



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of the request of )  
**SHORT STOP CONV STORE INC.** )  
R 2, 2340 US 223 ) Request ID No. 630451  
Adrian, Michigan 49221 )  
)  
Madison Township Lenawee County )  
\_\_\_\_\_)

At the September 4, 2012 hearing of the Michigan Liquor Control Commission  
(Commission) in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Dennis Olshove, Commissioner

**LICENSING APPEAL ORDER**

On December 16, 2011, Short Stop Conv Store Inc. (applicant) filed a request to transfer ownership of 2011 SDD and SDM licenses from GDU Holdings, Inc., at the above-noted location. The licenses were renewed for the 2012-2013 licensing year on April 24, 2012. The applicant also requested a new Sunday Sales Permit (P.M.) and a new Sunday Sales Permit (A.M.) to be held in conjunction with the licenses.

At a meeting held on August 8, 2012, the Commission denied this request under administrative rule R 436.1105(2)(a), (b), and (j) after considering the extensive violation history of the applicant stockholders, Terry Barnhart and Ronald Mc Gee; and the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit.

Attorney Rebecca Dukes submitted a timely request for an appeal in this matter and represented the applicant at the September 4, 2012 hearing, at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file and Exhibit presented, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules.

THEREFORE, IT IS ORDERED that:

A. The denial order of August 8, 2012 issued in this matter is reversed and the applicant's request is APPROVED, subject to the following:

1. The licensee shall submit to the Commission an acceptable and executed Lease Agreement.
2. The licensee shall submit to the Commission documentary proof that Short Stop Conv Store Inc. received a loan in the amount of \$28,000.00 from Irish Hills Convenience Store, Inc.
3. The licensee shall submit to the Commission form LCC-3010 "Report of Stockholders/Members/Partners".
4. The licensee shall submit proof of financial responsibility providing security for liability as required under MCL 436.1803. Failure to maintain proof of financial responsibility providing security for liability will result in the immediate suspension of the subject licenses and permits until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.

B. The licensee's application for a permit to sell alcoholic liquor between 7 a.m. and Noon on Sundays is APPROVED pursuant to Public Act 213 of 2010, MCL 436.2111-2115. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, township, or the local governmental unit, that it prohibits or otherwise objects to the sale of spirits, mixed spirit drink or beer and wine between the hours of 7:00 A.M. and 12:00 Noon on Sundays. If notice and supporting documentation is received by the Commission a show cause hearing will be scheduled before the Commission under administrative rule 436.1925(1) to determine if the permit must be revoked.

C. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of the licenses and permits by the Michigan Liquor Control Commission does not waive any of these requirements.

D. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permits.

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Andrew J. Deloney, Chairman

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Dennis Olshove, Commissioner

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Prepared by:  
Terri Chase, Commission Aide

Date Mailed: \_\_\_\_\_



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of the request of )  
**THE POINT AT CAVANAUGH LAKE, LLC** )  
163 Cavanaugh Lake ) Request ID No. 655369  
Chelsea, Michigan 48118 )  
Sylvan Township Washtenaw County )  
\_\_\_\_\_ )

At the September 4, 2012 hearing of the Michigan Liquor Control Commission  
(Commission) in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Dennis Olshove, Commissioner

**LICENSING APPEAL ORDER**

On March 29, 2012, The Point at Cavanaugh Lake, LLC (applicant) filed a request for a new SDM license to be located at the above-noted location.

At a meeting held on August 8, 2012, the Commission denied this request under MCL 436.2003 and administrative rule R 436.1103(2) as the applicant member, Denise Burnette, failed to provide the Commission with her complete arrest and conviction record. The Commission also denied this request under administrative rule R 436.1105(2)(d) after considering the unfavorable recommendation with regard to Denise Burnette submitted by the Washtenaw County Sheriff Department for this application, when determining whether an applicant should be issued a license or permit.

Michael Brown, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the September 4, 2012 hearing, at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file and Exhibit presented, and discussion of the issue on the record, the Commission finds that the applicant provided an Affidavit of Denise Burnette dated September 4, 2012 that sufficiently demonstrates mitigating circumstances, removing the previous questions concerning Ms. Burnette.

Further, the Commission received an opinion of the local law enforcement agency and considered it as required under administrative rule R 436.1105(2)(d).

The Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request for the reasons stated on the record.

THEREFORE, IT IS ORDERED that:

A. The denial order of August 8, 2012 issued in this matter is reversed and the applicant's request is APPROVED, subject to the following:

1. The licensee shall submit to the Commission an acceptable and executed Sublease Agreement between The Point at Cavanaugh Lake, LLC and SadBurn Properties A, LLC.
2. The licensee shall submit to the Commission form LCC-3010 "Report of Stockholders/Members/Partners".
3. The licensee shall submit proof of financial responsibility providing security for liability as required under MCL 436.1803. Failure to maintain proof of financial responsibility providing security for liability will result in the immediate suspension of the subject license until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.

B. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

C. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control

Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the license.

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Andrew J. Deloney, Chairman

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Dennis Olshove, Commissioner

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Prepared by:  
Terri Chase, Commission Aide

Date Mailed: \_\_\_\_\_