

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION
Meeting Minutes - November 5, 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 November 5, 2025. Chairman Hank Bauer called the meeting to order at 10:00 a.m., welcomed attendees, and introduced Commissioners La’Tanta (L.T.) McCrimmon and David Sherlin, Deputy Commissioner Mike DeSilva, and General Counsel Stacey Carter-Coley. Representatives from the Department of Justice were in attendance as guests.

CONFLICTS OF INTEREST

In compliance with N.C.G.S. §138A-35, Chairman Bauer and Commissioner McCrimmon reported no conflicts. Commissioner Sherlin identified a conflict with hearing case #22, Midwood Smokehouse of Smoky Hollow, LLC T/A Midwood Smokehouse.

APPROVAL OF THE NOVEMBER 5, 2025, AGENDA

General Counsel Stacey Carter-Coley requested removal of hearing cases #64, Family Dollar Stores of North Carolina, LLC T/A Family Dollar 28445, and #65, Glenn Discount, Inc T/A Glenn Deli and Grocery.

- Chairman Bauer moved to adopt the agenda, removing hearing cases #64 and #65.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

APPROVAL OF THE OCTOBER 8, 2025, MEETING MINUTES

Commission members confirmed they had reviewed the minutes from the October 8, 2025, meeting.

- Commissioner Sherlin moved to waive the reading of the minutes.
- Commissioner McCrimmon 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 – 78

Mrs. Carter-Coley requested ratification of the 78 offers in compromise, including hearing case #22, which was considered separately due to a conflict.

- Chairman Bauer moved to ratify the offer in hearing case #22.
- Commissioner McCrimmon seconded.
- The motion passed by majority; Commissioner Sherlin abstained.

- Commissioner Sherlin then moved to ratify the remaining 77 offers.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

II. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116 – WICKED WEED BREWING LLC T/A WICKED WEED BREWING (00253120CM – 996); GOOD HOT FISH, LLC T/A GOOD HOT FISH (00332948AJ – 999); AND ASHLEIGH SHANTI

Assistant Counsel Robert Nauseef presented an exemption request regarding the cross-tier relationship between commercial permittee Wicked Weed Brewing and a food truck operated on their patio by Ashleigh Shanti, a retail permittee for Good Hot Fish in Asheville, NC.

Staff confirmed that no alcohol would be sold from the food truck and that each business would maintain separate points of sale. Additionally, Good Hot Fish has not and will not sell Wicked Weed Brewing products at its retail premises.

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

III. ABC STORE LOCATION – BELMONT ABC BOARD (945 SOUTH POINT ROAD, BELMONT, NC)

Deputy Commissioner Mike DeSilva presented a request from the Belmont ABC Board to lease property at 945 South Point Road, Belmont, NC, for a new ABC store. If approved, the Board anticipated opening the new location in January of 2027.

Key details included:

*The proposed location was approximately 4,000 square feet, with 2,750 square feet designated for retail space and 1,250 square feet for warehouse space.

*The property was owned by South Point SC, LLC. All board members submitted financial disclosures, and there were no financial or personal conflicts of interest.

*The anticipated first-year sales were projected at \$624,000.

*The nearest school was 460 feet away, the nearest church was 1,500 feet away, and the nearest ABC store (operated by the Belmont ABC Board) was 2.1 miles away.

*A public notice sign was posted on September 8, 2025, and was verified by ABC Compliance Officer Ralph Ray and Richie Biddix on September 9, 2025. Twenty public comments were received (19 objections, 1 in favor).

*All statutory and zoning requirements were met.

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

IV. MANDATORY RULES REVIEW PURSUANT TO N.C.G.S. §150B-21.3A – PROPOSAL OF TEXT FOR 14B NCAC 15C, RULE .0103 AND SECTION .0700

Assistant General Counsel Renee Metz presented proposed amendments to 14B NCAC 15C, Section .0700 and Rule .0103, and summarized staff's recommendation to file the proposed text with the Office of Administrative Hearings for publication in the North Carolina Register, post the proposed text on the Commission's website, schedule a public hearing for January 14, 2026, establish a public comment period through February 13, 2026, and authorize staff to make non-substantive edits.

- Chairman Bauer moved to approve the proposed text and recommendations.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

V. MANDATORY RULES REVIEW PURSUANT TO N.C.G.S. §150B-21.3A – PUBLIC HEARING FOR 14B NCAC 15C, SECTIONS .0400-.0600

A public hearing was opened for proposed amendments to 14B NCAC 15C, Sections .0400 through .0600. No public comments were received at the hearing. The public comment period remained open; therefore, no action was required at this meeting, and the public hearing was closed.

VI. CONSIDERATION OF FINAL ADOPTION FOR SUBMISSION TO THE RULES REVIEW COMMISSION FOR 14B NCAC 15B, RULES .1007 AND .1008

Ms. Metz presented Rules .1007 and .1008 for final adoption. The only public comment received was at the prior public hearing and was in support of these rules.

- Commissioner Sherlin moved to adopt the rules as presented.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

VII. MANDATORY RULES REVIEW PURSUANT TO N.C.G.S. §150B-21.3A – PROPOSED TIMELINE FOR READOPTION OF 14B NCAC 15A

Ms. Metz presented a proposed schedule for the readoption of 14B NCAC 15A, as required by the Rules Review Commission.

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

VIII. OTHER BUSINESS

There was no additional business.

ANNOUNCEMENTS

Chairman Bauer announced the next Commission meeting would be held on Wednesday, December 10, 2025, at 10:00 a.m.

ADJOURNMENT

There being no further business, Chairman Bauer adjourned the meeting at 10:16 a.m.

**Approved at the December 10, 2025, Commission meeting.*

/S/ Hank Bauer

Hank Bauer, Chairman
N.C. Alcoholic Beverage Control Commission

Respectfully submitted,

/S/ Jennifer Temple

Jennifer Temple, for the Legal Section