

The Metropolitan Government of Nashville and Davidson County...

Metro Beer Board **Minutes** May 11, 2023

Meeting Date/Location: Thursday, May 11, 2023 @ 12:00 P.M. **Howard Office Building** 700 President Ronald Reagan Way **Sonny West Meeting Room** Nashville, TN 37210

BOARD MEMBERS	STAFF PRESENT	MEMBER ATTENDANCE	OTHERS PRESENT
Mr. Brian Taylor, Chairperson Kia Jarmon, Vice Chairperson Mr. William Conway Ms. Delfine Fox Mr. Joe Perlen Ms. Karolyn Perry Ms. Bailey Spaulding	Benton McDonough, Director Terrence Darby Sr, ASO IV Douglas James Jr, ASO III Darrell Hardrick, Inspector III Melvin S Brown Jr., Special Assistant to the Director Amanda Webb, Inspector I	ATTENDANCE	
Mr. Matthew Garth, Attorney	Herschel French, OSS I		

- * CALL TO ORDER
- * APPROVAL OF THE MINUTES

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If you are not satisfied with a decision of the Metropolitan Beer Permit Board regarding your application or your hearing, you may appeal the decision to the Davidson County Chancery or Circuit Court pursuant to the requirements set forth in T.C.A. 57-5-108. The decisions of the Metropolitan Beer Permit Board take effect on a date to be determined by the board. However, you may file an appeal within 60 days of the date of entry of the board's decision. We advise that you seek your own independent legal advice to ensure that your appeal is filed in a timely manner and that all procedural requirements have been met.

APPROVAL OF MINUTES AND CALL THE MEETING TO ORDER				
Approval of the April 26, 2023, Minutes: Chairman Taylor called the meeting to order at 12:09 P.M. Chairman Taylor made a motion to approve the April 26, 2023, Beer Board Minutes, as presented by staff. Mr. Perlen approved the motion. Ms. Jarmon seconded the motion. The Board then voted unanimously to approve the Minutes. Signature of Chairman	Motion: First: Second: Opposed:			
APPLICATIONS FOR APPROVAL				

(1) Stinson Road LLC, 747 Douglas Ave #105 B 37207, KISSER BBQ

T23-28177

ON-SALE (NEW LOCATION)

(Dist. #05)

(2) Barefoot Entertainment, LLC, 400 Davidson St 37213, NASHVILLE PARTY

T22-27874

BARGE (NOO1)		
MOBBYOB	(OTHER)	(Dist. #06)
MOBBIOB	(OTTLK)	(Dist. #00)
(2) Boundard Entertain	THE LICE ACCORDANGED TO SECURITION OF THE PARTY	T22 27077
	nt, LLC, 400 Davidson St 37213, NASHVILLE PARTY	T22-27877
BARGE (NOO2)		
МОВВУОВ		(Dist. #06)
(4) Barefoot Entertainme	nt, LLC, 400 Davidson St 37213, NASHVILLE PARTY	T22-27878
BARGE (N003)		
МОВВУОВ		(Dist. #06)
(5) Barefoot Entertainme	nt, LLC, 400 Davidson St 37213, NASHVILLE PARTY	T22-27879
BARGE (N004)	, ,	
	(0-11-1)	(5) (105)
MOBBYOB	(OTHER)	(Dist. #06)
(6) Crazy Gnome, LLC, 94	8 Main St 37206, CRAZY GNOME	T23-28269
ON/OFF-SALE	(EXPANSION)	(Dist. #06)
(7) Rhizome Productions	Inc, 700 Woodland St 37206, NASHVILLE ROSÉ	T23-28280
FESTIVAL	·	
	(CDECIAL EVENIT OLD)	(D:et #0C)
SPECIAL	(SPECIAL EVENT OLD)	(Dist. #06)
	May 20, 2023	

(8) Allegiant Air, LLC, 931 Airpo	ort Service Rd 37214, ALLEGIANT AIR	T23-28273
OFF-SALE	(NEW LOCATION)	(Dist. #13)
(9) Tan Assets, LLC, 747 Fessler	rs Ln 37210, THE NASHVILLE TRACTOR (OFFICE)	T23-28189
МОВВУОВ	(NEW LOCATION)	(Dist. #17)
(10) Tan Assets, LLC, 747 Fessler	rs Ln 37210, THE NASHVILLE TRACTOR (OFFICE)	T23-28190
MOBONSALE	(NEW LOCATION)	(Dist. #17)
(11) Tan Assets, LLC, 747 Fessler	rs Ln 37210, THE NASHVILLE TRACTOR (S001)	T23-28191
МОВВУОВ	(NEW LOCATION)	(Dist. #17)
(12) Tan Assets, LLC, 747 Fessler	rs Ln 37210, THE NASHVILLE TRACTOR (S001)	T23-28192
MOBONSALE	(NEW LOCATION)	(Dist. #17)
(13) Tan Assets, LLC, 747 Fessler	rs Ln 37210, THE NASHVILLE TRACTOR (S002)	T23-28193
МОВВУОВ	(NEW LOCATION)	(Dist. #17)
(14) Tan Assets, LLC, 747 Fessler	rs Ln 37210, THE NASHVILLE TRACTOR (S002)	T23-28194
MOBONSALE	(NEW LOCATION)	(Dist. #17)
(15) Honky Tonk Party Express,	T23-28243	
EXPRESS (HEADQUARTERS)		

MOBONSALE	(OTHER)	(Dist. #17)
(16) Honky Tonk Party Express	, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28244
EXPRESS (J001)		
МОВВУОВ	(OTHER)	(Dist. #17)
(17) Honky Tonk Party Express	, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28245
EXPRESS (J002)		
МОВВУОВ	(OTHER)	(Dist. #17)
(18) Honky Tonk Party Express	, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28246
EXPRESS (J003)		
МОВВУОВ	(OTHER)	(Dist. #17)
(19) Honky Tonk Party Express	, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28247
EXPRESS (J004)		
МОВВУОВ	(OTHER)	(Dist. #17)
(20) Honky Tonk Party Express	, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28248
EXPRESS (J005)		
МОВВУОВ	(OTHER)	(Dist. #17)

	s, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28249
MOBBYOB	(OTHER)	(Dist. #17)
	s, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28250
MOBBYOB	(OTHER)	(Dist. #17)
	s, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28251
MOBBYOB	(OTHER)	(Dist. #17)
	s, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28252
MOBBYOB	(OTHER)	(Dist. #17)
(25) Honky Tonk Party Expres.	s, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28253
EXPRESS (J010) MOBBYOB	(OTHER)	(Dist. #17)

(26) Honky Tonk Party Expres.	s, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28254
EXPRESS (J011)		
MOBBYOB	(OTHER)	(Dist. #17)
	s, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28255
EXPRESS (J012)		
MOBBYOB	(OTHER)	(Dist. #17)
(28) Honky Tonk Party Express EXPRESS (J013)	s, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28257
MOBBYOB	(OTHER)	(Dist. #17)
Webbieb	(OTTIEN)	(5130. 1117)
(29) Honky Tonk Party Express EXPRESS (J014)	s, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28258
МОВВУОВ	(OTHER)	(Dist. #17)
	·	. ,
(30) Honky Tonk Party Expres.	s, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28259
EXPRESS (J015)		
МОВВУОВ	(OTHER)	(Dist. #17)

(31) Honky Tonk Part	ty Express, LLC, 1343 Lewis St 37210, HONKY TONK PARTY	T23-28260
EXPRESS (J016)		
МОВВУОВ	(OTHER)	(Dist. #17)
(32) Centennial Park	Conservancy, 2500 West End Ave 37203, MUSICIANS	T23-28214
CORNER		
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #21)
	Spring Series (May 19-20, 26-28, June 2-3, 8-10,	
& 16-	17, 2023), September Sundown (September 1, 9, 15-16, 22, & 29, 2023)	
(33) Positive Push Pro	oductions, LLC, 3 City Ave #500 37209, SAND BAR NASHVILLE	T23-28241
ON-SALE	(EXPANSION)	(Dist. #21)
	Charlotte Ave 37209, PDK SOUTHERN KITCHEN & PANTRY -	T22-27904
CHARLOTTE ON-SALE	(NEW LOCATION)	(Dist. #24)
(35) Hero Doughnuts DOUGHNUTS & BUN	Sylvan Heights, LLC, 4013 Charlotte Ave 37209, HERO	T23-28175
ON-SALE	(NEW LOCATION)	(Dist. #24)

Following Chairman Taylor's reading of the approved applications, Mr. Perlen made a motion to grant final approval. Ms. Jarmon seconded the motion to grant final approval. The Board then voted unanimously to grant final approval.

DEFER INDEFINITELY MISSING DOCUMENTS

(36) The CMA Foundat	T23-28264	
SPECIAL	(SPECIAL EVENT NEW)	
	June 4 - 13, 2023	
(37) Amay LLC, 7250 W	/hites Creek Pike 37080, CHIPS QUIK STOP	T23-28221
OFF-SALE		(Dist. #01)
(38) SUNOCA GAS LLC,	2202 Dickerson Pike 37207, SUNOCA GAS	T23-28276
OFF-SALE	(CHANGE OF OWNERSHIP)	(Dist. #05)
(39) Tony Smokes LLC,	710 Gallatin Ave 37206, VAPE HUB	T23-28278
OFF-SALE	(NEW LOCATION)	(Dist. #05)
(40) Friends of Shelby I	Park and Bottoms, 700 Woodland St 37206, MUSIC CITY	T23-28256
HOT CHICKEN FESTIVA	AL	
SPECIAL	(SPECIAL EVENT OLD)	(Dist. #06)
	July 4, 2023	

(41) Jackalope Brewing Com	pany, LLC, 429 B Houston St 37203, JACKALOPE	T23-28242
BREWING COMPANY		
CATERER		(Dist. #17)
(42) 5409 Restaurant Group	LLC, 609 Merritt Ave 37203, IGGY'S	T23-28265
ON-SALE	(NEW LOCATION)	(Dist. #17)
(43) Operation Stand Down	Tennessee, 501 Benton Ave 37204, MUSIC CITY	T23-28279
BREWERS FEST		
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #17)
	July 14, 2023	
(44) The CMA Foundation, 1.	21 4Th Ave S 37201, CMA FEST 2023	T23-28263
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #19)
	June 4 - 13, 2023	
(45) The CMA Foundation, 2	01 Rep John Lewis Way S 37203, CMA FEST 2023	T23-28266
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #19)
	June 4 - 13,2023	

(46) The CMA Foundation,	222 Rep John Lewis Way S 37203, CMA FEST 2023	T23-28267
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #19)
	June 4 - 13, 2023	
(47) The CMA Foundation,	203 Broadway 37201, CMA FEST 2023	T23-28268
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #19)
	June 4-13,2023	
(48) Nashville State Comm	unity College Foundation, 120 White Bridge Pike	T23-28272
37209, TENNESSEE FLAVO	DRS	
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #24)
	May 16, 2023	
(49) Kormylo, LLC 2002 Ric	chard Jones Rd #B108 37215, THE NEW YORK	T23-28277
BUTCHER SHOPPE		
OFF-SALE	(NEW LOCATION)	(Dist. #25)
(50) Croco Beach Sports Lo	ounge, Inc, 330 Welch Rd 37211, SAFARI RANCH BEACH CLUB	T23-28261
ON-SALE	(NAME CHANGE)	(Dist. #26)
(51) Airport WC Taco Shop	o, Inc, 1609 F Murfreesboro Pike 37217, AIRPORT WC TACO SHO)P T23-28274
ON-SALE	(CHANGE OF OWNERSHIP)	(Dist. #28)

(52) MSE Market LLC, 3769 Murfreesboro Pike 37013, MSE MARKET

T23-28271

OFF-SALE

(CHANGE OF OWNERSHIP)

(Dist. #32)

Following Chairman Taylor's reading of the defer indefinite applications, Ms. Jarmon made a motion to defer the applications indefinitely due to missing documents. Mr. Joe Perlen seconded the motion. The Board then voted unanimously to defer the applications indefinitely.

Ms. Spaulding recused herself on #41.

COMPLAINTS

(53) Tri Star Energy, LLC, 6444 EATONS CREEK RD 37080, SUDDEN SERVICE #8050

21-27471

OFF-SALE (Dist. #01)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age. (1st Offense)

M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises in violation of Section 39-17-1504 - Sale or distribution to underage persons unlawful – Proof of age requirement (a) It is unlawful for any person to sell or distribute any tobacco, smoking hemp, or vapor product to another person who has not attained twenty-one (21) years of age or to purchase a tobacco, smoking hemp, or vapor product on behalf of such person under twenty-one (21) years of age on or about April 13, 2023.) (1st Offense)

STAFF RECOMMENDATION: \$2000 Civil Penalty

(54) Kailas, LLC, 305 W TRINITY LN 37207, LA PARRILLA

18-25612

ON-SALE (Dist. #02)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about April 27, 2023). (1st Offense 2x)

STAFF RECOMMENDATION: \$2000 Civil Penalty

(55) Nada LLC, 600 W TRINITY LN 37207, JOY MARKET

22-27670

OFF-SALE (Dist. #02)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age. (1st Offense)

M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises in violation of Section 39-17-1504 - Sale or distribution to underage persons unlawful – Proof of age requirement (a) It is unlawful for any person to sell or distribute any tobacco, smoking hemp, or vapor product to another person who has not attained twenty-one (21) years of age or to purchase a tobacco, smoking hemp, or vapor product on behalf of such person under twenty-one (21) years of age on or about April 27, 2023). (1st Offense)

STAFF RECOMMENDATION: \$2000 Civil Penalty

(56) Dolgencorp, LLC, 415 Trinity LN 37207, Dollar General Store #11816

10-16719

OFF-SALE (Dist. #05)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of

age. (2nd Offense 2x)

M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises in violation of Section 39-17-1504 - Sale or distribution to underage persons unlawful – Proof of age requirement (a) It is unlawful for any person to sell or distribute any tobacco, smoking hemp, or vapor product to another person who has not attained twenty-one (21) years of age or to purchase a tobacco, smoking hemp, or vapor product on behalf of such person under twenty-one (21) years of age on or about April 27, 2023). (2nd Offense 2x)

STAFF RECOMMENDATION: \$4000 Civil Penalty

(57) Mamdouh Rezk, 1905 Meridian ST 37207, Mary Market

15-17238

OFF-SALE (Dist. #05)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age. (1st Offense 2x)

T.C.A 57-5-301(a)(1) Prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer. (1^{st} Offense 2x)

M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee To allow or engage in any criminal activity on the premises in violation of Section 39-17-1504 - Sale or distribution to underage persons unlawful – Proof of age requirement (a) It is unlawful for any person to sell or distribute any tobacco, smoking hemp, or vapor product to another person who has not attained twenty-one (21) years of age or to purchase a tobacco, smoking hemp, or vapor product on behalf of such person under twenty-one (21) years of age. (1st Offense 2x)

M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee To allow or engage in any criminal activity on the premises in violation of Section 39-17-1504 - Sale or distribution to underage persons unlawful - Proof of age requirement (d) A person engaged in the sale or distribution of tobacco, smoking hemp, or vapor products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser or

recipient may be under thirty (30) years of age on or about April 27, 2023). (1st Offense 2x)

STAFF RECOMMENDATION: \$5000 Civil Penalty

(58) Empire Retail, Inc, 2202 DICKERSON PIKE 37207, QUICK MART

20-27013

OFF-SALE (Dist. #05)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age. (1st Offense)

T.C.A 57-5-301(a)(1) Prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer. (1st Offense)

M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises in violation of Section 39-17-1504 - Sale or distribution to underage persons unlawful – Proof of age requirement (a) It is unlawful for any person to sell or distribute any tobacco, smoking hemp, or vapor product to another person who has not attained twenty-one (21) years of age or to purchase a tobacco, smoking hemp, or vapor product on behalf of such person under twenty-one (21) years of age. (1st Offense)

M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises in violation of Section 39-17-1504 - Sale or distribution to underage persons unlawful - Proof of age requirement (d) A person engaged in the sale or distribution of tobacco, smoking hemp, or vapor products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser or recipient may be under thirty (30) years of age on or about April 27, 2023). (1st Offense)

STAFF RECOMMENDATION: \$3000 Civil Penalty

(59) Nour, LLC, 427 LAFAYETTE ST 37203, FIVE STARS MARKET

17-25330

OFF-SALE (Dist. #19)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age. (1st Offense)

T.C.A 57-5-301(a)(1) Prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer. (1st Offense)

M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises in violation of Section 39-17-1504 - Sale or distribution to underage persons unlawful – Proof of age requirement (a) It is unlawful for any person to sell or distribute any tobacco, smoking hemp, or vapor product to another person who has not attained twenty-one (21) years of age or to purchase a tobacco, smoking hemp, or vapor product on behalf of such person under twenty-one (21) years of age. (1st Offense)

M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises in violation of Section 39-17-1504 - Sale or distribution to underage persons unlawful - Proof of age requirement (d) A person engaged in the sale or distribution of tobacco, smoking hemp, or vapor products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser or recipient may be under thirty (30) years of age on or about April 25, 2023). (1st Offense)

STAFF RECOMMENDATION: \$3000 Civil Penalty

(60) Boqueria Nashville 1 LLC, 5005 BROADWAY PL 37203, BOQUERIA

21-27401

ON-SALE (Dist. #19)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about April 11, 2023). (1st Offense)

STAFF RECOMMENDATION: \$1500 Civil Penalty

(61) WCB Charlotte Ave LLC, 6400 CHARLOTTE PIKE 37209, WALDOS CHICKEN & BEER 22-27747

ON-SALE (Dist. #20)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about May 03, 2023). (1st Offense)

STAFF RECOMMENDATION: \$1500 Civil Penalty

(62) Mapco Express Inc, 4211 CHARLOTTE AVE 37209, MAPCO #3338

18-25763

OFF-SALE (Dist. #24)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age. (1st Offense Responsible Vendor)

M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee To allow or engage in any criminal activity on the premises in violation of Section 39-17-1504 - Sale or distribution to underage persons unlawful – Proof of age requirement (a) It is unlawful for any person to sell or distribute any tobacco, smoking hemp, or vapor product to another person who has not attained twenty-one (21) years of age or to purchase a tobacco, smoking hemp, or vapor product on behalf of such person under twenty-one (21) years of age on or about April 25, 2023). (1st Offense)

STAFF RECOMMENDATION: \$1500 Civil Penalty

19-26200

ON-SALE (Dist. #24)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about May 03, 2023). (2nd Offense)

STAFF RECOMMENDATION: \$2500 Civil Penalty

Following Vice Chairperson Jarmon's reading of the complaints and staff recommendations, Ms. Jarmon made a motion to accept the staff recommendations as read. Mr. Perlen seconded the motion. The Board then voted unanimously to accept the staff recommendations as read.

(64) DISCUSSION

Mr. Matthew Leff – Special Event Rules

Matthew Leff requested the Board consider approving Special Event permits to non-profits in situations where the permitted space is under 100ft from a school property if permission was received from the school principal.

Metro Legal Counsel, Matthew Garth, informed the Board of our current ordinance that pertains to applying for a council exemption by resolution, 7.08.090 (E)(1), which does not include language for a Special Event. The Chairman, Brian Taylor, discussed the fact that we currently issue Special Event permits for events being held in a Metro Park with approval by Metro Parks even though 7.08.090 specifically says that a permit cannot be issued to a location that is less than 100 ft from a park. He believes we may be able to grant the Special Event permit using similar guidelines. No decision was made at this meeting. More discussion is to follow at the next meeting.

(65) ADMINISTRATIVE MATTERS
2023 Privilege Tax Status Update
(66) EXECUTIVE DIRECTORS REPORT
Next Beer Board Meeting: Wednesday, 5/24/23, at 5:30 P.M.
Location: Howard Office Building
Sonny West Meeting Room
700 President Ronald Reagan Way
Nashville, TN 37210
Finding no further business before the Board, Chairman Taylor adjourned the meeting at 12:41 P.M.
at 12.41 P.IVI.

