



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION
ANDREW J. DELONEY
CHAIRMAN

SHELLY EDGERTON
DIRECTOR

January 4, 2017

MEMBERS OF THE SENATE

Capitol Building
Lansing, Michigan 48909

Attention: Majority Leader

Dear Members:

In accordance with MCL 436.1531 (15) as last amended by P.A. 212 of 2013, we report the following with respect to resort licenses granted for 2016 under the provisions of MCL 436.1531 (3).

- 1. Number of applications received 9
- 2. Number of applications rejected 0
- 3. Number of applications approved under the 2016 quota as provided under MCL 436.1531 (3) 2

LICENSEES AND LOCATION	COUNTY	TYPE OF LICENSE
Bay Ridge-Dock Bar & Grill, L.LC. Garden Township	Delta County	Resort Class C
Indian Restaurant Group, Inc. Farmington Hills	Oakland County	Resort Class C

4. Number of Licensees that have received disciplinary action22

Open Goetz, LLC
Munising, Alger County

Charge: 1-2) This licensee sold or furnished alcohol to minor decoy ESC-420 (20) and ESC-403 (19)

Action: Effective 06-29-2016, The Commissioner ordered a penalty fine of \$300.00 each charge for a total of \$600.00 for both charges in regards to this matter. The Commissioner further ordered the licensee to serve a suspension of continuous days, to run consecutively and not concurrently with any other suspension ordered by the Michigan Liquor Control Commission, if the fine is not paid within 45 days from the mailing date of the order.

P.I.P., Inc. of Michigan
Plainwell, Allegan County

Charge: 1) This licensee sold or furnished alcoholic liquor to an individual who was in an intoxicated or visibly intoxicated condition; 2) allowed the individual who was in an intoxicated condition to consume alcoholic liquor on the licensed premises; 3) allowed the individual who was in an intoxicated condition to frequent or loiter on the licensed premises.

Action: Effective 06-15-2016, **(1)** The Commissioner accepted the licensee’s plea of acknowledgment to charge number(s) two (2) and three (3), as cited above; **(2)** the violation report of this case, the stipulated agreement and the balance of the Michigan Liquor Control Commission (MLCC) filed in this matter were entered into the record of this licensee, which shows no previous violations since securing MLCC licensure on April 10, 2009 at the above-named location under the current ownership; **(3)** as penalty, the Commissioner ordered the licensee to pay a fine of \$300.00 for each of the two (2) acknowledged cited above, for a total fine of \$600.00. The Commissioner further ordered a suspension of 30 continuous days if the total fine of \$600.00 is not paid within 45 days from the date the order is mailed. This suspension if served, shall run consecutively and not concurrently with any other suspension ordered by the MLCC for this licensee. **(4)** The Commissioner found that the Assistant Attorney General consulted with the Public Service Officer (PSO) of the Plainwell Department of Public Safety; and obtained the acquiescence of the PSO.

The Commissioner ordered charge number one (1), cited above, dismissed with prejudice. The licensee agreed that this negotiated settlement was a full and final disposition of this matter before the Commission. The licensee recognized that, as to this complaint, there was no further right of administrative or judicial appeal, to either the MLCC or a court of law. The licensee also agreed that the plea in this case was entered voluntarily and with the full understanding of all consequences. Furthermore, all parties agree that there are no promises,

stipulations, understandings, or agreements other than those stated above as part of the official record. This document represents the final agreed settlement.

The White House Restaurant & Winery, Inc.
Saugatuck, Allegan County

Charge: 1) On or about January 2, 2013 this licensee allowed an individual whose name does not appear on the license, to derive, use or benefit from the license; 2) On May 1, 2013, Obtained licenses in its name for the use or benefit of another person, whose name does not appear on the license; 3) On May 1, 2014, obtained licenses in its name for the use or benefit of another person, whose name does not appear on the license; 4) and on May 1, 2015, obtained a licenses in its name for the use or benefit of another person whose name does not appear on the license.

Action: Effective 02-03-2016, the Commissioner ordered a penalty fine of \$100.00 each for each charge in this matter for a total fine of \$400.00, which is due within 45 days from the mailing date of this order. In addition, the Commissioner ordered all licenses and permits for this licensee at the above-named location to remain in escrow until:

1. All outstanding fines and fees are paid in full; and
2. The licensee either:
 - a. Assumes full proprietary control of this licensed business, or
 - b. Transfers said licenses to a person approved by the MLCC, or
 - c. Allows said licenses and permits to terminate pursuant to the provisions of administrative rule R 436.1107.

The Commissioner further warned the licensee that failure to make payment within the time allotted may result in an additional violation under administrative rule R 436.1029, which may subject the licensee to additional penalties, including revocation of the licenses.

Candy's Hardwood Café, Inc.
Covington, Baraga County

Charge: This licensee sold or finished alcoholic liquor to an individual who was in an intoxicated or visibly intoxicated condition; 2) allowed the individual who was in an intoxicated condition to consume alcoholic liquor on the licensed premises; 3) allowed the individual who was in an intoxicated condition to frequent or loiter on the licensed premises.

Action: A hearing was held on 09/20/2016 in Marquette at the Clemente Hall at the cost of \$154.56.

Effective: 10/20/2016, The Commissioner ordered a fine of \$300.00 for charge number one (1), in this matter. Further, the Commissioner ordered that a suspension of 15 continuous days shall be imposed if the fine is not paid, with this suspension to run consecutively and not concurrently with any other suspension ordered by the Commission; if the fine is not paid within 45 days from the mailing date of this order. Further, the Commissioner ordered the dismissal with prejudice, of charge number two (2) and three (3). Further, the Commissioner advised the licensee they should update their server training requirement for the licensee and staff. Further, the Commissioner ordered the licensee to pay total cost of \$154.56 for witness fees involved in connection with the hearing.

Glompers, LLC
Elberta, Benzie County

Charge: 1) This licensee purchased during March, 2016, more than nine (9) liters of spirits from Family Fare; 2) Purchased during April more than nine (9) liters of spirits from Geyer's Party Haus; 3) Sold, furnished, or allowed consumption of alcoholic liquor or possessed alcoholic liquor on the licensed premises, not purchased from an authorized source; 4) Sold, offered or kept for sale, furnished or possessed alcoholic liquor, which was not authorized by the license issued to the licensee by the Commission.

Action: Effective 07/26/2016, The Commissioner ordered a penalty fine of \$150.00 for charges one (1) – four (4) for a total of \$600.00 for the charge in this matter. The Commissioner further ordered the licensee to serve a suspension of 30 continuous days, to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the fine is not paid within 45 days from the mailing date of this order.

SLCT Holdings, LLC
Coldwater, Branch

Charge: This licensee failed, refused or neglected to obey a written order of the Commission dated 08-05-2015 by failing to provide proof of successful completion of an alcohol server trainee program approved by the Commission with 180 days of the issuance of the license.

Action: Effective 11-07-2016, The Commissioner ordered a penalty fine of \$50.00 for the charge in this matter. The Commissioner further ordered the licensee to serve suspension of three (3) continuous days to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the fine is not paid within 45 days for the mailing date of this order.

Zuchnik, Inc.
Three Rivers, Cass County

Charge: 1) On June 22, 2016, this licensee sold, furnished, or allowed consumption of alcoholic liquor or possessed alcoholic liquor on the licensed premises, not purchased from an authorized source; 2) On May 27, 2016, sold furnished, or allowed consumption of alcoholic liquor or possessed alcoholic liquor on the licensed premises, not purchased from an authorized source; 3) on April 13, 2016, sold, furnished, or allowed consumption of alcoholic liquor or possessed alcoholic liquor on the licensed premises, not purchased from an authorized source; 4) on April 13, 2016, sold, furnished, or allowed consumption of alcoholic liquor or possessed alcoholic liquor on the licensed premises, not purchased from an authorized source; 5) on April 12, 2016 sold, furnished, or allowed consumption of alcoholic liquor or possessed alcoholic liquor on the licensed premises, not purchased from an authorized source; 6) on April 6, 2016 sold furnished or allowed consumption of alcoholic liquor or possessed alcoholic liquor on the licensed premises, not purchased from an authorized source; 7) on April 27, 2016 sold, furnished, or allowed consumption of alcoholic liquor or possessed alcoholic liquor on the licensed premises, not purchased from an authorized source; 8) on March 20, 2016 sold, furnished or allowed consumption of alcoholic liquor or possessed alcoholic liquor on the licensed premises, not purchased from an authorized source.

Action: Effective 11-14-2016, The Commissioner Ordered a penalty fine of \$50 for each charge in this matter for a total fine of \$400.00. The Commissioner further ordered a suspension of 20 continuous days, to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the total fine of \$400.00 is not paid within 45 days from the mailing date of this order.

Powderhorn Entertainment, LLC
Bessemer, Gogebic County

Charge: This licensee sold or furnished alcohol to an unnamed minor Esc-403 (19).

Action: Effective 03-22-2016, the Commissioner ordered a penalty fine of \$500 for the charge in this matter. The Commissioner further ordered the licensee to serve a suspension of 25 continuous days, to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the fine is not paid within 45 days from the mailing date of this order.

MI Grille LLC
Traverse City, Grand Traverse County

Charge: This licensee failed, refused, or neglected to obey a written order of the Commission dated 10-08-2014 by failing to provide proof of successful completion of an alcohol server training program approved by the Commission within 180 days of the issuance of the license.

Action: Effective 04-01-2016, as a penalty, the administrative law judge ordered a fine of \$300.00 in this matter. Further the administrative law judge ordered that a suspension of the 15 continuous days shall be imposed if the fine is not paid, with this suspension to run consecutively and not concurrently with any other suspension ordered by the Commission, if the fine is not paid within 45 days from the mailing date of this order. As additional penalty, the administrative law judge ordered all licenses and permits issued by the Commission to this licensee at the above-named address be suspended as of July 1, 2016, this suspension is waived if documentary proof of the successful completion of a server training program is provided in accordance with the Commission's order dated October 8, 2014. This suspension shall remain in effect until such time as satisfactory documentary proof of a server training program is received by the commission or the licenses and permits are terminated pursuant to rule R 436.1107.

E & G Connection LLC
East Lansing, Ingham County

Charge: This licensee sold or furnished alcohol to unnamed decoy with DOB June 14 1996 (19).

Action: Effective 01-20-2016, The Commissioner ordered a penalty fine of \$500.00 for the charge in this matter. The Commissioner further ordered the licensee to serve a suspension of 25 continuous days to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the total fine is not paid within 45 days from the mailing date of this order.

Dusty's Restaurant, Inc.
Okemos, Ingham County

Charge: This licensee sold or furnished alcohol to unnamed decoy with DOB April 5, 1996.

Action: Effective 07-19-2016, the licensee was hereby ordered to pay the sanction of a fine of \$700.00 for the one (1) acknowledged charge, cited above, as penalty; The licensee violated MCL 436.1801 (2), as cited in the complaint in this matter. The Commissioner further ordered a suspension of 35 continuous days if the total fine of \$700.00 is not paid within 45 days from the mailing date of the order. This suspension, if served, shall run consecutively and not concurrently with any other suspension ordered by the Commission for this licensee.

As additional penalty, the Commissioner ordered all licenses and permits issued by the Commission to this licensee at the above address, be suspended 90 days from the mailing date of this order if documentary proof of server training certifications from a Commission approved server training program, for all employees. This suspension shall remain in effect until satisfactory documentary proof

of server training is received for all employees by the Commission, or the licenses and permits are terminated under the provisions of administrative rule R 436.1107.

The 4 K's LLC
Stockbridge, Ingham County

Charge: This licensee sold or furnished alcoholic beverages without fully complying with the provisions of the Michigan Liquor Control Code by failing to renew their liquor license.

Action: Effective 11-17-2016, As penalty, the commissioner ordered a fine of \$100.00. In addition, the Commissioner ordered a suspension of five (5) continuous days if the total fine of \$100.00 is not paid within 45 days of the date this order was mailed. This suspension, if served, shall be served consecutively and not concurrently with any other suspensions ordered by the MLCC for the license.

Chomp Burger LLC
Adrian, Lenawee County

Charge: This licensee failed, refused, or neglected to obey a written order of the Commission dated 12-01-2015, by failing to provide proof of successful completion of an alcohol server training program approved by the Commission within 180 days of the issuance of the license.

Action: Effective 11-09-2016, The Commissioner ordered a penalty fine of \$100.00 with \$50.00 waived for a total fine of \$50.00 for the charge in this matter. The Commissioner further ordered the licensee to serve a suspension of three (3) continuous days to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the fine is not paid within 45 days for the mailing of this order.

Varsity Catering Company, Inc.
Saint Ignace, Mackinac County

Charge: A stockholder of this privately held corporation was found guilty of a crime involving the excessive use of alcoholic liquor, specifically: Operating While Intoxicated (OWI).

Action: Effective 05-24-2016, The administrative Law Judge (ALJ) ordered a penalty fine of \$300.00 for the charge in this matter. The ALJ further ordered the licensee to serve a suspension of 15 continuous days, to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the fine is not paid within 45 days from the mailing date of this order.

Saz's Pizza & Ice Cream LLC
Stephenson, Menominee County

Charge: 1) This licensee was in an intoxicated condition on the licensed premises; 2) allowed the annoying and/or molesting of a customer, by the licensee; 3) failed to cooperate with law enforcement officers and/or obstructed law enforcement officers in the course of inspecting or investigating the licensed premises while enforcing the Michigan liquor Control Code; 4) allowed the annoying and/or molesting of another customer by the licensee.

Action: Effective 02-12-2016 The Commissioner ordered a penalty fine of \$300.00 each for charges one (1) through four (4) for a total of \$1,200.00 in this matter. The Commissioner further ordered the licensee to serve a suspension of 60 continuous days, to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the fine is not paid within 45 days from the mailing date of this order.

Village Resort Properties, Inc.
Pentwater, Oceana County

Charge: 1) This licensee sold or furnished alcoholic liquor to an intoxicated person or a person who was in a visibly intoxicated condition. 2) Allow this person who was in an intoxicated condition, to consume alcoholic liquor upon the licensed premises; 3) allowed this person who was in an intoxicated condition, to frequent or loiter upon the licensed premises; 4) sold or furnished alcoholic liquor to a person who was in an intoxicated or visibly intoxicated condition; 5) allowed this person who was in an intoxicated condition, to consume alcoholic liquor upon the licensed premises; 6) Allowed this licensee who was in an intoxicated condition, to frequent or loiter upon the licensed premises, 7) allowed the annoying and/or molesting of a customer, by another customer; 8) allowed fights or brawls on the licensed premises.

Action: **(1)** Effective 01-05-2016, the Commissioner accepted the licensee's plea of acknowledgment to charge number(s) one (1) and four (4) in Complaint number 5-173059; **(2)** The Commissioner dismissed charge number(s) two (2), three (3), five (5), six (6), seven (7), and eight(8); **(3)** The violation report of the case, the stipulated agreement and the balance of the MLCC file in this matter were entered into the record as substantive evidence. The Commissioner further has taken notice of the prior record of this licensee, which shows four (4) previous violations, since being licensed on August 2, 1988, at the above-named location under the current ownership. **(4)** The licensee was ordered to pay the sanction of a fine \$800.00 for charge number one (1) and \$800.00 for change number four (4), for a total fine of \$1,600.00 as penalty in this matter. **(5)** Additionally, the license shall serve a three (3) day suspension of the licenses and permits, with said suspension to be served on three (3) consecutive days during a weekend in the month of June, 2016. **(6)** Additionally, the licensee agrees to have every employee participate in a serving training program approved by the Commission. This training participation must be completed within 120 days of the final issuance of this order. **(7)** The license violated MCL 436.1801 (2 in charge number(s) one (1) and four (4), as cited in the complaint in this matter. **(8)** The Commissioner also found that the chief of police of the Laude Hartrum of the Pentwater Police Department has been consulted and agrees with the terms of this negotiated settlement. **(9)** The Commissioner further ordered a suspension of 80 continuous days if the total fine of \$1,600.00 is not paid within 45 days from the

mailing date of this order. This suspension, if served, shall run consecutively and not concurrently with any other suspension ordered by the Commission for this licensee.

Wolfe, Jamie M
Shelby, Oceana County

Charge: This licensee failed, refused, or neglected to obey a written order of the Commission dated 03-11-2015 by failing to provide proof of successful completion of an Alcohol Server Training Program approved by the Commission within 180 days of the issuance of the license.

Action: Effective 04-15-16, The Commissioner ordered a penalty fine of \$50 for the charge in this matter. The Commissioner further ordered that all licenses and permits are to remain in escrow until all outstanding fines and fees are paid in full, or the licenses and permits are terminated.

Nancy Sue LLC
Hersey Osceola

Charge: This licensee sold or furnished alcohol to an unnamed minor GR-363 (19).

Action: Effective 04-06-2016, The Commissioner ordered a penalty fine of \$500 for the charge in this matter. The Commissioner further ordered the licensee to serve a suspension of 25 continuous days, to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the fine is not paid within 45 days from the mailing date of this order.

Thai Palace Restaurant, Inc.
Holland, Ottawa County

Charge: This licensee cancelled or allowed to lapse its liquor liability insurance policy without providing 30-days prior written notice to the Commission.

Action: Effective 09-23-2016, The Commissioner Ordered a penalty fine of \$100.00 for the charge in this matter. The Commissioner further ordered the licensee to serve a suspension of five (5) continuous days to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the fine is not paid within 45 days from the mailing date of this order.

Thai Palace Restaurant, Inc.
Holland, Ottawa County

Charge: This licensee sold or furnished alcohol to decoy with date of birth, September 14, 1996 (19).

Action: Effective 06-29-2016, The Commissioner ordered a penalty fine of \$700.00 for the charge in this matter. The Commissioner further ordered the licensee to serve a suspension of 35 continuous days to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the fine is not paid within 45 days from the mailing date of this order.

Bogies, LLC
Belding, Ionia County

Charge: 1) This licensee sold or furnished alcoholic liquor to an individual who was in an intoxicated or visibly intoxicated condition; 2) allowed the individual who was in an intoxicated condition, to consume alcoholic liquor on the licensed premises; 3) and allowed the individual to who was in an intoxicated condition to frequent or loiter on the licensed premises.

Action: Effective 07-27-2016, The Commissioner ordered a penalty fine of \$400.00 for charge one (1), and \$100.00 each for charges two (2) and three (3), for a total of \$600.00 for the charges in this matter. The Commissioner further ordered the licensee to serve a suspension of 30 continuous days, to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the fine is not paid within 45 days from the mailing date of this order.

Fox Entertainment Group, Inc.
Cadillac, Wexford County

Charge: This licensee failed, refused, or neglected to have supervisory personnel who maintained active, unexpired server training certification on the licensed premises on each shift and during all hours of alcoholic liquor service.

Action: Effective 09-30-2016, The Commissioner ordered a penalty fine of \$100 for the charge in this matter. The Commissioner further ordered the licensee to serve a suspension of five (5) continuous days, to run consecutively and not concurrently with any other suspension ordered by the MLCC, if the fine is not paid within 45 days from the mailing date of this order.

Sincerely,

Andrew J. Deloney, Chairman
Michigan Liquor Control Commission
AJD/ta