



HEARINGS CONDUCTED BY THE
MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, November 20, 2012
Lansing District Office
7150 Harris Drive
Lansing MI 48909

Present: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

Absent: None

Chairman Deloney called the hearings to order at 10:06 a.m., noting a quorum was present.

1. Moved by Commissioner Olshove, supported by Commissioner Quimby, that the minutes of the Lansing Appeal Hearings of November 13, 2012, be approved as written and presented, motion carried by unanimous vote.
2. Dolgencorp, LLC, 6092 W Pierson, Flushing, Mt Morris Township, Genesee County Request ID# 633610

The licensing hearing was conducted for Dolgencorp, LLC, Request ID# 633610. Gerald Whalen appeared on behalf of the Attorney Generals Office, Attorney Michael Brown, appeared on behalf of the applicant. Mr. Whalen and Mr. Brown offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to reverse the previous Commission Order of denial dated October 10, 2012, and to approve the request as set forth in the Licensing Appeal Order, for a new Specially Designated Merchant license under MCL 436.1537. Commissioner Olshove supported, and the motion was carried by unanimous vote.

3. Dolgencorp, LLC, 180 S Third, Coleman, Midland County Request ID# 631885

The licensing hearing was conducted for Dolgencorp, LLC, Request ID# 631885. Gerald Whalen appeared on behalf of the Attorney Generals Office, Attorney Michael Brown, appeared on behalf of the applicant. Mr. Whalen and Mr. Brown offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to reverse the previous Commission Order of denial dated October 10, 2012, and to approve the request as set forth in the Licensing Appeal Order, for a new Specially Designated Merchant license under MCL 436.1537. Commissioner Quimby supported, and the motion was carried by unanimous vote.

4. Walgreen Co., 8364 Byron Center, Byron Center, Byron Township, Kent County
Request ID# 665751

The Church hearing was conducted for Walgreen Co., Request ID# 665751. Gerald Whalen appeared on behalf of the Attorney Generals Office, Attorney Eric Eggan and manager Paul Cullen, appeared on behalf of the applicant. The objecting church, Pathway Church, was represented by Pastor Steve Elzinga and Associate Pastor Jim Heethuis. Mr. Whalen, Mr. Eggan, Mr. Cullen, Pastor Elzinga and Associate Pastor Heethuis offered comments regarding this case. After discussion on the record, Chairman Deloney advised the findings of the Commission are as follows: that the Pathway Church filed a proper objection to the granting of the new Specially Designated Merchant License, and that the applicant had the burden of proceeding, and that the applicant had to show by competent, material and substantial evidence that issuance of the license would not adversely affect the normal operation of the church. Chairman Deloney made a motion that the applicant has demonstrated that a waiver of MCL 436.1503 would NOT adversely impact the normal operation of the church, and the licensing process would continue. Supported by Commissioner Olshove, motion carried by unanimous vote.

5. Waldenwoods Family Recreation Resort, LLC, 2975 Old US 23, Hartland, Hartland Township, Livingston County Request ID# 580220

The Show Cause hearing was conducted for Waldenwoods Family Recreation Resort, LLC, Request ID# 580220. Gerald Whalen appeared on behalf of the Attorney Generals Office, Attorney Douglas Austin, Attorney Charles Drayton, members Frank Crouse and Brian Crouse appeared on behalf of the licensee. Mr. Whalen, Mr. Austin and Mr. F. Crouse offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion that the licensee, Waldenwoods Family Recreation Resort, LLC, has shown good cause that they meet the requirements of licensure under MCL 436.1531(3) for a Resort Class C license, as set forth in the Licensing Appeal Order. Supported by Commissioner Quimby, motion carried by unanimous vote.

With no further business, moved by Commissioner Olshove, supported by Commissioner Quimby, that the Appeal Hearings be adjourned at 11:47 a.m., motion carried by unanimous vote.