

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION

Meeting Minutes

**May 14, 2025 - Hearing Room 101
400 East Tryon Road, Raleigh, North Carolina**

CALL TO ORDER

The North Carolina Alcoholic Beverage Control Commission (hereinafter “Commission”) convened its regular monthly meeting on Wednesday, May 14, 2025, in Hearing Room 101 at 400 East Tryon Road, Raleigh, North Carolina. Chairman Hank Bauer called the meeting to order at 10:06 a.m.

In accordance with N.C.G.S. §138A-35, Chairman Bauer inquired whether any Commissioners had a conflict of interest or the appearance of a conflict concerning the agenda. Commissioner Sherlin recused himself from Hearing Case #1 (*Jasmen Corporation T/A Taz's*) and #38 (*Notelknurc, LLC T/A Crunkleton*). Commissioner McCrimmon and Chairman Bauer reported no conflicts.

ROLL CALL

Commissioners in attendance: Chairman Hank Bauer, Commissioner La'Tanta (L.T.) McCrimmon, Commissioner David Sherlin

Staff in attendance: Deputy Commissioner Mike DeSilva, General Counsel Stacey Carter-Coley, Assistant General Counsel Renee Metz, Assistant General Counsel Kirstin Greene, Assistant Counsel Rachel Spears, Assistant Counsel Robert Nauseef, Assistant Counsel Ashley Foster, Assistant Counsel Ryan Elmore, Jennifer Temple (Clerk)

Guests in attendance: Attorney John Szymankiewicz, Rodney D. Black (Permittee)

APPROVAL OF THE MAY 14, 2025, AGENDA

General Counsel Stacey Carter-Coley requested the removal of hearing case #3, *Alexander Scott Nary as a salesman for Artisan Beverage Group, LLC*, and hearing case #76, *Comedy Club Raleigh, LLC T/A Raleigh Improv and Copper Blues*.

Chairman Bauer moved to follow the agenda as presented, removing hearing case #3 and #76. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed unanimously. Commissioner Sherlin moved to adopt the agenda as amended. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed unanimously.

APPROVAL OF THE APRIL 9, 2025, MEETING MINUTES

Commissioners Sherlin and McCrimmon confirmed that they had each received and reviewed a copy of the April 9, 2025, meeting minutes. Chairman Bauer was not in attendance at that Commission meeting. Commissioner McCrimmon moved to waive the reading of the April 9, 2025, meeting minutes. Commissioner Sherlin seconded the motion. A vote was held, and the motion passed by majority vote. Commissioner Sherlin then moved to approve the minutes as presented. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed by majority vote.

NEW BUSINESS

I. HEARING CASES AND OFFERS IN COMPROMISE – 82

Assistant General Counsel Kirstin Greene presented hearing case #1, a contested case involving *Jasmen Corporation T/A Taz's*. The sole corporate officer, Taiseer Abou Zarka, was convicted of voluntary manslaughter, a class D felony, on December 19, 2024. This case was previously heard by an Administrative Law Judge (ALJ), who found the permittee to be ineligible and issued a Motion for Summary Judgment to revoke Taz's permits on a date to be set by the Commission. Ms. Greene recommended that the Commission adopt the ALJ's decision and revoke the permits effective June 6, 2025. Commissioner McCrimmon moved to revoke the permittee's permits. Chairman Bauer seconded the motion. A vote was held, and the motion passed by majority vote.

Assistant Counsel Rachel Spears presented hearing case #2, a notice of intent to revoke involving *Reba's Bar & Grill Inc. T/A Reba's Bar & Grill*. The permittee, Rodney D. Black, was convicted of a felony on August 6, 2024, making him an ineligible permittee pursuant to N.C.G.S. §18B-900(a)(3). Mr. Black made remarks on his behalf requesting the Commission take no action against his permits. However, in light of newly presented information regarding ownership, Chairman Bauer moved to push this case to the next meeting date. Commissioner Sherlin seconded the motion. A vote was held, and the motion passed unanimously.

Mrs. Carter-Coley asked the Commission to consider #38, *Notelknurc, LLC T/A Crunkleton*. Commissioner McCrimmon moved to adopt the offer in compromise. Commissioner Bauer seconded the motion. A vote was held, and the motion passed by a majority vote.

Mrs. Carter-Coley further requested consideration of the remaining offers in compromise. Commissioner Sherlin moved to ratify the remaining offers in compromise as presented. Commissioner McCrimmon seconded. A vote was held, and the motion passed unanimously.

II. RESCIND AMENDED FINAL AGENCY DECISION ISSUED ON MARCH 12, 2025 – WILMINGTON YACHT CLUB LIFE, LLC T/A COMMODORE CLUB (00337530AJ-999)

On April 30, 2025, ABC Legal received a request from Alcohol Law Enforcement (ALE) Headquarters to rescind the Amended Final Agency Decision issued on March 12, 2025, in case #30456. According to ALE, the violation was submitted under an incorrect permit number and was initially overlooked, as the two permitted establishments involved share the same address at a marina, are separated only by slip numbers, and are managed by the same individual. Assistant General Counsel Greene presented this request to the Commission.

Chairman Bauer moved to rescind the Amended Final Agency Decision issued in case #30456. Commissioner Sherlin seconded the motion. A vote was held, and the motion passed unanimously.

III. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – AMZ HOSPITALITY LLC T/A LOST WOMBAT; AMZ BREWING COMPANY T/A WISDOM BREWING; MICHAEL ZULPO; AYNLEY ZULPO; AND SCOTT NAFF

Assistant General Counsel Renee Metz presented this request for an exemption based on Michael and Aynley Zulpo, owners of the retail establishment *Lost Wombat*, who were seeking to join Scott Nafe in the cross-tiered ownership of *Wisdom Brewing*. The petitioners' attorney, John Szymankiewicz, was present to answer questions. Assistant General Counsel Metz recommended approval of the request under standard

conditions and noted that the permittees were required to correct the commercial permit application for *Wisdom Brewing*, as the corporate name listed did not match the name provided in the exemption request.

Commissioner McCrimmon moved to approve the exemption request as presented. Commissioner Sherlin seconded the motion. A vote was held, and the motion passed unanimously.

IV. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – CHILDRESS WINERY, LLC T/A CHILDRESS VINEYARDS; CHILDRESS DISTILLERY, LLC T/A CHILDRESS DISTILLERY; RICHARD CHILDRESS; AND TY R. DILLON

Assistant General Counsel Metz presented this exemption request for *Childress Winery*, which was also represented by Attorney John Szymankiewicz. The petitioner sought to add a distillery at the existing complex located at 1000 Childress Vineyards Road in Lexington, North Carolina. The proposal included distinguishing the different entities within the complex by assigning suite numbers.

Additionally, the petitioner intended to transfer the taproom and retail space from the winery entity to the newly established distillery entity. As the two entities were legally distinct, an exemption was required. The plan included cancelling the retail permit currently held by the winery and designating the same suite as the retail outlet for the distillery.

Ms. Metz noted that she consulted with Kris Gardner of the North Carolina Beer & Wine Wholesalers Association. They agreed that the standard condition requiring the distillery's retail location to offer a fair and reasonable market share of the winery's products did not apply, given that all operations were part of the same complex. Ms. Metz recommended approval of the exemption request, subject to all other standard conditions.

Commissioner Sherlin moved to approve the exemption request as presented. Commissioner McCrimmon seconded. A vote was held, and the motion passed unanimously.

**V. ABC STORE LOCATION – CANTON ABC BOARD
(70 New Clyde Highway, Canton, NC)**

Deputy Commissioner Mike DeSilva presented a request from the Canton ABC Board to lease property located at 70 New Clyde Highway in Canton, North Carolina, for the operation of a new ABC store. The proposed store would replace the existing location at 222 Main Street, which was damaged during Hurricane Helene.

Mr. DeSilva briefly summarized the findings of the Audit Section's investigation report, which addressed relevant factors including the site's location, zoning, property ownership, building specifications, proximity to the nearest school, church, and ABC store, as well as public notice and any objections received. He confirmed that all statutory requirements under Chapter 18B of the North Carolina General Statutes had been satisfied and reported that Commission staff recommended the request be considered.

Commissioner Sherlin moved to approve the proposed store location. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed unanimously.

VI. OTHER BUSINESS

None.

ANNOUNCEMENTS

Chairman Bauer announced the next meeting would be held on June 11, 2025, at 10:00 a.m.

ADJORNMENT

Chairman Bauer adjourned the May 14, 2025, Commission meeting at 10:30 a.m.

**Minutes approved at the June 11, 2025, Commission meeting.*

____/S/ Hank Bauer_____
Hank Bauer, Chairman
N.C. Alcoholic Beverage Control Commission

Respectfully submitted by,

____/S/ Jennifer Temple_____
Jennifer Temple for the Legal Section