

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION

Meeting Minutes – May 13, 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 May 13, 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, Chairman Bauer and Commissioner McCrimmon reported no actual or potential conflicts of interest. Commissioner Sherlin identified a conflict with Offer in Compromise #75, Liquid Distro LLC T/A Liquid Distro.

APPROVAL OF THE MAY 13, 2026, AGENDA

Assistant General Counsel Kirstin Greene requested Item IV be removed from the agenda to give the Commission time to review documentation submitted by counsel for the permittee. Assistant General Counsel Renee Metz requested Item VI be continued to the June 2026 Commission meeting due to permittee’s conflict with another hearing in a different court of law.

- Chairman Bauer moved to adopt the May 2026 meeting agenda removing agenda Item IV and continuing agenda Item VI to June 2026.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

APPROVAL OF THE APRIL 8, 2026, MEETING MINUTES

Commission members confirmed that they had reviewed the minutes from the April 8, 2026, meeting.

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

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

I. HEARING CASES AND OFFERS IN COMPROMISE - 139

Assistant General Counsel Greene presented Hearing Case #1, a contested case previously heard before the Office of Administrative Hearings. Administrative Law Judge Duke imposed a penalty consisting of a \$500.00 fine and a ten-day active suspension. Legal staff recommended the Commission adopt the recommended penalty with the fine due on June 5, 2026, and the suspension to begin on June 12, 2026.

Commissioner Sherlin recused himself from consideration of Offer in Compromise #75 due to a conflict of interest previously disclosed.

- Commissioner Sherlin moved to adopt ALJ Duke's Final Decision and impose the aforementioned compliance dates for Hearing Case #1.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

- Chairman Bauer moved to ratify Offer in Compromise #75.
- Commissioner McCrimmon seconded.
- The motion passed by a majority vote.

- Commissioner Sherlin moved to ratify the remaining 137 Offers in Compromise.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

II. REQUEST TO REVISIT OFFER IN COMPROMISE CASES FROM THE APRIL 2026 AGENDA:

- A. CASE #15 (FOOD LION, LLC T/A FOOD LION 142)**
- B. CASE #18 (FOOD LION, LLC T/A FOOD LION 815)**
- C. CASE #19 (FOOD LION, LLC T/A FOOD LION 822)**
- D. CASE #26 (ONE OF DEEZ DAYS LLC T/A ONE OF DEEZ DAYS)**

Assistant General Counsel Greene advised the Commission that incorrect Offers in Compromise were inadvertently submitted for three Food Lion matters and one additional matter during the April 2026 meeting. The permittees had successfully completed training and were entitled to reduced penalties. Legal staff requested amendment of the Final Agency Decisions to reflect the reduced penalties.

Counsel for Food Lion thanked legal staff for assisting in correcting the clerical errors and acknowledged the Commission's consideration of Food Lion's compliance history and training efforts as mitigating factors.

- Commissioner McCrimmon moved to amend the Final Agency Decisions.
- Commissioner Sherlin seconded.
- The motion passed unanimously.

III. REQUEST FOR ORDER OF DISPOSITION OF EVIDENCE SEIZED IN ABC CASE #28036 PURSUANT TO N.C.G.S. §18B-503 – POPULATE THE NATION INC T/A LOCAL ON 5TH (00218092AJ-999 – CANCELLED 12/21/2022)

Assistant General Counsel Metz advised the Commission that a violation report had been submitted for conduct occurring in August 2022; however, the permits were cancelled in December 2022, prior to entry of a Final Agency Decision. Legal staff reached out to the DA's office to determine whether any criminal charges were pending but received no response. Assistant General Counsel Metz requested approval of an Order for Disposition of Evidence pursuant to N.C.G.S. §18B-503.

- Commissioner McCrimmon moved to approve staff's request for an order to dispose of evidence in this case.
- Commissioner Sherlin seconded.
- The motion passed unanimously.

IV. NOTICE OF INTENT TO REVOKE PURSUANT TO N.C.G.S. §18B-104(a)(2) – 159 EAST FRANKLIN STREET ENTERTAINMENT, LLC T/A STILL LIFE CHAPEL HILL (00308225AJ-999) (CONTINUED FROM APRIL 2026)

This matter was removed from the agenda.

V. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – CRYSTAL COAST COMMUNICATIONS, INC. T/A CLAWSON’S 1905 RESTAURANT; TOBACCO ROSES PRODUCTIONS, LLC T/A BACKSTREET PUB; BEAUFORT FUTURE, LLC T/A FISHTOWNE BREW HOUSE; JOSEPH MCCLURE; FREDERICK MCCUNE; AND JOYCE MCCUNE.

Assistant General Counsel Metz presented a request for exemption pursuant to N.C.G.S. §18B-1116 based on ownership interests held by Joseph McClure, Frederick McCune, and Joyce McCune in the above-referenced entities. Legal staff recommended approval of the exemption subject to conditions including that Mr. McClure and the McCunes not serve as managers or participate in the day-to-day operational control of the retail locations, that independent managers be employed at the retail locations, that Beaufort Future may wholesale its products to the retail locations upon making a good faith effort to negotiate with independent wholesalers, that the retail locations not sell more than their reasonable market share of Beaufort Future’s products, and that the retail locations should offer for sale other breweries’ products at competitive prices.

Attorney John Szymankiewicz appeared on behalf of the permittees and advised the Commission that the request was intended to reform an existing exemption order to reflect changes in ownership structure while maintaining the same requirements and conditions previously imposed.

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

VI. REVIEW OF EXEMPTION ORDER GRANTED IN JULY 2023 AND AMENDED IN AUGUST 2025 PURSUANT TO N.C.G.S. §18B-1116 – BARREL’S BREWHOUSE 3PLAY LLC T/A BOOTLEGGERS & BARRELS (00306264CM-999 AND 00306263AJ-999); TRIPLE PLAY OASIS, LLC T/A TRIPLE PLAY OASIS (00355090AJ-999); BLACKBEARD’S TRIPLE PLAY JACKSONVILLE, NC LLC T/A BLACKBEARD’S

**TRIPLE PLAY RESTAURANT & SPORTS BAR (00323104AJ-999 – CANCELLED
4/28/2026); AND BILLY DALE OVERBEE**

This matter was continued to the June 2026 Commission meeting.

VII. OTHER BUSINESS

None.

ANNOUNCEMENTS

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

ADJOURNMENT

There being no further business before the Commission, Chairman Bauer adjourned the meeting at 10:13 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 June 10, 2026, Commission meeting.*