

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION

Meeting Minutes – September 9, 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 September 9, 2026. Chairman Hank Bauer called the meeting to order at 10:00 a.m., welcomed attendees, and introduced Commissioner David Sherlin, and Assistant General Counsels Renee Metz and Kirstin Greene. Additional members of the Commission’s legal staff were also present. Chairman Bauer recognized ALE from Jacksonville and Raleigh and a new Legal attorney, Tara Parpart.

APPROVAL OF THE SEPTEMBER 9, 2026, AGENDA

- Chairman Bauer moved to adopt the September 9, 2026, meeting agenda.
- Commissioner Sherlin seconded.
- The motion passed unanimously.

APPROVAL OF AUGUST 12, 2026, MEETING MINUTES

Commission members confirmed that they had reviewed the minutes from the August 12, 2026, meeting.

- Commissioner Sherlin moved to waive the reading of the minutes.
- Chairman Bauer 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 - 97

Assistant General Counsel Kirstin Greene presented a contested case previously heard before the Office of Administrative Hearings. In Hearing Case #1, Administrative Law Judge Jonathan Dills imposed a penalty of \$500. The payment deadline will be October 2, 2026.

- Commissioner Sherlin moved to adopt ALJ Dill's Final Decision and impose the aforementioned compliance date for Hearing Case #1.
- Chairman Bauer seconded.
- The motion passed unanimously.

Assistant General Counsel Greene requested the Commission's consideration of the other 96 offers in compromise and recommended ratification of all 96 cases. She asked if anyone present wished to be heard on behalf of any of the cases. No one came forward.

- Commissioner Sherlin moved to ratify the remaining 96 Offers in Compromise.
- Chairman Bauer seconded.
- The motion passed unanimously.

II. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116 – PINNIX DISTILLERY, INC., T/A EDA RHYNE DISTILLING COMPANY (00284223AJ-999); ONTOS WINE, INC., T/A ONTOS WINE (A00316575); AND CHRISTOPHER BOWERS.

Assistant General Counsel Renee Metz presented a request for an exemption involving the ownership interests of Christopher Bowers in Pinnix Distillery, Inc., T/A Eda Rhyne Distilling Company and Ontos Wine, Inc., T/A Ontos Wine.

Staff recommended approval with standard conditions, including that Mr. Bowers shall not be employed as the manager at the retail location, shall not be in the day-to-day operational control of ordering spirituous liquor for Ontos Wine, a person with no financial interest beyond that of an employee shall be the manager in charge of ordering spirituous liquor for Ontos Wine, and Ontos Wine shall not sell more of Pinnix Distillery's spirituous liquor than its reasonable market share.

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

III. EXEMPTION REQUEST PURSUANT TO N.C.G.S. §18B-1116 – OLD ARMOR BEER COMPANY, INC., T/A OLD ARMOR BEER COMPANY (00286482CM-999 and 00303269AJ-999); TIPSY HARE CIDERWORKS, INC., T/A TIPSY HARE CIDERWORKS (00303267CM-999); PUTTHAUS, LLC, T/A PUTTHAUS (A00315890); AND KYLE LINGAFELT.

Assistant General Counsel Renee Metz presented a request for an exemption involving the ownership interests of Kyle Lingafelt in Old Armor Beer Company, Inc., T/A Old Armor Beer Company, Topsy Hare Ciderworks, Inc., T/A Topsy Hare Ciderworks and Putthaus, LLC, T/A Putthaus. Christian Staples, attorney for permittee, approved the draft order.

Staff recommended approval with standard conditions, including that Mr. Lingafelt shall not be employed as the manager at the retail location, shall not be in the day-to-day operational control of ordering spirituous liquor for Putthaus, LLC, a person with no financial interest beyond that of an employee shall be the manager in charge of ordering malt beverages and unfortified wine for Putthaus, and Putthaus shall not sell more of Old Armor Beer malt beverage and Topsy Hare unfortified wine than their reasonable market share.

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

IV. MANDATORY RULES REVIEW PURSUANT TO N.C.G.S §150B-21.3A – PUBLIC HEARING FOR 14B NCAC 15C .0708, .0715, SECTION 1300 AND .0608.

Assistant General Counsel Metz requested Chairman Bauer open a public hearing for public comments on 14B NCAC 15C .0708, .0715, Section 1300 and .0608. The public hearing was opened, no comments were made, and the public hearing was closed.

V. OTHER BUSINESS

Assistant General Counsel Kirstin Greene proposed Commission meeting dates for 2027. January 13, February 10 and March 10, 2027, were proposed. Chairman Bauer has a potential conflict with February 10.

- Commissioner Sherlin moved to approve January 13, 2027, only.
- Chairman Bauer seconded.
- The motion passed unanimously.

ANNOUNCEMENTS

Chairman Bauer announced that the next Commission meeting would be held on October 14, 2026, at 10:00 a.m.

ADJOURNMENT

There being no further business before the Commission, Chairman Bauer adjourned the meeting at 10:09 a.m.

____/s/ Hank Bauer_____

Hank Bauer, Chairman

North Carolina Alcoholic Beverage Control Commission

Respectfully submitted,

____/s/ Marilyn Smalls_____

Marilyn Smalls

For the Legal Section