

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION
Meeting Minutes - October 8, 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 October 8, 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 were also present.

CONFLICTS OF INTEREST

In compliance with N.C.G.S. §138A-35, each Commission member confirmed they had reviewed the meeting agenda and identified no actual or potential conflicts of interest.

APPROVAL OF THE OCTOBER 8, 2025, AGENDA

There were no requests to amend the agenda.

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

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

APPROVAL OF THE SEPTEMBER 9, 2025, MEETING MINUTES

Commission members confirmed they had reviewed the minutes from the September 9, 2025, 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 – 102

General Counsel Stacey Carter-Coley asked if anyone wished to be heard on the hearing cases. Attorney Victoria Bennett, speaking on behalf of her father, the permittee of 51 Sycamore Sports Bar and Grill (Case #37), addressed the Commission regarding challenges with security compliance and requested consideration for future educational outreach.

Following public comment, Mrs. Carter-Coley requested ratification of the 102 offers in compromise.

- Chairman Bauer moved to ratify the 102 offers in compromise.
 - Commissioner McCrimmon seconded.
 - The motion passed unanimously.
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II. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – MOUNTAIN BEVERAGE, LLC T/A APPALACHIAN MOUNTAIN BREWERY; MODERN ALCHEMIST, LLC T/A MODERN ALCHEMIST; LAUGHING HOP, LLC; CRAFT BREW, LLC, AND HOGAN HOLDINGS LLC

Assistant Counsel Robert Nauseef presented an exemption request submitted by Mountain Beverage. The request involved a unique ownership structure in which the LLC members of Appalachian Mountain Brewery opened a new brewery and taproom under a separate entity, Modern Alchemist.

To prevent cross-tier violations under N.C.G.S. §18B-1116, staff recommended granting the exemption with a specific condition: Appalachian Mountain Brewery would not be permitted to sell its products through the Modern Alchemist retail location, and vice versa.

This restriction was necessary because the ownership of the two entities was not split, but rather held 100% by the same party, which is atypical for such exemption requests.

Attorney John Szymankiewicz, representing the applicant, confirmed agreement with the proposed conditions and had no additional comments.

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

III. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116(b) – VOODOO BREWING COMPANY INC T/A VOODOO BREWING COMPANY (2 LOCATIONS); VOODOO LICENSING LLC; AND STAMPER DEVELOPMENT GROUP, LLC T/A VOODOO BREWING COMPANY

Mr. Nauseef presented an exemption request on behalf of Voodoo Brewing Company, which involved a commercial permittee’s indirect financial interest in a retail establishment. The permittee held a 19% ownership stake in Voodoo Licensing Company, which oversees the startup and operations of Voodoo-branded retail locations across multiple states, including North Carolina.

To ensure compliance with North Carolina’s tied-house laws, staff recommended approval of the exemption with the following conditions: The licensing agreement between the retailer and Voodoo Licensing Company must not require the retailer to sell any products produced by Voodoo Brewing Company.

If the retailer chooses to sell Voodoo Brewing products, the number of Voodoo products must not exceed the brewery’s reasonable market share and all Voodoo products must be purchased through an independent, third-party wholesaler licensed in North Carolina.

Finally, the retailer must offer a reasonable selection of other breweries’ products at fair and competitive prices.

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

**IV. ABC STORE LOCATION – MOUNT PLEASANT ABC BOARD
(8930 EAST FRANKLIN STREET, MOUNT PLEASANT, NC)**

Deputy Commissioner Mike DeSilva presented a request from the Mount Pleasant ABC Board to lease property at 8930 E. Franklin Street, Mount Pleasant, to temporarily relocate its store located one block away at 8840 E. Franklin Street.

Key details of the request included:

The new leased building is approximately 2,100 square feet, with 1,100 sq. ft. designated for retail and mixed beverage sales and 1,000 sq. ft. for warehouse and operations.

The property is owned by Karen and David Cox of Norwood, NC, and there are no financial or personal conflicts of interest with the ABC Board members.

All board members submitted financial disclosures, and the location met all zoning and statutory requirements.

The anticipated first-year sales were projected at \$1.6 million.

The nearest school is 1.4 miles away, the nearest church is 500 feet away, and the closest ABC store (operated by the Concord ABC Board) is 8.5 miles away.

A public notice sign was posted on July 22, 2025, and verified by Compliance Officer Ralph Ray on July 24, 2025. No objections were received and all statutory requirements were met.

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

V. RULES - PUBLIC HEARING FOR 14B NCAC 15B, SECTIONS .1007-.1008

Assistant General Counsel Renee Metz provided an overview of proposed amendments to advertising rules. The changes would consolidate regulation of all industry members (beer, wine, and spirits) under Rule .1007, while Rule .1008 would apply exclusively to ABC Boards.

A public hearing was held. Mr. Larry Etheridge, representing the NC Association of ABC Boards, expressed support for the proposed changes and appreciation for the collaborative process. No additional public comments were received.

No action was required at this meeting. Final adoption is anticipated at the November meeting, pending the close of the public comment period on November 3, 2025.

VI. MANDATORY RULES REVIEW PURSUANT TO N.C.G.S. §150B-21.3A – CONSIDERATION OF FINAL ADOPTION FOR SUBMISSION TO THE RULES REVIEW COMMISSION FOR 14B NCAC 15C, SECTIONS .0100-.0300

Ms. Metz presented the final stage of the mandatory rules review process for Sections .0100 through .0300. She recommended adoption of all rules in these sections, with the exception of Rule .0103, which would be revised and resubmitted separately due to public comment and guidance from the Rules Review Commission.

- Commissioner Sherlin moved to adopt these rules with the exception of Rule .0103.
- Commissioner McCrimmon seconded.
- The motion passed unanimously.

VII. OTHER BUSINESS

Assistant General Counsel Kirstin Greene presented a request to rescind the revocation of ABC permits for Brothers Corner Mart (00208758AK – 999). The permittee, Mr. Saleh Ali Mohamed, had previously been convicted of a disqualifying offense, resulting in the Commission’s decision to issue an Order of Revocation at the September 2025 meeting.

However, following a motion for appropriate relief, the conviction was vacated by the Honorable Robert Gilmore, District Court Judge. Mr. Mohamed received a conditional discharge in Superior Court. As a result, he no longer met the statutory definition of an ineligible permittee.

- Chairman Bauer moved to rescind the Order of Revocation issued at the September 2025 meeting.
- Commissioner Sherlin seconded.
- The motion passed unanimously.

ANNOUNCEMENTS

Chairman Bauer announced the next Commission meeting would be held on Wednesday, November 5, 2025, at 10:00 a.m.

ADJOURNMENT

There being no further business, Chairman Bauer adjourned the meeting at 10:25 a.m.

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

Respectfully submitted by,

 /S/ Jennifer Temple
Jennifer Temple, for the Legal Section