

**MINUTES**  
**BEER BOARD MEETING**  
**OCTOBER 2, 2007**

The Jackson, Tennessee Beer Board met at 10:30 a.m. on Tuesday, October 2, 2007, in the Council Chambers at City Hall. Present were Board members Charles “Pepper” Bray, Johnny Dodd and Charles Rahm. Also present were Lewis Cobb, City Attorney; Gary Hardee, Building and Housing Codes Inspector; and Anita Brooks, recorder of the minutes.

The meeting was called to order. On the motion of Board member Rahm seconded by Board member Bray, the minutes from the September 11, 2007 meeting were unanimously approved.

**BEER APPLICATIONS:**

Chairman Dodd presented an application for a business known as Café Capones, located at 575 South Royal Street, for “selling, storing and serving on the premises where sold.” Mr. Brandon Acles, owner and manager, was present. On the motion of Board member Rahm, seconded by Board member Bray, the application was unanimously approved.

Chairman Dodd presented an application for a business known as Snappy Mart #26, located at 2016 South Highland Avenue, for “selling, storing and distributing for consumption off the premises.” Ms. Jolicia Gunn, manager, was present. Chairman Dodd advised that if there were no objections from board members, the consideration of the application for Snappy Mart #26 would be postponed until a background check could be done on Ms. Gunn.

## **SHOW CAUSE HEARINGS:**

Mr. Surinder Pal Singh was present and advised that he received a letter to appear before the Beer Board for the unlawful sale of beer to a minor at an establishment located at 1625 East Chester Street. Mr. Singh advised that he was not the licensed owner of the business when the infraction occurred. Mr. Singh presented a copy of beer permit #2772 that was issued to a permit holder by the name of Fadah Mutee Hussein on March 29, 2005 by the City of Jackson, Tennessee and a copy of beer permit #2903 that was issued to a permit holder by the name of J-Mart on May 1, 2007 at the same location. Attorney Cobb advised that it appeared the latter permit (#2903) was issued after the infraction had occurred. Attorney Cobb also advised, for the record, that he was handed a copy of a nine-page security agreement that involved Mr. Singh and Mr. Hussein. Mr. Singh explained the lease agreement terms he had with the owner of the building, located at 1625 East Chester Street, and advised that the owner leased the building to Mr. Hussein after he closed his business. Chairman Dodd advised that the information provided would be looked at and then the city would proceed in another direction in locating the permit holder whose business was responsible for the violation.

Attorney Cobb advised that a show cause hearing was being held today for Ms. Nellie Ragan concerning allegations of unlawfully selling alcohol to a minor. Ms. Nellie Ragan and her attorney, Mr. John York, were present. Attorney Cobb read the results from court proceedings held at City Court involving establishments that Ms. Ragan owned, located at 223 Airways Boulevard and 736 Airways Boulevard. Attorney Cobb further advised that the records showed that not only did Ms. Ragan sell beer to a minor

personally at one of the locations, but also one of her store employees sold beer to a minor at another location that Ms. Ragan owned. Mr. York advised that Ms. Ragan was sorry for the incidents. Mr. York further advised that Ms. Ragan had ceased operating the businesses involved in the incidents. Board member Rahm made a motion to assess a civil penalty of \$1,500.00 for the unlawful sale of alcohol to a minor for the location where Ms. Ragan personally sold the beer and \$500.00 for the location where her store employee sold the beer. Board member Bray seconded the motion and the motion carried unanimously.

Chairman Dodd read testimony that an underage person was able to purchase a six-pack of Bud light beer on March 8, 2007 from a store clerk at an establishment located at 29 Kenworth Boulevard. Ms. Stephanie Dolgado, representative for the permit holder, Mr. Gerald Ferguson, was present. Ms. Dolgado advised that the store employee violated the company's policy and procedures when she sold the alcohol to the minor and was terminated immediately. Board member Bray made a motion to assess a civil penalty of \$500.00 for the infraction. Board member Rahm seconded the motion and the motion carried unanimously.

Mr. Fahed A. Dhalai failed to appear and contest the allegations that led to this show cause hearing. Attorney Cobb advised board members that they could proceed to revoke the license, even though Mr. Dhalai had apparently sold the business, since failure to do so would allow a recipient of a beer license to avoid any sanction by selling the business prior to enforcement actions. Attorney Cobb further advised that the prior board action could be the basis of a future denial of a permit, if appropriate. Board member Rahm made a motion, seconded by Board member Bray, to revoke Mr.

Dhalai's beer permit at Friendly Market #2, located at 1291 North Highland Avenue, and investigate whether Mr. Dhalai had beer permits at other locations that should be reviewed in light of this violation. The motion carried unanimously.

With no further business, the meeting was adjourned.

JOHNNY DODD, CHAIRMAN