

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION
Meeting Minutes – March 11, 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 March 11, 2026. Chairman Hank Bauer called the meeting to order at 10:01 a.m., welcomed attendees, and introduced Commissioners La’Tanta (L.T.) McCrimmon and David Sherlin as well as Deputy Commissioner Mike DeSilva. Assistant General Counsels Renee Metz and Kirstin Greene attended on behalf of General Counsel Stacey Carter-Coley. Additional 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 MARCH 11, 2026, AGENDA

Assistant General Counsel Renee Metz reported that there were no requests to make changes to the agenda.

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

APPROVAL OF THE FEBRUARY 11, 2026, MEETING MINUTES

Commission members confirmed that they had reviewed the minutes from the February 11, 2026, 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 – 100

Assistant General Counsel Kirstin Greene presented 100 Offers in Compromise for the Commission’s consideration and called attention to the Offer in Compromise for case #37, Dejavu Entertainment LLC. She explained that the violation involved failure to file audit reports, which warranted cancellation of the mixed beverage ABC permit only. However, the Offer in Compromise incorrectly reflected cancellation of all ABC permits.

Staff recommended amending the offer to reflect cancellation of only the mixed beverage ABC permit rather than all ABC permits held by the establishment.

- Commissioner Sherlin moved to amend the Offer in Compromise for case #37 in accordance with staff's recommendation.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

- Commissioner McCrimmon then moved to ratify all 100 Offers in Compromise, including the amendment for case #37.
- Commissioner Sherlin seconded.
- The motion passed unanimously.

II. NOTICE OF INTENT TO REVOKE PURSUANT TO N.C.G.S. §18B-104(a)(2) – TOUCHDOWN SPORTS BAR LLC T/A TOUCHDOWN SPORTS BAR (00282221AJ – 999)

Assistant Counsel Rachel Spears presented a Notice of Intent to Revoke the ABC permits issued to Touchdown Sports Bar LLC T/A Touchdown Sports Bar, located in Raleigh, North Carolina. She explained that the permittee currently held on-premises malt beverage and unfortified wine permits, as well as a mixed beverage restaurant permit.

Ms. Spears stated that the Legal Section had received six violation reports from various law enforcement agencies since September 2022, with fifteen pending violations stemming from the four most recent reports. These violations included drug offenses and violent criminal activity occurring between June 2025 and February 2026.

She further detailed that on or about February 15, 2026, a shooting incident occurred inside the establishment, resulting in at least two patrons sustaining gunshot wounds. Law enforcement was not contacted by the permittee or its employees, and upon arrival, officers were denied entry. After obtaining a search warrant, officers observed that the scene had been altered, including blood-covered materials located in a trash receptacle.

Ms. Spears noted that officers from Raleigh Police Department, Alcohol Law Enforcement, and Wake County ABC Law Enforcement were present to show their support for the proposed revocation and were available to answer any questions the Commission may have.

Ms. Spears stated that pursuant to N.C.G.S. §18B-104(a)(2), the Commission had the authority to revoke ABC permits for violations of ABC law. She stated that the Notice of Intent to Revoke was properly served by ALE on February 25, 2026, by leaving a copy of the notice and supporting affidavits at the location with the bar manager, Shannon Harris.

Kimberly Nicole Woods, the sole listed member of Touchdown Sports Bar LLC, contacted the Commission on or about March 4, 2026, stating she had not received the notice. Copies of the notice, supporting affidavits, and the return of service were emailed to her the same day. She was also notified,

both verbally and via email, that materials for the Commission's consideration were due by March 9, 2026, at 12:00 p.m. No materials were submitted by that deadline.

Ms. Spears recommended a seven-day suspension of all ABC permits, as authorized by N.C.G.S. §18B-104(a)(1), to allow the permittee an opportunity to apply for a special one-time ABC permit to sell their remaining alcoholic beverage inventory, followed by revocation of all ABC permits effective March 19, 2026.

Ms. Woods was present at the meeting and addressed the Commission regarding the timeline to obtain legal counsel and gather affidavits. She stated that she had obtained, or was in the process of obtaining, affidavits from individuals involved in the reported incident, asserting that some individuals would state they were not shot inside the establishment. She explained that she did not submit those materials prior to the deadline because she lacked sufficient time to gather the affidavits and was not present to coordinate their completion.

Commissioner Sherlin asked why those affidavits had not been submitted to the Commission prior to the stated deadline. Ms. Woods reiterated that she had been out of town and was unable to gather and submit the documents in time.

The Commission discussed the matter and considered staff's recommendation.

- Commissioner Sherlin moved to adopt staff's recommendation to suspend all ABC permits for seven days effective immediately upon service of the Final Agency Decision and to revoke all ABC permits effective March 19, 2026.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

III. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – PINE TOP DISTILLERY LLC T/A PINETOP DISTILLERY; OAKVIEW COMMONS, LLC; MANION HOLDINGS, L.L.C.; AND JONATHON M. KEENER

Assistant General Counsel Metz presented a request for an exemption pursuant to N.C.G.S. §18B-1116(b) based on the ownership interests of Jonathon M. Keener in both Pinetop Distillery LLC and Oakview Commons, LLC, via Manion Holdings, L.L.C., the landlord for the three retail locations in Oakview Commons and a potential common area entertainment permit holder.

Ms. Metz explained that although Pinetop Distillery was not currently producing product, it was being treated as an active supplier for purposes of the request.

Staff recommended approval with conditions, including that retailers are not required to purchase products from Pinetop Distillery, any purchases must not exceed reasonable market share, and retailers must offer comparable competing products.

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

IV. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – THE WELLS BREWING L.L.C. T/A WHITESIDE BREWING COMPANY; TH HIGHLANDS, LLC T/A TOWN HALL; CMB IV LLC; CALEDONIA LODGING 5, LLC; CHARLES M. BARNWELL; AND DAVID C. PERRIN

Assistant General Counsel Metz presented a request for an exemption involving the ownership interests of Charles M. Barnwell and David C. Perrin in The Wells Brewing L.L.C. T/A Whiteside Brewing Company and TH Highlands, LLC T/A Town Hall.

She explained that Town Hall intended to apply for retail permits and that Whiteside Brewing Company primarily produced product for its own taproom. Staff recommended approval with the condition that The Wells Brewing L.L.C. shall not sell or provide its products, directly or indirectly, to TH Highlands, LLC.

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

V. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – THE WELLS BREWING L.L.C. T/A WHITESIDE BREWING COMPANY; WCU RIDGELINE LLC; CMB IV LLC; AND CHARLES M. BARNWELL

Assistant General Counsel Metz presented a second request for an exemption involving The Wells Brewing L.L.C. and WCU Ridgeline LLC, noting a transition in retail permits from a prior business.

She explained that WCU Ridgeline LLC intended to apply for retail permits and that, consistent with prior representations, Whiteside Brewing Company continued to produce limited quantities for its own taproom. Staff recommended approval with the condition that The Wells Brewing L.L.C. shall not sell or provide products to WCU Ridgeline LLC.

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

**VI. ABC STORE LOCATION – ASHEVILLE ABC BOARD
(167 BROADWAY STREET, ASHEVILLE, NC)**

Deputy Commissioner Mike DeSilva presented a request from the Asheville ABC Board to remodel a property currently owned by the Board and operate a mixed beverage ABC store at 167 Broadway Street in Asheville, North Carolina. Staff recommended approval of the request.

He reported:

- The property was located in Buncombe County near the downtown business district.
- The location was properly zoned for alcohol sales.
- First-year sales were projected at \$2.4 million.

- The facility was approximately 15,000 square feet, with 10,000 square feet currently being used for mixed beverage operations.
 - The nearest school was approximately 0.4 miles away, and the nearest church was approximately 0.25 miles away.
 - No objections had been received.
 - All statutory and regulatory requirements had been met.
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- Commissioner Sherlin moved to approve the Board’s request.
 - Commissioner McCrimmon seconded.
 - The motion passed unanimously.

VII. MANDATORY RULES REVIEW PURSUANT TO N.C.G.S. §150B-21.3A – CONSIDERATION OF PROPOSED TEXT FOR 14B NCAC 15C, SECTIONS .0800-.1200 AND RULE .0608

Assistant General Counsel Metz presented proposed amendments to 14B NCAC 15C, Sections .0800 through .1200, and Rule .0608.

She requested that the Commission:

- Approve the proposed text as presented;
 - Direct staff to file the proposed text with the Office of Administrative Hearings for publication in the North Carolina Register;
 - Emailed the Commission’s interested persons list;
 - Post the proposed text on the Commission’s website;
 - Schedule a public hearing for June 10, 2026;
 - Set a public comment period through June 15, 2026; and
 - Authorize staff to make non-substantive corrections.
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- Chairman Bauer moved to approve staff’s recommendation.
 - Commissioner McCrimmon seconded.
 - The motion passed unanimously.

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

Assistant General Counsel Metz presented the item by first requesting that the Commission consider Rule 14B NCAC 15C .0708 separately at a later date.

- Commissioner Sherlin moved to remove Rule 14B NCAC 15C .0708 from consideration.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

Once .0708 was excluded, Ms. Metz noted that:

- On December 15, 2025, the amended text for the above-referenced rules was published in the North Carolina Register, emailed to the Commission’s interested persons list, and published on the Commission’s website.
- The public comment period ended on February 13, 2026. Comments were received from Alcohol Law Enforcement, the Wine Institute, the North Carolina Beer & Wine Wholesalers Association, and the NC Retail Merchants Association. Additionally, a statutory clarification was received from the NC Craft Brewers Guild.
- Most of the requested changes were incorporated into the amendments.
- One provision (Rule .0708) was removed from consideration for further review.

She requested that the Commission:

- Adopt the amendments to 14B NCAC 15C, Section .0700 (excluding .0708) and Rule .0103;
- Authorize staff to file the approved amended text with the Office of Administrative Hearings for approval by the Rules Review Commission and publication in the North Carolina Administrative Code; and
- Authorize staff to make any non-substantive changes.

- Commissioner McCrimmon moved to adopt staff’s recommendation.
- Chairman Bauer seconded.
- The motion passed unanimously.

IX. OTHER BUSINESS

None.

ANNOUNCEMENTS

Chairman Bauer announced that the next Commission meeting would be held on Wednesday, April 8, 2026, at 10:00 a.m.

ADJOURNMENT

There being no further business, Chairman Bauer adjourned the meeting at 10:31 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