



HEARINGS CONDUCTED BY THE
MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, May 7, 2013
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 10:05 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 April 30, 2013, be approved as written and presented, motion carried by unanimous vote.
2. Theodore F. MacManus, III, 3200 S. Airport W., Space #100, Traverse City, Garfield Township, Grand Traverse County Request ID#624330

The licensing hearing was conducted for Theodore F. MacManus, III, Request ID#624330, which was tabled from the appeal hearing held on March 15, 2012. Dawn Hetzel appeared on behalf of the Attorney Generals Office and no one was present on behalf of the applicant. Ms. Hetzel offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to affirm the previous Commission Order of denial dated February 1, 2012, as set forth in the Licensing Appeal Order, and deny the request to transfer ownership, for record purposes only, of the escrowed 2012 Resort Class C license issued under the provisions of MCL 436.1531(2), from Moffat Enterprises Three, Inc. Commissioner Olshove supported, and the motion was carried by unanimous vote.

3. AuGres Yacht Club, Inc., 3232 Midshipman, AuGres, Arenac County Request ID# 667206

The licensing hearing was conducted for AuGres Yacht Club, Inc., Request ID# 667206. Dawn Hetzel appeared on behalf of the Attorney Generals Office, Frederick Wigen, Jr., applicant member and Dennis Anderson, Board Member and past Treasurer, appeared on behalf of the applicant. Ms. Hetzel, Mr. Wigen and Mr.

Anderson offered comments regarding this case. After further discussion on the record, Chairman Deloney made a motion to reverse the previous Commission Order of denial dated April 3, 2013, and to approve the request as set forth in the Licensing Appeal Order, for a new Club license with Sunday Sales Permit (P.M.), Dance-Entertainment Permit and two (2) Outdoor Service Permits. Commissioner Olshove supported, and the motion was carried by unanimous vote.

4. WBPB, Corp., d/b/a Walldorff Brew Pub & Bistro, 105 E State, Hastings, Barry County Complaint No. 2-153495

The violation hearing was conducted for WBPB, Corp., Complaint No. 2-153495. Dawn Hetzel appeared on behalf of the Attorney Generals Office, Attorney Brad Gee and president of corporation, Michael Barnaart, appeared on behalf of the licensee. Ms. Hetzel, Mr. Gee and Mr. Barnaart offered comments regarding this case. After discussion on the record, Chairman Deloney advised the hearing would be recessed.

The hearing was recessed at 11:23 a.m.

The hearing reconvened at 11:52 a.m. Present were Chairman Deloney, Commissioner Quimby and Commissioner Olshove.

Chairman Deloney advised that it is his opinion that the Hearing Commissioner erred in the matter of charges 4 and 5 of the above complaint, but did not err in the matter of charge 3. Chairman Deloney made a motion to affirm the order of Hearing Commissioner Edward D. Clemente, dated January 31, 2013, in regard to charge 3 of Complaint No. 2-153495, and to reverse said Commission order in regards to charges 4 and 5, and to dismiss said charges, as set forth in the Violation Appeal Order. Commissioner Olshove supported, and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Olshove, supported by Commissioner Quimby, that the Appeal Hearings be adjourned at 11:55 a.m., motion carried by unanimous vote.

Anita Fawcett
Executive Services Division

Andrew J. Deloney
Chairman