

**NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL
COMMISSION MEETING MINUTES
August 14, 2024**

The following narrative summarizes the North Carolina Alcoholic Beverage Control Commission (hereinafter “Commission”) meeting held at 400 East Tryon Road in Raleigh, North Carolina, on August 14, 2024, beginning at 10:00 AM. The meeting was recorded, and a copy of the recording is on file at the Commission within the Legal Section.

ROLL CALL AND ANNOUNCEMENTS

Chairman Hank Bauer called the August 14, 2024, Commission meeting to order, introduced himself, and welcomed Commissioner La’Tanta (L.T.) McCrimmon, Commissioner David Sherlin, Deputy Commissioner Mike DeSilva, Legal staff, and General Counsel Stacey Carter-Coley.

CONFLICTS OF INTEREST

In compliance with N.C.G.S. §138A-35, Chairman Bauer asked if there were any conflicts of interest or any conditions or facts that might create the appearance of a conflict of interest concerning any matters on the agenda. There were no conflicts or appearances of a conflict.

AUGUST 14, 2024, AGENDA

Chairman Bauer asked if there were any requests to make changes to the agenda. General Counsel Stacey Carter-Coley stated there were no changes to the agenda. Chairman Bauer made a motion to follow the agenda as presented. Commissioner Sherlin seconded the motion. A vote was held, and the motion passed.

Chairman Bauer stated it would be an appropriate time to adopt the agenda for August 14, 2024. Commissioner Sherlin made a motion to adopt the agenda. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed.

MINUTES OF THE JULY 10, 2024, COMMISSION MEETING

Chairman Bauer asked the Commissioners if they received a copy of the July 10, 2024, Commission meeting minutes and had an opportunity to review them. They stated they had. Chairman Bauer stated he received a copy as well and reviewed it.

Commissioner McCrimmon made a motion to waive the reading of the minutes of the July 10, 2024, meeting. Commissioner Sherlin seconded the motion. A vote was held, and the motion passed.

Commissioner Sherlin made a motion to approve the minutes of the July 10, 2024, meeting. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed.

I. HEARING CASES AND OFFERS IN COMPROMISE – 70

General Counsel Stacey Carter-Coley asked if there was anyone there who would like to speak on any of the Offers in Compromise. There was no response and Mrs. Carter-Coley stated there were 70 cases for the Commission's consideration regarding acceptance of the Offers in Compromise.

Chairman McCrimmon made a motion to accept the 70 Offers in Compromise. Commissioner Sherlin seconded the motion. A vote was held, and the motion passed.

II. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – THE WELLS BREWING, LLC T/A WHITESIDE BREWING COMPANY; AND NC-III RIDGELINE, LLC T/ALAKE LURE INN AS WELL AS NC-III RIDGELINE LL TOURS, LLC T/A LAKE LURE TOURS

Chairman Bauer recognized Assistant General Counsel Renee Metz regarding this exemption request.

Mrs. Metz explained that Michael Boyer is the attorney for this matter and she believed he did not intend on attending and she had forwarded him a draft of the proposed Order. Mrs. Metz explained that the caption looks slightly different because the applicants who will be using this exemption are currently under the period authorized by statute. She stated that this is a standard exemption request including using an independent manager in charge of ordering all the alcoholic beverage products so that no owner or co-owner would have any influence over the products being ordered and selling a fair market share of other products at fair and reasonable prices.

Commissioner Sherlin made a motion to approve this exemption request. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed.

III. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – SHELTON VINEYARDS, INC.; CEZ, LLC; VILLAGE MARKET AT SHELTON VINEYARDS, LLC; THE SHELTON COMPANIES, LLC; CHARLES M. SHELTON'S WIFE'S TRUST; CHARLES M. SHELTON, JR.; AMANDA S. HOUSER; AND MANCHI, LLC

Chairman Bauer recognized Assistant General Counsel Renee Metz regarding this exemption request.

Mrs. Metz explained that Hardy Lewis is the attorney for this matter. Mrs. Metz explained that this is similar to a standard exemption request just a little different because it's a winery. Shelton Vineyards already has several retail outlets and is looking to invest in a Hampton Inn. She stated that because it does have a Hampton Inn trade name, that Shelton Vineyards agreed to carry other products. Beyond this slight difference, standard conditions apply.

Commissioner McCrimmon made a motion to approve this exemption request. Commissioner Sherlin seconded the motion. A vote was held, and the motion passed.

IV. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – J&H MATTHEWS, LLC; T/A JEKYLL & HYDE TAPHOUSE AND GRILL, J&H BELMONT, LLC DBA JEKYLL & HYDE RESTARANT AND BREWERY, AND J&H WAXHAW, LLC DBA JEKYLL & HYDE RESTAURANT AND DISTILLERY

Chairman Bauer recognized Assistant General Counsel Renee Metz regarding this exemption request.

Mrs. Metz explained that John Szymankiewicz is the attorney for this matter. Mrs. Metz explained that this is a request for a distillery so any products going to other affiliated locations must go through the ABC system. She explained that other than that, this is a standard exemption request with the normal conditions.

Chairman Bauer made a motion to approve this exemption request. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed.

V. ABC STORE LOCATION – SPARTA ABC BOARD
(104 Blue Ridge Street, Sparta, NC)

Chairman Bauer recognized Mike DeSilva to summarize the investigative report for the proposed location. Mr. DeSilva stated on April 9, 2024, the Sparta ABC Board requested approval from the Commission to purchase property and build a new building to operate an ABC Store at 104 Blue Ridge Street, in Sparta, NC. This would be a relocation of the current store and would open the third quarter of 2025.

Mr. DeSilva summarized the proposed location, zoning, property ownership, and building information. He stated that all ABC requirements had been met and there were no public comments or objections received regarding the new location. Mr. DeSilva asked the Commission to consider the information shared.

Chairman Bauer asked if the Commissioners had any questions. They both stated they did not.

Commissioner Sherlin made a motion to approve the Sparta ABC store location. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed.

VI. ABC STORE LOCATION – NEW HANOVER COUNTY ABC BOARD
(4840 Carolina Beach Road, Wilmington, NC)

Chairman Bauer recognized Mike DeSilva to summarize the investigative report for the proposed location. Mr. DeSilva stated on May 24, 2024, the New Hanover County ABC Board requested approval from the Commission to purchase property and build a new building to operate an ABC Store at 4840 Carolina Beach Road, in Wilmington, NC. This would be an additional store. If approved, the Board intends to open the new store in early 2025 after completing renovations as this was an auto parts store prior.

Mr. DeSilva summarized the proposed location, zoning, property ownership, and building information. He stated that all ABC requirements had been met and there was one public comment or objection received regarding the new location. Mr. DeSilva asked the Commission to consider the information shared.

Chairman Bauer asked if the Commissioners had any questions. They both stated they did not.

Chairman Bauer made a motion to approve the New Hanover County ABC store location. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed.

VII. OTHER BUSINESS

Chairman Bauer asked if there was any other business.

General Counsel Stacey Carter-Coley stated there was no other business.

Chairman Bauer stated the next Commission meeting would be held Wednesday, September 18, 2024, beginning at 10:00 AM at the ABC Commission.

Chairman Bauer adjourned the August 14, 2024, Commission meeting.

/S/ Hank Bauer

Hank Bauer, Chairman
N.C. Alcoholic Beverage Control Commission

Respectfully submitted by,

/S/ Alison K. Ortman

Alison K. Ortman for the Legal Section

Approved at the September 18, 2024, Commission meeting.