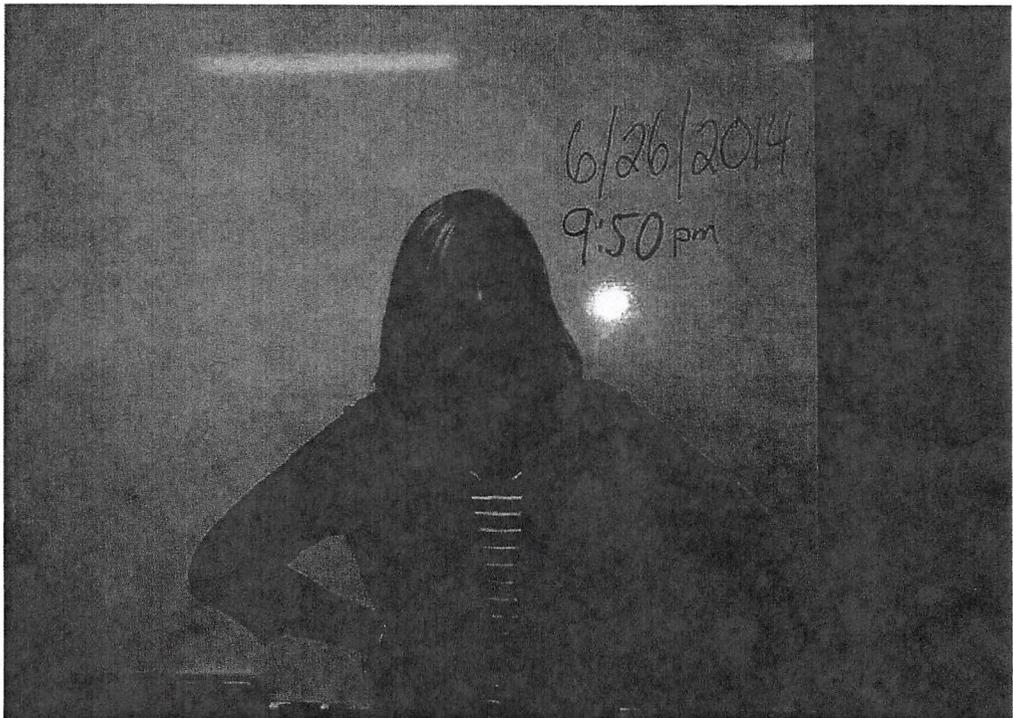
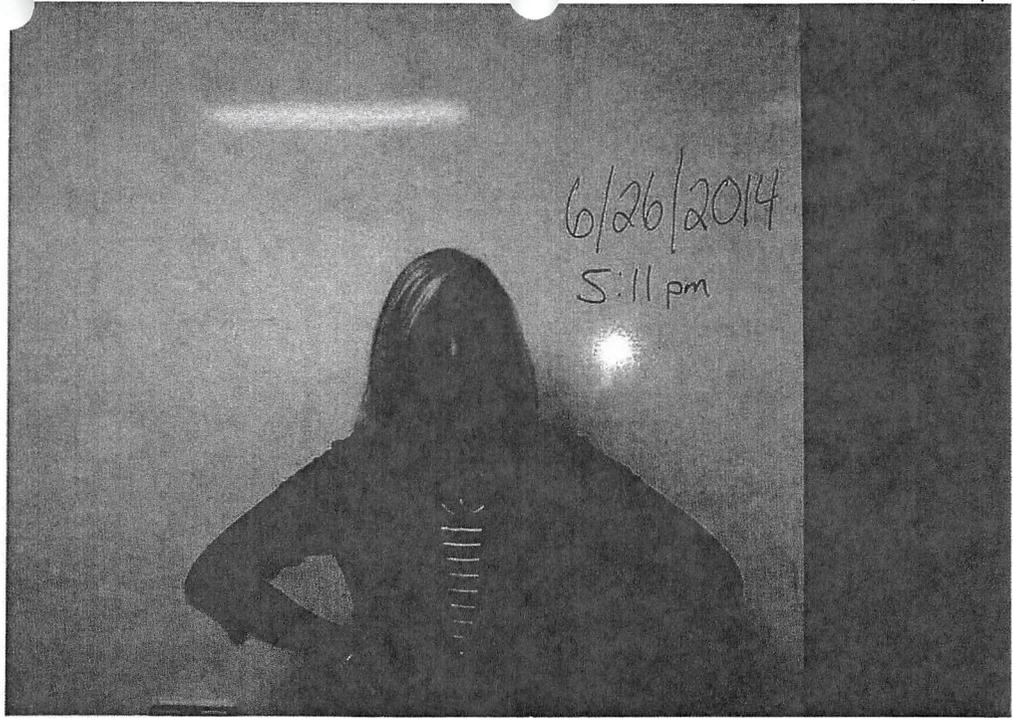
Signature of Authorized Agent of Permittee or Permittee Date Authorized Agent of Permittee or Permittee's Name and Title (PRINT)

Tennessee Alcoholic Beverage Commission

Moose Lodge #1316

Address	City	Zip Code	County	Permit Number	Type	Status
103 N. Jefferson Circle	Oak Ridge	37831	Anderson	99400	Private Club	Active

RI Number	1st Violation	2nd Violation	Citation Date	Citation Fee	Status of Citation	Date
13-0313	Sale to a Minor	Serving to a Non-Member	4/26/2013	\$2,000.00	Paid	5/9/2013
12-1430	Late Renewal		2/7/2013	\$250.00	Paid	2/20/2013
12-0649	Employee Permit		8/2/2012	\$125.00	Paid	9/6/2012
03-0982	Gambling Devices		10/23/2003	\$1,800.00	Paid	1/12/2004
02-0876	Manager Questionnaire				Warning	
00-0391	Serving to Non-Members					



STATE OF TENNESSEE
ALCOHOLIC BEVERAGE COMMISSION
DAVY CROCKETT TOWER
500 JAMES ROBERTSON PARKWAY
3rd FLOOR
NASHVILLE, TENNESSEE 37243-0755
PHONE 615-741-1602
FAX 615-253-3782

IN THE MATTER OF:

TENNESSEE ALCOHOLIC BEVERAGE
COMMISSION

Petitioner

v.

LOYAL ORDER OF MOOSE
MOOSE LODGE #1316 - OAK RIDGE
103 N. JEFFERSON CR,
OAK RIDGE, TN 37831
Permit #99400

Respondent

AGREED ORDER

As evidenced by the signatures of Tennessee Alcoholic Beverage Commission Staff Attorney, Joshua Stepp and Agent of Respondent, Carl Smith, it was determined that:

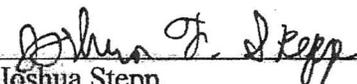
1. Respondent, Loyal Order of Moose, d/b/a Moose Lodge #1316 – Oak Ridge (“Moose Lodge”) admits the Tennessee Alcoholic Beverage Commission (“TABC”) has jurisdiction over the matters herein contained.
2. Upon TABC investigation and by TABC report, the TABC has charged Moose Lodge with committing the following violation: T.C.A. § 57-4-203(b)(1)(A), Sale of alcoholic beverages to a minor.
3. As a result of the violation of T.C.A. § 57-4-203(b)(1)(A), citation RI #6151 was issued on June 26, 2014.
4. Moose Lodge #1316 was cited for sale to a minor on April 26, 2013. As a result, citation RI 13-0313 was issued. A civil penalty of \$2,000.00 was accessed.

5. Moose Lodge hereby agrees to a fifteen (15) day suspension of permit number 99400.
6. This suspension shall begin on Sunday, July 13, 2014 at 12:01a.m. and will conclude on Sunday, July 27, 2014 at 11:59 p.m.
7. On days of suspension no sales of alcoholic beverages shall occur, no orders for alcoholic beverages shall be placed with wholesalers, and no deliveries of alcoholic beverages shall be accepted.
8. Moose Lodge agrees that this settlement will be used in any further proceedings for enhancement purposes.
9. Moose Lodge acknowledges that if a violation of T.C.A. § 57-4-203(b)(1)(A) or T.C.A. § 57-4-203(b)(1)(B) occurs again prior to April 26, 2016, the TABC will initiate revocation proceedings immediately.
10. Moose Lodge waives all rights to a hearing and appeal under the provisions of T.C.A. §§ 4-5-101 *et seq.*, and 57-4-202.

It is therefore so Ordered, that the settlement of this matter is by consent without having afforded either party the opportunity for a contested case hearing held pursuant to the Tennessee Administrative Procedures Act.

Entered into this 14th day of July, 2014.

Approved for Entry by:



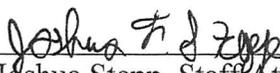
Joshua Stepp,
Staff Attorney, TABC
Davy Crockett Tower
500 James Robertson Parkway, 3rd Floor
Nashville, Tennessee 37243-0755



Carl Smith
Agent of Respondent
103 N. Jefferson Circle
Oak Ridge, Tennessee 37831

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the Agreed Order was sent by U.S. Certified Mail, Return Receipt Requested, to Carl Smith, 103 North Jefferson Circle, Oak Ridge, Tennessee; 37831 on this 24th day of July, 2014.



Joshua Stepp, Staff Attorney

SHOW CAUSE HEARING # 2014-04

EXHIBIT C

SHOW CAUSE HEARING HISTORY FOR OAK RIDGE MOOSE LODGE #1316

October 14, 2013 (Show Cause Hearing #2013-07)

Reason for hearing: Report of sale of beer to an underage person on March 18, 2013 as part of an underage compliance check conducted by the Tennessee Alcoholic Beverage Commission.

Action by Board: Seven day suspension (October 21 – 27, 2013)

SHOW CAUSE HEARING # 2014-05

Show Cause Hearing # 2014-05

Lincoln's Sports Grille

119 S. Illinois Avenue

Class "C" Permit #1406, Approved 8/9/10

Class "B" Permit #1439, Approved 11/14/11 (for catering only)

Owners: Edward Green, Lendon Aaron Hart, Mike Lincoln, and Vander J. Murray

Manager: Victoria Renee Ballard (7/14/14)

At the July 14, 2014 meeting, the Oak Ridge Beer Permit Board voted to hold a Show Cause Hearing for Lincoln's regarding the sale of beer to a minor which occurred on June 9, 2014 as part of a minor compliance check conducted by the Tennessee Alcoholic Beverage Commission. The notice of the Show Cause Hearing was hand-delivered by Sergeant Bob Pitts, Oak Ridge Police Department, to Adam Johnson (manager on duty) on August 14, 2014. A copy of the notice is attached and labeled as Exhibit A (One Page).

Documentation from the TABC is attached and labeled as Exhibit B (Three Pages). The following information is provided based upon TABC documents:

- On June 9, 2014 an employee of Lincoln's (Sydney Lafreniere) served a minor (19 year old confidential informant) a 16 oz. Bud Light beer.
- The employee did check the minor's driver's license.
- The sale was in violation of state law (Tennessee Code Annotated §57-4-203(b)(1)(A))
- This is the second violation at Lincoln's for sale to a minor by the TABC.
- The matter is still pending before the TABC.

TABC Special Agent Derrick Dalton will be present for the hearing to answer any questions of the Board.

By City Code §8-712(1)(a), the Board has authority to revoke or suspend the beer permit for the sale of beer to a minor or to offer the imposition of a civil penalty (not to exceed \$2,500.00) in lieu of suspension. By City Code §8-712(3), if a civil penalty is imposed in lieu of suspension, the permittee has seven days to pay the civil penalty before the suspension shall be imposed and, if paid, the suspension is deemed withdrawn.

By City Code §8-712(9), prior suspensions and other disciplinary actions taken by the Board against a permittee may be considered by the Board for a determination of disciplinary action in any show cause hearing. Prior disciplinary actions taken by the Board are attached and labeled as Exhibit C (One Page).

A decision of the Board to either suspend or revoke must be posted at the main entrance to the establishment and remain posted for the duration of the suspension or revocation.

Note: The business was given the opportunity to provide a written response for the show cause. No response was received by the deadline for publication of the agenda. If a response is received, it will be distributed to the Board via email.

CITY OF OAK RIDGE



OAK RIDGE BEER PERMIT BOARD
Telephone: (865) 425-3530
Fax: (865) 425-3420

POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

HAND-DELIVERED BY ORPD

August 14, 2014

Scott Green, Lendon Hart, Mike Lincoln, and Vander Murray, Owners
Victoria Renee Ballard, Manager
Lincoln's Sports Grille
119 S. Illinois Avenue
Oak Ridge, Tennessee 37830

Re: Show Cause Hearing #2014-05 (Beer Permits #1406C and #1439B) – August 28, 2014
Notice to Appear

On July 14, 2014, the Oak Ridge Beer Permit Board (Board) voted to hold a Show Cause Hearing for Lincoln's in response to communication the Board received from the Tennessee Alcoholic Beverage Commission regarding a sale of beer to a minor (under the age of 21) that occurred on June 9, 2014 in violation of Tennessee Code Annotated §57-4-203(b)(1)(B). Serving beer to an underage person is grounds for action by the Beer Board. By City Code §8-712(1)(a), the Board has authority to revoke or suspend the beer permit, or impose a civil penalty up to \$2,500.00 in lieu of suspension.

On August 11, 2014, the Board voted to schedule the hearing for August 28, 2014. The Show Cause Hearing has been set for **Thursday, August 28, 2014**, beginning at 6:00 p.m. in the Municipal Building Courtroom located at 200 S. Tulane Avenue. There is one other show cause hearing set for the same date/time scheduled prior to your hearing. The show cause hearing will be the business's opportunity to explain to the Board why negative action should not be taken against the beer permit. If the business wishes to do so, a written response to the hearing may be provided to me no later than 10:00 a.m. Friday, August 22, 2014 for inclusion in the Board's agenda packet.

The Board did not request the presence of any specific persons from Lincoln's at this hearing. However, you may bring any persons and/or documentation you wish to the hearing. The business has the right to be represented by legal counsel at the hearing.

The City's Legal Department can be reached at (865) 425-3530; however, we cannot offer legal advice or representation regarding the show cause hearing.

Handwritten signature of Tammy M. Dunn in cursive.

Tammy M. Dunn
Senior Staff Attorney/Staff Liaison to the Board

Delivered to Lincoln's Sports Grille.

Left original with: ADAM JOHNSON (MGR on DUTY)
Employee's Printed Name and Signature

Officer's Signature/Date: R. [Signature] (3153) 8/14/14

Tennessee Alcoholic Beverage Commission

Lincoln's Sports Grille

Address	City	Zip Code	County	Permit Number	Type	Status
119 S. Illinois Avenue	Oak Ridge	37830	Anderson	18079	Liquor By the Drink	Active

RI Number	1st Violation	2nd Violation	Citation Date	Citation Fee	Status of Citation	Date
1378	Sale to Minor	HEARING REQ'D	6/9/2014	\$0.00	Open	

RI Number	1st Violation	2nd Violation	Citation Date	Citation Fee	Status of Citation	Date
13-0314	Sale to a Minor		4/26/2013	\$1,500.00	Paid	5/24/2013

RI Number	1st Violation	2nd Violation	Citation Date	Citation Fee	Status of Citation	Date
12-0603	Failure to Cooperate		6/12/2012	\$1,500.00	Paid	9/6/2012

RI Number	1st Violation	2nd Violation	Citation Date	Citation Fee	Status of Citation	Date
12-0483	Late Renewal		6/12/2012	\$300.00	Paid	7/10/2012

RI Number	1st Violation	2nd Violation	Citation Date	Citation Fee	Status of Citation	Date
11-0494	Late Renewal		6/8/2011	\$250.00	Paid	6/21/2011

RI Number	1st Violation	2nd Violation	Citation Date	Citation Fee	Status of Citation	Date
10-1525	Tax Violation		2/25/2011	\$900.00	Paid	3/30/2011



1378



TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
500 James Robertson Pkwy, Davy Crockett Twr, 3rd Floor; Nashville, TN 37243-0755 PHONE: (615) 741-1602

REGULATORY CITATION

THE NUMBER OF VIOLATIONS ON THIS REGULATORY CITATION IS (TOTAL)= 1 (MAX. 5)

THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPOSES THAT:

ON THE 9th DAY OF JUNE, 2014
PERMITEE: Lincoln's Sports Grille ADDRESS: 119 S. Illinois Ave
CITY: OAK Ridge, TN COUNTY: Anderson ZIP: 37830 PHONE: 865-220-8870
PERMIT NUMBER: 48195-18079 EXPIRATION DATE: 3/14/2015

AFORSAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

- No. of Counts
1 Sale of Alcoholic Beverage/Beer to Minor-\$1,500
TCA§ 57-4-203(b)(1)(A) or (B); 57-3-406(d)
Minor in Possession TCA§ 57-4-203(b)(2)(A)- \$1,500
Sell/Furnishing Alcoholic Beverage to Visibly Intoxicated Person TCA§57-4-203(c)(1); 57-3-406(c)
Failure to Maintain Min Seating Requirements-\$300.00 TCA§57-4-102(29)(A); 57-3-211
Failure to Properly Display Permit in a Conspicuous Place TABC Rule #0100-1-03(17) - \$200.00
Failure to Post "Pregnancy Warning " TCA§ 57-1-211 - \$150.00
Other
Health Inspection Displayed TCA§ 68-14-317(d) \$150.00
Employing Persons to Dispense Alcoholic Beverages W/O a Permit TCA§ 57-4-203(h); 57-3-204(4)(c) \$150.00
Failure to Timely Renew TCA§57-4-201(a)(3); 57-3-213(a) \$350.00
On Premises Sale By Bottle Restricted Rule #0100-1-.03(8) TCA§57-4-203(e)(1)-\$250.00
Hours of Sale Violation TCA§57-4-203(d); 57-3-406(e) Rule #0100-1-.03(2); 0100-03-.13(4)-\$750.00
Purchasing Alcoholic Beverages From Other Than A Licensed Wholesaler TCA§57-3-404 et seq.-\$1,500.00
Other

NARRATIVE: ON JUNE 9, 2014 @ approximately 5:30 PM Sydney Lafreniere served a 16 ounce Bud Light beer to I.H. 0011C, D.O.B. 3-27-1995, 19 years of age. Did check identification.

The undersigned further states that he/she has just and reasonable grounds to believe and does believe, that the person/establishment named above committed the offense(s) herein set forth, contrary to Law and/or Rule. This 9th day of JUNE, 2014.

Tennessee Alcoholic Beverage Commission Special Agent

NOTICE: This Regulatory Citation imposes a total civil penalty in the amount of \$ Hearing. If you choose to settle this Regulatory Citation without contesting the alleged violation(s), you are REQUIRED to pay the total civil penalty amount not later than twenty (20) calendar days from the citation date listed above. If you wish to contest this Regulatory Citation and the violation(s) contained therein you may do so by appearing before the Tennessee Alcoholic Beverage Commission: 500 James Robertson Pkwy, Davy Crockett Tower, 3rd Floor, Nashville, TN 37243-0755, on the 10 day of July 2014 at 9:30A M. Failure to appear on the date and time noted above may result in additional administrative penalties and/or costs being assessed against you, including suspension and/or revocation of your TABC Permit. It has been explained to me and I understand the above notice, and my signature below is an acknowledgement of my understanding and not an admission of guilt.

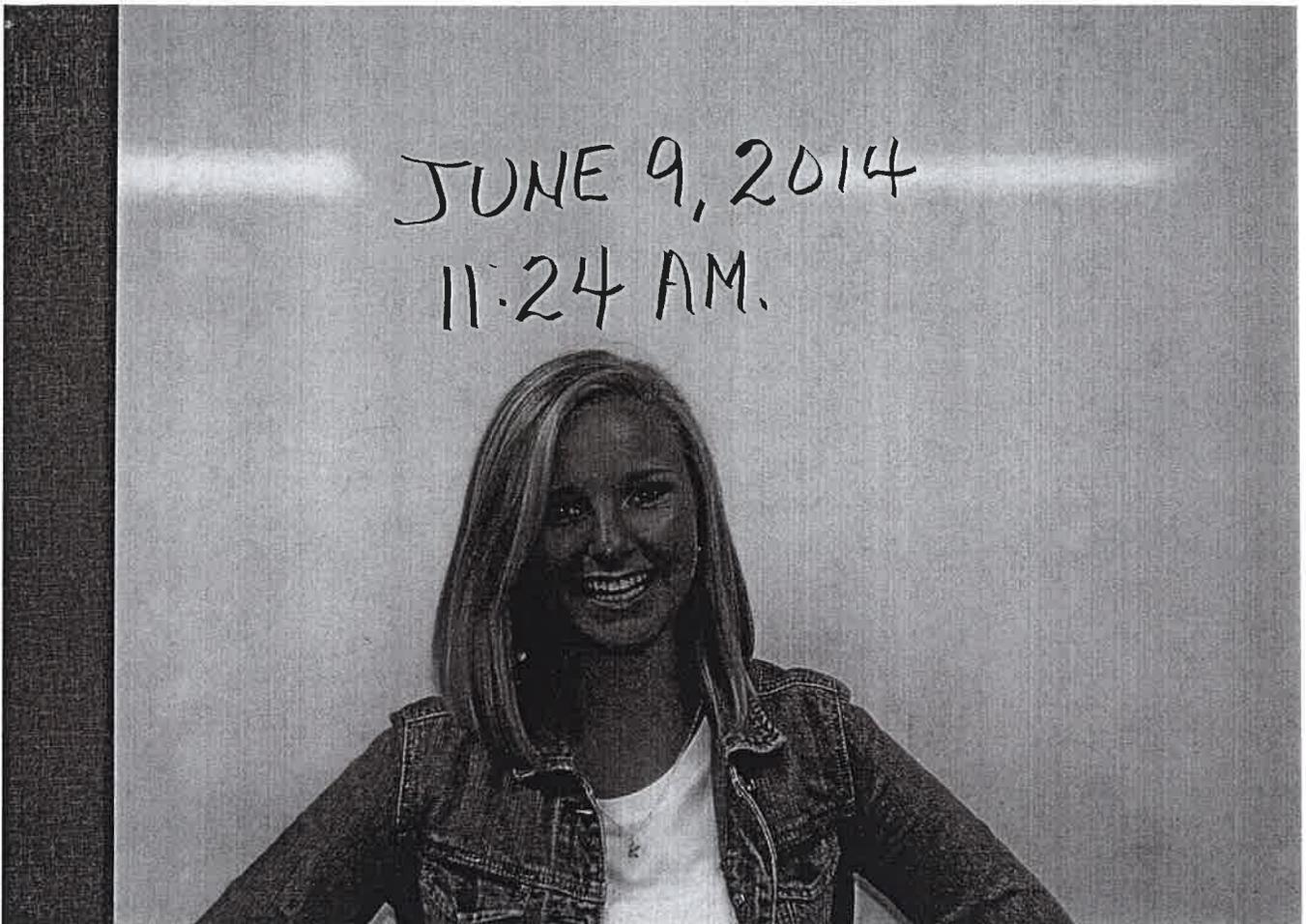
Signature of Recipient/Authorized Agent of Permittee Date Recipient's Name and Title (PRINT)

ADMISSION OF GUILT:

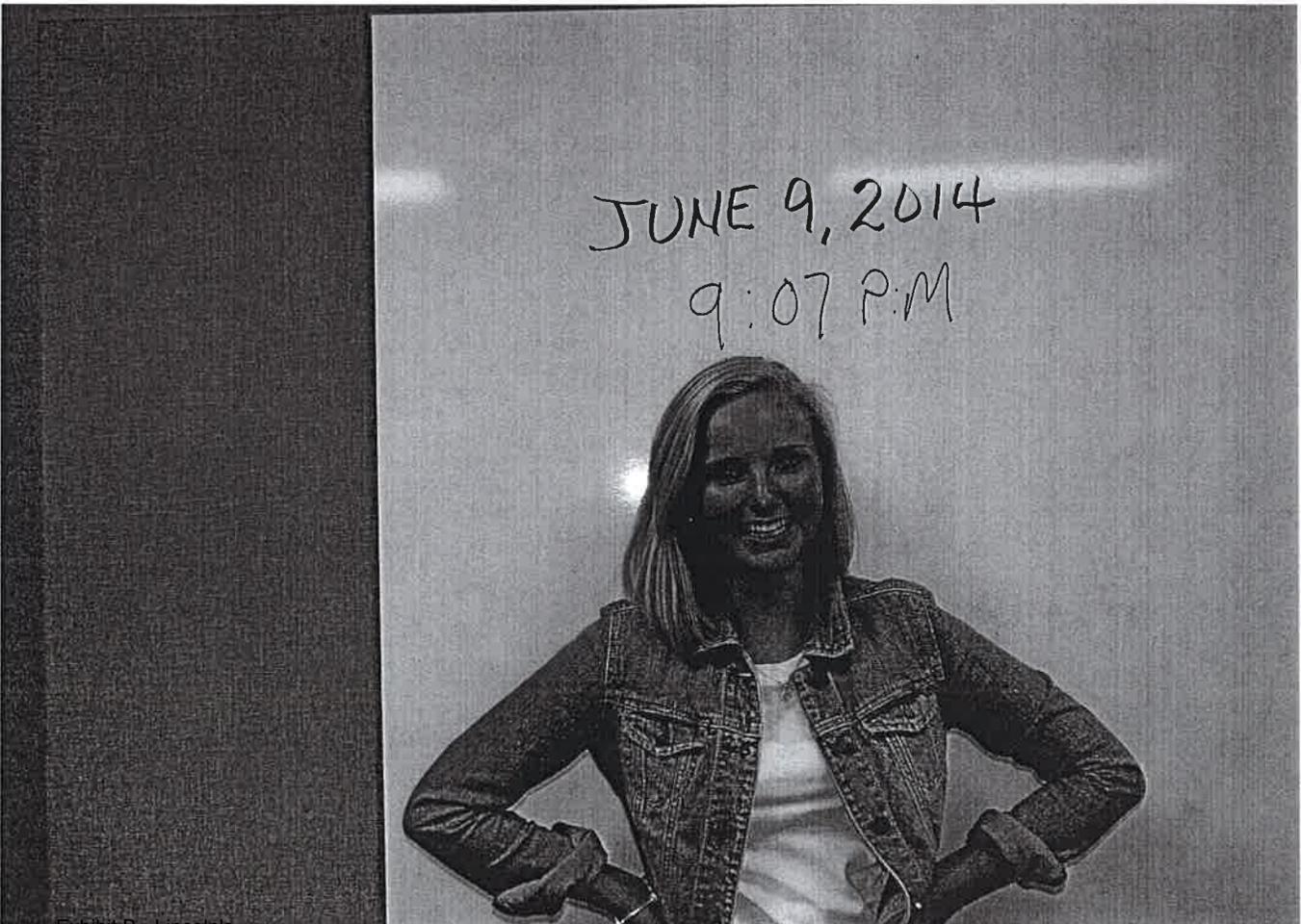
I/we agree to settle this TABC Regulatory Citation with the admission of my/our guilt as to the violation(s) noted above and the payment of the total civil penalty imposed, as noted above, and in the amount of \$ (by business check, cashier's check or money order [no personal checks or cash accepted]). Upon the plea of guilty as to the above noted violations I/we enter a plea of guilt hereby waving any and all rights to a TABC administrative hearing and/or appeals.

Signature of Authorized Agent of Permittee or Permittee Date Authorized Agent of Permittee or Permittee's Name and Title (PRINT)

JUNE 9, 2014
11:24 AM.



JUNE 9, 2014
9:07 P.M.



SHOW CAUSE HEARING # 2014-05

**EXHIBIT C
SHOW CAUSE HEARING HISTORY FOR LINCOLN'S SPORTS GRILLE**

March 11, 2013 (Show Cause Hearing #2013-02)

Reason for hearing: Report of overcrowding, fights/disturbances, and disorderly conduct on February 9, 2013 including one arrest for public intoxication.

Action by Board: None, sufficient cause shown

September 9, 2013 (Show Cause Hearing #2013-05)

Reason for hearing: Report of sale of beer to an underage person on March 18, 2013 as part of an underage compliance check conducted by the Tennessee Alcoholic Beverage Commission.

Action by Board: One week suspension, however, the suspension was lifted upon Lincoln's showing proof that all servers and bartenders have received Tennessee Alcoholic Beverage Commission certification.

December 9, 2013 (Show Cause Hearing #2013-11)

Reason for hearing: Report of a physical disturbance on November 2, 2013 resulting in an arrest of a patron for public intoxication and theft of services.

Action by Board: None, sufficient cause shown

May 12, 2014 (Show Cause Hearing #2014-01) (Re-Visited on June 9, 2014)

Reason for hearing: Report of a physical disturbance on the patio, disorderly conduct, serving/allowing consumption of beer by person who is intoxicated.

Action by Board: Two week suspension (June 10 – 24, 2014)