

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION
Meeting Minutes - January 14, 2026
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 January 14, 2026. Chairman Hank Bauer called the meeting to order at 10:00 a.m., welcomed attendees, and introduced Commissioner La’Tanta (L.T.) McCrimmon, Commissioner David Sherlin, and Deputy Commissioner Mike DeSilva. Assistant General Counsels Renee Metz and Kirstin Greene attended on behalf of General Counsel Stacey Carter-Coley. Members of the Commission’s legal staff were also present.

Chairman Bauer took a point of personal privilege to recognize Paul Powell, who was present at the meeting. Chairman Bauer noted that Mr. Powell was a former Chairman of the ABC Commission and was retiring following a long and successful career in the beer and wine industry. Chairman Bauer thanked Mr. Powell for his service to the State.

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 JANUARY 14, 2026, AGENDA

Assistant General Counsel Renee Metz requested that Agenda Item IV, a rulemaking request from the North Carolina Private Protective Services Board, be removed from the agenda due to a written request from counsel indicating a scheduling conflict and requesting that the matter be continued to a later meeting.

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

APPROVAL OF THE DECEMBER 10, 2025, MEETING MINUTES

Commission members confirmed that they had reviewed the minutes from the December 10, 2025, meeting.

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

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

I. HEARING CASES AND OFFERS IN COMPROMISE – 86

Assistant General Counsel Kirstin Greene presented 86 offers in compromise for the Commission’s consideration and recommended ratification of all 86 cases. She asked whether anyone present wished to be heard on behalf of any of the cases. No one came forward.

- Commissioner Sherlin moved to ratify the 86 offers in compromise.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

II. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – SOUTHERN PEAK BREWERY, LLC T/A SOUTHERN PEAK BREWERY; PEAK CITY BREWING COMPANY, LLC T/A SOUTHERN PEAK TAPROOM AND PIZZERIA; NATHAN POISSANT; ANTHONY MASINO; AND KENNETH MICHALSKI

Assistant General Counsel Metz presented an exemption request arising from proposed ownership interests held by the principals of Southern Peak Brewery, a commercial brewery permittee that also operates an adjacent retail location, and their participation with a third individual in an additional, separate retail establishment, Peak City Brewing Company. Under the proposed ownership structure, each of the three individuals would hold a one-third ownership interest in the Peak City Brewing Company retail location.

Ms. Metz explained that the request constituted a standard exemption scenario and that staff recommended approval with the condition that the brewery owners would be prohibited from serving as managers of the Peak City Brewing Company retail location, in addition to all other applicable statutory restrictions and standard Commission conditions.

Counsel for the petitioners, John Szymankiewicz, was present and indicated agreement with staff’s recommendation.

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

III. ABC STORE LOCATION – MECKLENBURG COUNTY ABC BOARD (20215 WEST CATAWBA AVENUE, CORNELIUS, NC)

Deputy Commissioner Mike DeSilva presented a request from the Mecklenburg County ABC Board seeking approval to purchase property and construct a new ABC store at 20215 West Catawba Avenue in Cornelius, North Carolina. The proposed store would replace an existing ABC store that was planned for conversion into a mixed beverage store.

Key details of the request included:

- The proposed property was located within the City of Cornelius and was appropriately zoned for the commercial sale of alcoholic beverages.

- The estimated building size was approximately 6,700 square feet and included plans for a loading dock.
- The property was owned by FHNC 20151 West Catawba, LLC.
- Required financial disclosures were submitted by board members, and staff confirmed no conflicts of interest were identified between the property owner and the Mecklenburg County ABC Board.
- The Board anticipated opening the new store in late 2026 or early 2027, with projected first-year sales of approximately \$8 million.
- The nearest school and nearest church were each located approximately one-half mile from the proposed location.
- The nearest ABC store was located approximately five miles away and was operated by the Mecklenburg County ABC Board.
- A public notice announcing the Board’s intent to open a new ABC store was properly posted and verified by ABC staff as meeting all statutory and regulatory requirements.

Deputy Commissioner DeSilva advised that one inquiry had been received regarding the proposed store location, but no formal objections were submitted. He then concluded that all requirements of Chapter 18B had been satisfied and requested that the Commission consider the information presented.

- Commissioner McCrimmon moved to approve the Board’s request.
- Commissioner Sherlin seconded.
- The motion passed unanimously.

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

This item was removed from the agenda to be continued to a future meeting.

V. MANDATORY RULES REVIEW PURSUANT TO N.C.G.S. §150B-21.3A – PUBLIC HEARING FOR 14B NCAC 15C, RULE .0103 AND SECTION .0700

Chairman Bauer opened the public hearing regarding the readoption of 14B NCAC 15C, Rule .0103 and Section .0700. Assistant General Counsel Metz reminded the Commission that the public comment period remained open through February 13, 2026, and that no action was required at the current meeting.

Chairman Bauer asked whether anyone present wished to comment on the proposed rules. Hearing none, he closed the public hearing.

VI. OTHER BUSINESS

Assistant General Counsel Greene proposed Commission meeting dates for May 2026 through December 2026:

- Wednesday, May 13, 2026, at 10:00 a.m.
 - Wednesday, June 10, 2026, at 10:00 a.m.
 - Wednesday, July 8, 2026, at 10:00 a.m.
 - Wednesday, August 12, 2026, at 10:00 a.m.
 - Wednesday, September 9, 2026, at 10:00 a.m.
 - Wednesday, October 14, 2026, at 10:00 a.m.
 - Wednesday, November 18, 2026, at 10:00 a.m.
 - Wednesday, December 9, 2026, at 10:00 a.m.
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- Commissioner Sherlin moved to approve the proposed Commission meeting dates.
 - Commissioner McCrimmon seconded.
 - The motion passed unanimously.

ANNOUNCEMENTS

Chairman Bauer announced that the next Commission meeting would be held on Wednesday, February 11, 2026, at 10:00 a.m.

ADJOURNMENT

There being no further business, Chairman Bauer adjourned the meeting at 10:11 a.m.

/S/ Hank Bauer

Hank Bauer, Chairman
North Carolina Alcoholic Beverage Control Commission

Respectfully submitted,

/S/ Jennifer Temple

Jennifer Temple, for the Legal Section

*Approved at the February 11, 2026 Commission meeting