

**MINUTES OF THE  
OAK RIDGE BEER BOARD**  
Regular Meeting

Municipal Building Training Room – Room 104  
Monday, April 14, 2014  
12:00 noon

PRESENT: Secretary Bailey, Colin Colverson, Darren Osborne, Theresa Scott, and Wendy Williams

ABSENT: Debra Solmonson and Chairman Randy Tedford

ALSO PRESENT: Tammy Dunn, Senior Staff Attorney / Staff Liaison to Board  
Alan Massengill, Deputy Chief of Police

AUDIENCE MEMBERS: Michael Foster, Allies for Substance Abuse Prevention  
Russell Langley, The Oak Ridger

**ROLL CALL/ATTENDANCE**

Ms. Dunn called the meeting to order at 12:01 p.m. in the absence of Chairman Tedford. Chairman Tedford and Debra Solmonson both contacted the Legal Department prior to the meeting to report they would be absent. Mr. Osborne was not present during the roll call; however, he arrived during discussion of the beer permit application for the Oak Ridge Rotary Community Fund.

**ACTING CHAIRPERSON**

In the absence of Chairman Tedford, Secretary Bailey moved, seconded by Ms. Scott, to nominate Mr. Colverson as Acting Chairman and the motion carried unanimously (4-0, Mr. Osborne was not present for this vote).

**APPROVAL OF MINUTES**

Secretary Bailey moved, seconded by Ms. Scott, to approve the minutes of the March 10, 2014 meeting and the motion carried unanimously (4-0, Mr. Osborne was not present for this vote).

**APPLICATIONS FOR NEW BEER PERMITS AND THEIR ASSOCIATED MANAGER APPROVALS**

Application #1495  
St. Mary's Catholic Church  
John (Tom) Slankas, Business Administrator/Manager  
327 Vermont Avenue  
Class C Permit

Mr. Slankas was present to discuss the beer permit application and his manager application. Mr. Slankas explained the reasoning for requesting a permanent beer permit instead of continuing to obtain special event beer permits. Secretary Bailey moved, seconded by Ms. Scott, to approve the beer permit and the manager application and the motion carried unanimously (4-0, Mr. Osborne was not present for this vote).

Application #1496

Oak Ridge Rotary Community Fund  
Chris Copelan, Supervisor of Beer Sales  
Dragon Boat Races at Melton Lake – May 31, 2014  
Class E Permit

Mr. Copelan was present to discuss the application for the Oak Ridge Rotary Community Fund. The Board discussed with Mr. Copelan the plans for beer sales, beer consumption, and how to keep beer from being taken outside of the designated beer area. Mr. Copelan provided the Board with a map of the event area to show how beer sales would be controlled. At one point Mr. Copelan requested permission to sell two beers at a time to patrons, however, the Board did not agree to allow this exception to the Required Control Measures for Special Occasion Beer Permits and Mr. Copelan withdrew his request. Having no further questions, Secretary moved, seconded by Ms. Scott, to approve the beer permit application and the motion carried by a vote of 4 -0-1 with Mr. Osborne abstaining from the vote since he arrived mid-discussion.

**NEW MANAGER APPROVAL APPLICATIONS**

John G. Calvert

Replacement Manager  
B.P.O. Elks Lodge #1684  
684 Emory Valley Road

Mr. Calvert did not arrive during the meeting. At the end of the meeting, Secretary Bailey moved, seconded by Acting Chairman Colverson, to continue this item to the next meeting and the motion carried unanimously (5-0).

Carl Kelly Smith

Replacement Manager  
Oak Ridge Moose Lodge #1316  
103 N. Jefferson Circle

Mr. Smith was present to discuss his application. The Board discussed with Mr. Smith his background in beer/alcohol sales and his plans for managing this location. Mr. Smith explained some new practices that were put in place since the establishment was caught selling beer to a minor last year, such as only allowing the bartender or an officer to open the door and requiring all members to show their membership card or ID. Mr. Smith stated he was in the process of obtaining his ABC/TIPS certification.

The Board discussed with Mr. Smith his lack of experience in selling beer and contemplated postponing his application until he obtained training, however, Secretary Bailey moved, seconded by Acting Chairman Colverson, to proceed with his application and require Mr. Smith to provide proof of his certification by the next meeting or attend the next meeting to explain why certification had not been obtained, and the motion carried unanimously (5-0).

Having brief discussion regarding access to the establishment by the Police Department to which Mr. Smith said they are welcome anytime, Secretary Bailey moved seconded by Acting Chairman Colverson, to approve the manager application and the motion carried unanimously (5-0).

Lindsay Carole Bass  
Additional Manager  
Lincoln's Sports Grille  
119 S. Illinois Avenue

Ms. Bass and Lisa Green (current manager) were present to discuss her application as an additional manager at Lincoln's. The Board discussed with Ms. Bass her thoughts on Lincoln's compliance with the Board's expectations. Ms. Bass stated they have revised policies and now require any employee to be ABC certified prior to hiring and they require an ID of all beer purchasers without exception. Ms. Scott inquired about a fight that allegedly took place at Lincoln's within the past few weeks; however, there was no report on a recent fight. Secretary Bailey moved seconded by Ms. Scott, to approve the manager application and the motion carried unanimously (5-0).

### **NEW / OLD BUSINESS**

#### A. Reports from Oak Ridge Police Department (if any)

This item was taken up at the end of the agenda. Deputy Chief Massengill reported on three recent arrests. The first was a DUI arrest on March 25, 2014 where the intoxicated person indicated he began drinking at home but later went to Back 2 Brewski's and continued to drink. The second was a DUI and drug arrest of an Aubrey's employee on March 2, 2014 where the employee indicated she had just left work. The third was a public intoxication arrest of an Aubrey's employee on March 17, 2014 where the employee indicated he was walking home after leaving work.

Secretary Bailey moved, seconded by Ms. Scott, to hold a show cause hearing for Aubrey's for the two reports of after-hours activities and to request the presence of the manager(s) on duty at the time of the incidents, the employees involved, and the bartender/server that sold/gave these employees beer and/or alcohol. The motion carried unanimously (5-0). Acting Chairman Colverson moved, seconded by Secretary Bailey, to hold the show cause hearing immediately after the June 9, 2014 regular meeting and the motion carried unanimously (5-0).

Ms. Scott moved, seconded by Secretary Bailey, to hold a show cause hearing for Back 2 Brewski's for the DUI report and the motion carried by a vote of 4-1 with Acting Chairman Colverson voting against. Secretary Bailey moved, seconded by Acting Chairman Colverson, to hold the show cause hearing immediately after the June 9, 2014 regular meeting and the motion carried unanimously (5-0).

#### B. Growlers – Discussion Item

Acting Chairman Colverson stated he wanted to discuss this item when he was told by a local beer permitted business that they cannot fill/refill growlers. Ms. Dunn discussed Legal Department Memorandum 14-14 with the Board. This memorandum indicates a beer permitted business could fill/refill growlers provided the business had the appropriate off premises beer permit and sealed the growler in such a way as to prevent it from being an open container. Ms. Dunn stated if a local business were to inquire about growlers they would be informed of the beer permit needed, would be directed to contact the Police Department regarding open containers of beer, and would also be given a suggestion to contact one of the area businesses that already sell growlers for information on how to properly seal the growler.

As noted on the memorandum and discussed at the meeting, the information on growlers is only applicable to beer as that term is defined by State law. Higher alcoholic content beer is governed by the Tennessee Alcoholic Beverage Commission. At this point, Ms. Dunn

informed the Board of pending legislation to raise the alcoholic content of beer from 5% to 8% by weight (Senate Bill 0289). Ms. Dunn stated this bill passed the Senate last week.

C. Oliver Springs Beer Board Recent Action – Discussion Item

Ms. Scott stated she wanted to discuss this item to show that Oliver Springs is being stricter on beer permittees than the Board has been and is making a statement to its permittees. According to Oak Ridge Today, Oliver Springs took action against two beer permitted establishments for selling beer to an underage person during a beer sales law compliance check with one business—Pizza Hut—reported to have asked the Oliver Springs Beer Board for a six month revocation rather than pay \$1,250.00 and another business—Lee’s Market—reported to have been fined \$1,250.00 and had their beer permit placed on probation for six months.

D. Wine in Retail Food Stores Legislation – Public Chapter 554 – Ability of Retail Liquor Store to Sell Beer Without a Beer Permit – Information Only

Ms. Dunn reported to the Board on the new “wine in grocery” legislation, with particular focus on the impact this legislation has on retail liquor stores and their ability (provided certain state law provisions are met) to sell beer and growlers (empty or filled) without obtaining a beer permit.

**ADJOURNMENT**

The meeting adjourned at 1:18 p.m. upon unanimous approval after motion by Acting Chairman Colverson and a second by Secretary Bailey.

Respectfully submitted,

(Signature on official file copy)

Barton Bailey, Secretary