

WILLIAM HENRY BAUER, JR.
CHAIRMAN

TERRANCE L. MERRIWEATHER
DEPUTY COMMISSIONER



State of North Carolina

ALCOHOLIC BEVERAGE CONTROL COMMISSION
400 East Tryon Road
Raleigh, NC 27610

NORMAN A. MITCHELL, SR.
COMMISSIONER

KAREN L. STOUT
COMMISSIONER

Commission Meeting Summary

February 9, 2022

ABC Commission Office Complex
Hearing Room 101 – 10:00 AM

SECTION I

CONTESTED CASE

ALJ Decision:

- T/A Royal**
Yasmine Nicole Haith
2389 Corporation Parkway
Burlington, NC 27215
00128437AK-999
AJ AL DZ
ALE District V

Imposition of Decision of Administrative Law Judge: Cancellation of ALL ABC permits on the charges of (1) failing to superintend, (2) knowingly allowing fighting or disorderly conduct, (3) employee possessing a controlled substance, (4) failing to dispose of empty spirituous liquor bottles as soon as the bottles were empty and (5) the location is no longer suitable to hold ABC permits.

SECTION II
OFFERS IN COMPROMISE

Suspension:

2. **T/A Anthony's La Piazza**
APN Pizza Benson, Inc.
206 East Main Street
Benson, NC 27504
00281402AJ-999
AJ AL AY
Johnston County ABC Board

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charges of (1) possessing multiple containers of spirituous liquor not bearing mixed beverage tax stamps and (2) failing to deface tax stamp on a bottle once empty.

3. **T/A Bond Brothers Beer Company**
Bond Brothers Beer Company, LLC
202 East Cedar Street
Cary, NC 27511
00237308CM-999
AE BL DG
ALE District IV

Offer in Compromise: 7-day suspension, avoided upon payment of \$750.00 on the charge of allowing possession or consumption of alcohol not authorized by permits.

4. **T/A Fairway One Stop 5**
Arisu Enterprise, Inc.
1305 North Liberty Street
Winston-Salem, NC 27105
00184522AK-999
AK AM AO
ALE District V

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charges of (1) dispensing prescription medication without being a licensed pharmacist, (2) selling or transferring glass tubes or splitters without proper records, (3) possessing counterfeit goods for resale and (4) possessing adulterants intended for defrauding a drug or alcohol screening test.

5. **T/A Hickory Nut Gorge Craft Brewery**
Hickory Nut Gorge Craft Brewery, LLC
461 Main Street
Chimney Rock, NC 28720
00246220AJ-999
AJ AL
ALE District VIII

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charges of (1) performing services after having consumed alcoholic beverages and (2) employee intoxicated.

6. **T/A Hickory Tavern**
T and B Concepts of Wesley Chapel, LLC
6400 Weddington Monroe Road, Suite H
Wesley Chapel, NC 28104
00177080AJ-999
AJ AL AY
ALE District VI

Offer in Compromise: 13-day suspension, avoided upon payment of \$1,300.00 on the charge of allowing an intoxicated person to consume.

7. **T/A Off the Wagon**
MR Entertainment, LLC
22 North Market Street
Asheville, NC 28801
00214668AJ-999
AJ AL AN DZ
ALE District VIII

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of performing services after having consumed alcoholic beverages.

8. **T/A Peculiar Rabbit**
Jacks Across the Tracks, Inc.
1212 Pecan Avenue
Charlotte, NC 28205
00202261AJ-999
AJ AL AN AY
Charlotte-Mecklenburg Police Department

Offer in Compromise: 40-day suspension, avoided upon payment of \$4,000.00 on the charges of (1) selling an alcoholic beverage to an underage person, (2) allowing an underage person to possess or consume, (3) failing to deface tax stamp on a bottle once empty and (4) failing to recycle beverage containers.

9. **T/A Shipwrecks Bar and Grill**

Pooly, Inc.
4051 Arendell Street
Morehead City, NC 28557
00257469AJ-999
AJ AL AN
ALE District I

Offer in Compromise: 75-day suspension, the last 10 days avoided upon payment of \$1,000.00 on the charges of (1) failing to superintend and (2) violating Executive Order restrictions [2 counts].

10. **T/A Anna's Pizzeria**

Fuquay-Varina Anna's, Inc.
138 South Main Street
Fuquay-Varina, NC 27526
00203501AJ-999
AJ AL AN AL (AV 1/10/22)
ALE District IV

Offer in Compromise: 2-day suspension, avoided upon payment of \$200.00 on the charge of allowing possession or consumption of alcohol not authorized by permits.

11. **T/A Buffaloe's Watering Hole**

Andrew Scott Buffaloe
4924 Wrightsville Avenue
Wilmington, NC 28403
00282805AJ-999
AJ AL AO
ALE District I

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of possessing counterfeit goods for resale.

12. **T/A Hattie's Tap and Tavern**

Hippo Industries, LLC
2918 The Plaza
Charlotte, NC 28205
00222796AJ-999
AJ AL DZ
Charlotte-Mecklenburg Police Department

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of employee possessing a controlled substance.

13. **T/A Hickory Tavern**
T and B Concepts of Pinehurst, LLC
9735 US 15-501 Hwy, Suite 170
Southern Pines, NC 28374
00178088AJ-999
AJ AL AY
Moore County Sheriff's Office

Offer in Compromise: 4-day suspension, avoided upon payment of \$400.00 on the charge of possessing multiple containers of spirituous liquor not bearing mixed beverage tax stamps.

14. **T/A Lucky Stop 23**
Lucky Stop 23 Corporation
2196 Hwy 401 Business
Raeford, NC 28376
00270334AK-999
AK AM AO
ALE District III

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charges of (1) failing to maintain minimum food inventory for off-premises fortified wine permit and (2) failing to keep premises clean and well-lit to avoid undue hazards.

15. **T/A Park N Shop 20**
Kamini, LLC
421 East Chatham Street
Cary, NC 27511
00255186AK-999
AK AM AO
ALE District IV

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charge of allowing consumption at business with off-premise permits.

16. **T/A Park N Shop 3**
Park N Shop 3, LLC
1735 Weeksville Road
Elizabeth City, NC 27909
00160864AK-999
AK AM AO
ALE District II

Offer in Compromise: 2-day suspension, avoided upon payment of \$200.00 on the charge of selling or transferring glass tubes or splitters without proper records.

17. **T/A Roadrunner Market 6035**
Mountain Empire Oil Company
202 NC Hwy 9
Black Mountain, NC 28711
00250438AK-992
AK AM AO
ALE District VIII

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charge of selling an alcoholic beverage to an underage person.

18. **T/A Sheetz 621**
Sheetz of NC, LLC
1532 Salisbury Hwy
Statesville, NC 28677
Q11557-908
AK AM AO
ALE District VII

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charges of (1) failing to cooperate with a law enforcement officer and (2) failing to cooperate with an inspection.

19. **T/A South Fork Sports Bar**
John Marvin Smith, Jr.
16328 NC Hwy 125
Robersonville, NC 27871
55144A-998
AJ AS
ALE District II

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charges of (1) failing to superintend, (2) allowing possession or consumption of alcohol not authorized by permits and (3) selling or possessing spirituous liquor for sale without the proper ABC permit and revenue license.

20. **T/A Waterfront Mini Mart**
Mohamed Ali Muhssen
1000 Park Drive
Washington, NC 27889
00209765AK-998
AK AM AO
ALE District II

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of selling an alcoholic beverage to an underage person.

21. **T/A Amoco Food Shop Graham**
McLeod Oil Company, Inc.
924 East Harden Street
Graham, NC 27253
21160B-995
AK
ALE District V

Offer in Compromise: 60-day suspension, the last 55 days avoided upon payment of \$5,000.00 on the charge of selling an alcoholic beverage to an underage person.

22. **T/A Blind Tiger**
Tiger of Greensboro, Inc.
1819 Spring Garden Street
Greensboro, NC 27403
00245809AJ-999
AJ AL DZ
ALE District V

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on charges of (1) failing to clear tables by 2:30 am and (2) allowing consumption of alcohol after/before legal hours.

23. **T/A Bowbarr**
Bowbarr, Inc.
705 West Rosemary Street
Carrboro, NC 27510
00176525AJ-999
AJ AL AN DZ
ALE District IV

Offer in Compromise: 6-day suspension, avoided upon payment of \$600.00 on charge of possessing container of spiritous liquor not bearing a mixed beverage tax stamp while on the licensed premises.

24. **T/A Fainting Goat Brewing Company**
Crazy House Brewing, LLC
102 West Parrish Drive
Benson, NC 27504
00232621AJ-998
AJ AL
ALE District IV

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on charge of selling an alcoholic beverage to an underage person.

25. **T/A Food Mart Express**
Safwan Mahube Atiri
303 Spring Avenue
Spring Lake, NC 28390
00214744AK-999
AK AO AM
ALE District III

Offer in Compromise: 3-day suspension, avoided upon payment of \$300.00 on charge of failing to maintain, on the premises and available for inspection or audit for three years, all records including original invoices related to alcoholic beverages.

26. **T/A H and K Food Mart**
AKFT, LLC
321 North Tarboro Road
Raleigh, NC 27610
00202388AK-998
AO AM AK
ALE District IV

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on charges of (1) failing to maintain minimum food inventory for off-premise fortified wine permit and (2) failing to keep premises clean and well-lit to avoid undue hazards.

27. **T/A Harris Teeter Supermarket 117**
Harris Teeter, LLC
2110 South Estes Drive
Chapel Hill, NC 27514
Q11307-914
AK AM AO CE DF
ALE District IV

Offer in Compromise: 35-day suspension, avoided upon payment of \$3,500.00 on charge of selling an alcoholic beverage to an underage person.

28. **T/A Jackpot Mini Mart**
Jose Benitez
2305 Lee Avenue
Sanford, NC 27330
00176590AK-999
AK AO AM
ALE District III

Offer in Compromise: 14-day suspension, avoided upon payment of \$1,400.00 on charges of (1) failing to purchase malt beverages or wine only from wholesaler, (2) failing to keep premises clean and well-lit to avoid undue hazards and (3) failing to keep the sales tickets

and delivery receipts furnished by the wholesaler, as well as all other records of purchases of malt beverages and wine.

29. **T/A Jarvis Street Bottle Shop**
Jarvis Street, LLC
211 South Jarvis Street, Suite 106
Greenville, NC 27858
00245558AK-999
AJ DB
ALE District II

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on charge of selling an alcoholic beverage to an underage person.

30. **T/A Longhorn Steakhouse 5608**
Rare Hospitality International, Inc.
2156 South Sterling Street
Morganton, NC 28655
Q11565-974
AJ AN AY AL
ALE District VII

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on charge of possessing a container of spiritous liquor not bearing a mixed beverage tax stamp while on the licensed premises.

31. **T/A Lowes Foods 236**
Lowes Foods, LLC
1020 Mebane Oaks Road
Mebane, NC 27302
Q11269-788
AJ AL AO
ALE District V

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on charge of selling an alcoholic beverage to an underage person.

32. **T/A Mami Noras Chicken**

Palmemo, Inc.
2401 Wake Forest Road
Raleigh, NC 27608
00186942AJ-999
AJ
ALE District IV

Offer in Compromise: 3-day suspension, avoided upon payment of \$300.00 on charge of failing to purchase malt beverages only from a wholesaler.

33. **T/A Mozingo Rd Food Mart**

Mozingo Rd Food Mart, Inc.
4724 Stantonsburg Road
Greenville, NC 27834
00255236AK-999
AK AM AO
ALE District II

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on charge of selling an alcoholic beverage to an underage person.

34. **T/A Nichols Food Store 8**

Nichols Food Store, Inc.
85 McAdenville Road
Belmont, NC 28012
45036B-997
AK AM
ALE District VI

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on charge of possessing two video gaming machines while upon licensed premises [2 counts].

35. **T/A River Street Ale House**

Ale House, Inc.
957 Rivers Street
Boone, NC 28607
00263789AJ-999
AJ AL AN AY
ALE District VII

Offer in Compromise: 6-day suspension, avoided upon payment of \$600.00 on charges of (1) failing to keep premises clean and well-lit to avoid undue hazards and (2) failing to deface tax stamp once bottle was empty.

36. **T/A Tacos Y Burritos California**

Tacos Y Burritos California, Inc.
11538 US 70 Business West
Clayton, NC 27520
00267854AJ-999
AJ
ALE District IV

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on charge of possessing spirituous liquor where not authorized.

37. **T/A Xpress Mart 111**

Scora, Inc.
1614 Spring Garden Street
Greensboro, NC 27403
00244141AK-994
AK
ALE District V

Offer in Compromise: 40-day suspension, avoided upon payment of \$4,000.00 on charge of selling an alcoholic beverage to an underage person [2 counts].

38. **T/A Xpress Stop 4**

GMMJ, Inc.
1801 East Dixon Blvd.
Shelby, NC 28152
00228487AK-999
AK AM
ALE District VI

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on charge of selling an alcoholic beverage to an underage person.

39. **T/A Yummy Crab**

New Crazy Crab Fourth, Inc.
516 Tyvola Road
Charlotte, NC 28217
00279374AJ-999
AJ AL AY
ALE District VI

Continued to March

Cancellation:

40. **T/A Mother Tuckers Eatery**
Mother Tuckers Eatery, LLC
1642 Spring Garden Street
Greensboro, NC 27403
00186378AJ-999
AJ AY
ALE District V

Cancellation of ALL ABC permits on charges of (1) Employee possessing controlled substance and (2) failing to superintend [3 counts].