

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION
Meeting Minutes - December 10, 2025
400 East Tryon Road, Raleigh, North Carolina
Hearing Room 101

CALL TO ORDER AND ROLL CALL

The North Carolina Alcoholic Beverage Control Commission (“Commission”) held its regular monthly meeting on December 10, 2025. Chairman Hank Bauer called the meeting to order at 10:02 a.m., welcomed attendees, and introduced Commissioner La’Tanta (L.T.) McCrimmon, Commissioner David Sherlin, and General Counsel Stacey Carter-Coley. Greg Stallings attended on behalf of Deputy Commissioner Mike DeSilva. Members of the Commission’s legal staff were also present.

CONFLICTS OF INTEREST

In compliance with N.C.G.S. §138A-35, each Commission member confirmed that they had reviewed the meeting agenda and identified no actual or potential conflicts of interest.

APPROVAL OF THE DECEMBER 10, 2025, AGENDA

General Counsel Stacey Carter-Coley requested removal of Agenda Item II, a hardship waiver request for Spirit Mart LLC T/A Spirit Mart, and removal of Hearing Case #45, Glenn Discount, Inc T/A Glenn Deli and Grocery.

- Chairman Bauer moved to adopt the agenda with the requested revisions.
- Commissioner Sherlin seconded.
- The motion passed unanimously.

APPROVAL OF THE NOVEMBER 5, 2025, MEETING MINUTES

Commission members confirmed that they had reviewed the minutes from the November 5, 2025, meeting.

- Commissioner McCrimmon moved to waive the reading of the minutes.
- Commissioner Sherlin seconded.
- The motion passed unanimously.

- Commissioner Sherlin then moved to approve the minutes as presented.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

I. HEARING CASES AND OFFERS IN COMPROMISE – 84

General Counsel Carter-Coley presented 84 offers in compromise for the Commission’s consideration and recommended ratification of all 84 cases.

- Commissioner Sherlin moved to ratify the 84 offers in compromise.
 - Commissioner McCrimmon seconded.
 - The motion passed unanimously.
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II. HARDSHIP WAIVER REQUEST PURSUANT TO N.C.G.S. §18B-900 – SPIRIT MART LLC T/A SPIRIT MART (00304388AK-999); MOHAMED TAHER NAGI

This item was removed from the agenda.

III. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – BOND BROTHERS BEER COMPANY, LLC T/A BOND BROTHERS BEER COMPANY; STANDARD BEER & FOOD, LLC T/A STANDARD BEER & FOOD; FORTNIGHT BREWING, INC. T/A FORTNIGHT BREWING; SEIRIOS, LLC. T/A STARPOINT BREWING; AND WHITNEY BAKER

Assistant General Counsel Renee Metz presented a request to amend a previously granted exemption due to changes in ownership and business structure. She explained that the prior exemption included Ancillary Brewing, which was no longer in operation. Whitney Baker, who was previously listed as holding a 20% ownership interest in Fortnight Brewing, was now listed as 0% ownership. The request added a new brewery, Starpoint Brewing, to which Mr. Baker also held interest. Ms. Metz advised that the amended request clarified that Mr. Baker was the only individual with an ownership interest across the related entities and that the request should be treated as an amended exemption rather than a new order.

Staff recommended approval of the request on the condition that no brewery would sell the products of any other party to the exemption, absent further approval by the Commission.

- Commissioner Sherlin moved to amend the exemption order.
 - Commissioner McCrimmon seconded.
 - The motion passed unanimously.
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IV. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – THE THREE RING BREWING CO., LLC T/A HI-WIRE BREWING; JOYFUL NOISE HIFI, LLC; CHRISTOPHER FROSAKER; AND BRYNA FROSAKER

Assistant General Counsel Metz presented an exemption request involving the Frosakers’ ownership interests in both commercial and retail permittees operating under separate entities. She explained that the parties had agreed to conditions providing that Joyful Noise Hifi would not sell or serve Three Ring

Brewing malt beverage products but could order spirituous liquor products produced by Three Ring Brewing through the local ABC board system. She further advised that spirituous liquor products produced by Three Ring Brewing and sold at Joyful Noise Hifi should not exceed reasonable market share.

Ms. Metz stated that the Frosakers would not manage the Joyful Noise Hifi retail location and that an independent manager would control the ordering of alcoholic beverages.

Based on the information presented and the agreed-upon conditions, staff recommended approval of the exemption request.

- Commissioner McCrimmon moved to approve the exemption request.
- Commissioner Sherlin seconded.
- The motion passed unanimously.

V. AMEND EXEMPTION ORDER REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – SUFFOLK PUNCH HOLDINGS, LLC; NOBLE SMOKE, LLC; BOSSY BEAUTY’S CHICKEN SHACK (I, II, 3, 4, 5, 6, 7), LLC; HARRIET’S HAMBURGERS BB, LLC; HARRIET’S HAMBURGERS II, LLC; HARRIET’S HAMBURGERS VII LLC; GLEN D. CHERRY; AND CHARLES C. RICKS

Assistant General Counsel Metz presented a request for a second amended exemption order, involving Suffolk Punch Holdings, LLC and affiliated retail entities. The request involved the addition of two retail locations: a second affiliated retail location for Suffolk Punch Brewing and a new Harriet’s Hamburgers location.

Because the Noble Smoke location was already authorized as a satellite retail location of Suffolk Punch Brewing, approval of the amended request would result in the maximum number of affiliated retail locations permitted to sell Suffolk Punch products. Staff therefore included a condition allowing Glen Cherry and Charles Ricks to serve as managers at any Suffolk Punch location due to authorized brand exclusivity, while prohibiting them from managing any of the other affiliated entities. All other standard exemption conditions would continue to apply.

Staff recommended approval of the amended exemption order.

- Commissioner McCrimmon moved to approve the amended exemption order.
- Commissioner Sherlin seconded.
- The motion passed unanimously.

**VI. ABC STORE LOCATION – BELVILLE ABC BOARD
(10340 OLD BLACKWELL ROAD, BELVILLE, NC)**

Pricing and Products Supervisor Greg Stallings presented a request from the Belville ABC Board seeking approval to purchase property and construct a new ABC store at 10340 Old Blackwell Road, Belville, North Carolina, to replace the existing store located at 44 River Road SE.

Key details of the request included:

- The proposed location was a vacant lot within the town limits of Belville and was appropriately zoned for retail alcohol sales.
- The estimated building size was approximately 8,000 square feet, with approximately 4,000 square feet designated for retail and mixed beverage sales and the remaining space to be used for warehouse and operational purposes.
- The property was owned by Belville Funding, LLC, and staff confirmed that there were no shared personal or financial interests between the property owner and the Belville ABC Board.
- All board members submitted required financial disclosures, and no conflicts of interest were identified.
- The Board anticipated opening the new store in early 2028, with projected first-year sales exceeding \$3.1 million.
- The nearest school was approximately 1.3 miles away, the nearest church was approximately 0.3 miles away, and the nearest ABC store was approximately 2.7 miles from the proposed location and was operated by the Belville ABC Board.
- A public notice announcing the Board’s intent to open a new ABC store was properly posted and verified by ABC Compliance staff as meeting all regulatory requirements.

Joe Henson, Chairman of the Belville ABC Board, addressed the Commission and explained that the relocation was necessary due to planned roadway improvements that would significantly impact parking at the current store location.

Staff advised that all requirements of Chapter 18B were satisfied and requested that the Commission consider the information shared.

- Commissioner Sherlin moved to approve the new store location.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

VII. RULEMAKING REQUEST PURSUANT TO N.C.G.S. §150B-20(a) AND 14B NCAC 15A .0401 – NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD

The Commission heard a presentation from Jeffrey P. Gray, attorney for the North Carolina Private Protective Services Board (“PPSB”), regarding concerns about armed security personnel operating in ABC-permitted establishments without proper PPSB licensure. Mr. Gray described PPSB’s statutory authority over private protective services, recent legislative changes related to armed security, and enforcement challenges encountered by the Board.

Mr. Gray requested that the Commission consider whether rulemaking or other measures could be used to provide additional notice to ABC permittees regarding licensing requirements applicable to armed security personnel.

Commission members and staff discussed the Commission’s authority under Chapter 18B and the Administrative Procedures Act. Assistant General Counsel Renee Metz advised that the Commission

cannot restate or enforce PPSB statutory requirements through ABC rulemaking and that permittees already certify compliance with all applicable laws, including private protective services statutes, during the permit application process.

Commissioner McCrimmon asked what outreach or education efforts are currently undertaken by the PPSB to inform businesses of licensing requirements. Mr. Gray described PPSB’s existing outreach efforts and acknowledged ongoing challenges in ensuring awareness and compliance.

Ms. Metz noted that the requested information regarding mixed beverage permittees is available on the Commission’s website. General Counsel Carter-Coley further advised that the Commission’s Education and Outreach Section has incorporated this information into its training programs, including the initial permittee training course.

- Commissioner Sherlin moved to table this issue until the January 2026 Commission meeting for further review.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

VIII. MANDATORY RULES REVIEW – 14B NCAC 15C SECTIONS .0400-.0600
a. CONSIDERATION OF PUBLIC COMMENTS; AND
b. ADOPTION FOR SUBMISSION TO THE RULES REVIEW COMMISSION

Ms. Metz reported that proposed amendments to 14B NCAC 15C, Sections .0400 through .0600, were approved for publication by the Commission at its September 9, 2025, meeting. The proposed rules, along with notices of public hearing and written comment period, were filed with the Office of Administrative Hearings on September 10, 2025, published in the North Carolina Register on October 1, 2025, posted on the Commission’s website, and distributed to the rulemaking interested persons list.

Ms. Metz advised that the public hearing was properly noticed and held on November 5, 2025, at 10:00 a.m. and that the written public comment period closed on December 1, 2025. No comments were received at the public hearing. On October 23, 2025, the North Carolina Beer and Wine Wholesalers Association submitted written comments regarding Rules .0403, .0504, .0602, and .0606.

Ms. Metz summarized staff’s responses to those comments, including addition of the word “different” to Rule .0403; clarification of age-related language in Rule .0504; updates to statutory references in Rule .0602; and clarification to Rule .0606.

Staff recommended adoption of the amendments to 14B NCAC 15C, Sections .0400 through .0600, as published in the North Carolina Register and as amended, filing the rules with the Office of Administrative Hearings for submission to the Rules Review Commission, and authorization for staff to make non-substantive technical changes prior to publication.

- Chairman Bauer moved to adopt the amendments as presented.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

IX. OTHER BUSINESS

Commissioner Sherlin acknowledged his two-year anniversary with the Commission and expressed appreciation for the staff and fellow Commissioners.

ANNOUNCEMENTS

Chairman Bauer announced that the next Commission meeting would be held on Wednesday, January 14, 2026, at 10:00 a.m.

ADJOURNMENT

There being no further business, Chairman Bauer adjourned the meeting at 10:44 a.m.

** Approved at the January 2026 Commission meeting.*

/S/ Hank Bauer

Hank Bauer, Chairman
North Carolina Alcoholic Beverage Control Commission

Respectfully submitted,

/S/ Jennifer Temple

Jennifer Temple, for the Legal Section