



FLOYD COUNTY ALCOHOL CONTROL COMMISSION

July 28, 2022

County Administration Building
Suite 206 2:00 pm

STAFF PRESENT:

Scotty Hancock, *ACC Chair, Board of Commissioners*
Spencer Brewer, *ACC*
Stuart Neslin, *ACC*
Paul Carter, *ACC*
Chris Jackson, *County Attorney*
Jamie McCord, *County Manager*
Erin Elrod, *County Clerk*
Mark Wallace, *Chief, Floyd County Police*
Jeff Jones, *Floyd County Police*
Hollis Barton, *Assistant County Clerk*
Amy Dawkins, *Assistant County Clerk*
Jada Dublin, *County Manager's Office*

OTHERS PRESENT:

Chris Twyman
Wade Hoyt IV
Vivek Patel
April Barot

I. Call to Order

Commissioner Hancock called the meeting to order.

II. Approval of the April 12, 2022 Hearing Minutes

The minutes were approved by common consent.

III. **Hearing:** Non-Renewal of License for 3560 Alabama Highway, Rome pursuant to § 2-4-16, et seq. of the Floyd County, Georgia Code of Ordinances due to concerns over a purported Floyd County alcoholic beverage license for 3560 Alabama Highway, Rome, Georgia 30165.

County Attorney Chris Jackson gave an overview of the case regarding 3560 Alabama Highway and a history of the applications associated with it, as well as the ongoing building code violations causing a delay to approve the original application. Mr. Jackson then gave an overview of the Department of Revenue contacting the County Clerk's Office to verify a license approval, which brought

forth the State application filed under false pretenses unbeknownst to the applicant, per April Barot, who filed with the State.

Mr. Jackson stated however, we should only base this hearing and decision on the pending renewal filed by Mr. Moez Badruddin Mawji Essa. Mr. Jackson then asked Assistant County Clerk Hollis Barton to present the evidence regarding the renewal application. Mr. Jackson then placed Mrs. Barton under oath.

Mrs. Barton then introduced herself and stated on September 30, 2021 the application was submitted by Moez. Mr. Jackson then brought the application to the attention of the Alcohol Control Commission and asked Mrs. Barton if it was the application she was referring to. Mrs. Barton stated that it was.

Mrs. Barton then gave an overview regarding the application and the Department of Revenue contacting her on June 22nd, 2022 to verify an address on a submission for the same location. Mr. Jackson then questioned Mrs. Barton verifying the evidence and the events surrounding it.

Mr. Jackson asked Mrs. Barton if she had any contact with April Barot before that point, she stated she had not. Mr. Jackson then asked Mrs. Barton if the license that was submitted was an accurate representation of the license submitted to the State, Mrs. Barton stated that it was. Mr. Jackson asked Mrs. Barton if that had been submitted by April Barot, Mrs. Barton stated that it was not. Mr. Jackson then verified the expiration dates of the 2021 license held by 3560 Alabama Highway.

Mr. Jackson then asked Mrs. Barton to verify the events afterward and the last contact she had with Mr. Mawji Essa. Mrs. Barton stated the best she could estimate was early January of 2022, and that several people had stated they were told Mr. Mawji Essa was out of the country. Mr. Jackson then verified that the evidence submitted to the Alcohol Control Commission were true and accurate statements. Mrs. Barton confirmed that they were.

Mr. Jackson then asked if Shrivishnu 22 Inc. had submitted an application to date. Mrs. Barton confirmed there had not. Mr. Jackson then asked if Ms. Barot was attempting to submit an application, Mrs. Barton stated no, Ms. Barot had stated she was no longer involved.

Mr. Jackson then stated Mr. Wade Hoyt IV was here with a client who was now involved with the location. Mr. Jackson asked Mrs. Barton if Elite 101 had attempted to apply for an alcohol license with Floyd County, Mrs. Barton stated yes they had but she had not accepted the application due to the ongoing investigation. Mr. Jackson then asked Mrs. Barton to give an overview of the investigation process for a Floyd County alcohol license. Mrs. Barton then gave an overview stating the application goes through the Chief of Police, Tax Commissioner, Fire, Building, and then to the Health Department for the final signature for approval, where it then returns to the Clerk's Office for approval or denial. Mr. Jackson asked with the

investigation process, does the Police Department look into issues related to the location as well as the applicant. Mrs. Barton stated she believed they were able to do so within our Ordinance.

Mr. Jackson then placed April Barot under oath. Mr. Jackson then stated to Ms. Barot while she is not the one under investigation, he did want to make clear that she did have the right to refuse to answer a question under the Fifth Amendment.

Mr. Jackson then asked Ms. Barot if she had ever filed for a local alcohol license, Ms. Barot stated she had not. Mr. Jackson then asked if she had filed for a state alcohol license. Ms. Barot stated she had not. Mr. Jackson then asked questions regarding how she had acquired the property. Ms. Barot stated they were in the process of obtaining the store and had a lease in place. Mr. Jackson asked if Ms. Barot knew who filed the application under her name; she stated she had suspicions, but could not confirm. Mr. Jackson asked if she knew Moez, Ms. Barot stated she had never seen him but had heard his name.

Mr. Jackson then addressed the board and their options for proceeding with the hearing. Mr. Brewer asked where the original false application was at this time. Mr. Jackson stated the State had possession of it.

Mr. Brewer asked Ms. Barot who Adorna was; Ms. Barot stated that was her middle name. Mr. Brewer then asked Ms. Barot if she knew the gentleman Mr. Hoyt was representing, Ms. Barot stated she did not.

Mr. Carter asked regarding the North Rome location, if they were doing business as Citgo, Mr. Jackson confirmed that they were and that he had license applications going back to 2017, with the 2020 application listing Charles Cary Stevenson as the manager and Pirani Pahrin as the owner, attempts being made to contact both parties regarding the hearing, however they came back as undeliverable to 50 Heritage Way, the residential address listed on the application.

Commissioner Hancock asked if there were any other people to be called as witnesses. Mr. Jackson stated he would turn the floor over to Mr. Hoyt. Mr. Hoyt then presented the events that transpired on behalf of his client, Mr. Patel, who was planning to apply for an alcohol license for that location and how he purchased the property from the controlling member of Rome Enterprise, LLC, Karim Dholikiya. Mr. Hoyt stated he had all the documents verifying the purchase. Mr. Hoyt then inquired if this pending application would affect Mr. Patel's future application. Mr. Jackson confirmed the process would be after the Board of Commissioners approved or denied this application; Mr. McCord stated Mr. Patel could file an application on August 10th.

Mr. Jackson then gave a final overview of the applications that had been filed and their addresses listed as their residential address.

Mr. Twyman then stated he was there on behalf of the property owner, and the issue at hand was for the applicant, Mr. Mawji Essa and that the position of the proprietor was that the renewal application should be denied. Mr. Twyman then stated while his client lives in Atlanta, he did still have interest in the property being the landlord. Mr. Twyman wanted to clarify they were not a party or an applicant and their interest was solely for the property itself as the landlord and asked the application be denied.

Mr. Jackson then suggested the Alcohol Control Commission move forward with a recommendation of denying Mr. Mawji Essa. Stated he did not believe there could be further action regarding the property, however that could be handled during the investigation process of the next application if need be.

Mr. Brewer asked Mr. Jackson if alcohol was being sold at that property at this time. Mr. Jackson confirmed after the State and County Police visited the property to revoke the license, they had not been selling alcohol to his knowledge. Mr. Jackson clarified that was not under Mr. Patel's name. Mr. Brewer asked if the check written to the County for the renewal application would be refunded, Mr. Jackson stated under our local ordinance it would not, which Mr. McCord confirmed.

Commissioner Hancock asked for a motion. Mr. Brewer made a motion to accept the proposal of denial, seconded by Mr. Carter. The motion carried 4-0.

IV. Adjourn

There being no further business to come before the Alcohol Control Commission, Mr. Carter made a motion to adjourn the meeting, seconded by Mr. Brewer. The motion carried.