

**NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL
COMMISSION MEETING MINUTES
November 13, 2024**

The following narrative summarizes the North Carolina Alcoholic Beverage Control Commission (hereinafter “Commission”) meeting held at 400 East Tryon Road in Raleigh, North Carolina, on November 13, 2024, beginning at 10:00 AM. The meeting was recorded, and a copy of the recording is on file at the Commission within the Legal Section.

ROLL CALL AND ANNOUNCEMENTS

Commissioner La’Tanta (L.T.) McCrimmon called the November 13, 2024, Commission meeting to order and welcomed Commissioner David Sherlin. Chairman Hank Bauer was not present at this meeting due to a scheduling conflict.

CONFLICTS OF INTEREST

In compliance with N.C.G.S. §138A-35, Commissioner McCrimmon asked if there were any conflicts of interest or any conditions or facts that might create the appearance of a conflict of interest concerning any matters on the agenda. Commissioner Sherlin stated he reviewed the agenda and did not have any conflicts. Commissioner McCrimmon stated that she also reviewed the agenda and found no conflicts.

NOVEMBER 13, 2024, AGENDA

Commissioner McCrimmon asked if there were any requests to make changes to the agenda. General Counsel Stacey Carter-Coley requested hearing cases #12, #21, #22, #23, #24, #25, and #26 be removed for the next meeting date. She explained the Offers in Compromise in those cases were signed prior to the meeting date change and contained incorrect compliance dates.

Commissioner Sherlin made a motion to remove hearing cases #12 and #21-#26. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed.

Commissioner McCrimmon stated it would be an appropriate time to adopt the agenda for November 13, 2024. Commissioner Sherlin made a motion to adopt the agenda as amended. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed.

MINUTES OF THE OCTOBER 16, 2024, COMMISSION MEETING

Commissioner McCrimmon asked Commissioner Sherlin if he received a copy of the October 16, 2024, Commission meeting minutes and had an opportunity to review them. He stated he had. Commissioner McCrimmon stated she received a copy as well and reviewed it.

Commissioner Sherlin made a motion to waive the reading of the minutes of the October 16, 2024, meeting. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed.

Commissioner Sherlin made a motion to approve the minutes of the October 16, 2024, meeting. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed.

I. HEARING CASES AND OFFERS IN COMPROMISE – 62

General Counsel Stacey Carter-Coley stated that there were 62 hearing cases remaining on the agenda and asked if there was anyone who would like to be heard regarding those cases. Hearing no one, she asked the Commissioners to consider adopting the remaining cases.

Commissioner Sherlin moved to approve the remaining cases as presented. Commissioner McCrimmon seconded. A vote was held, and the motion passed.

II. DISSOLUTION OF MERGER – CATAWBA COUNTY ABC BOARD / TAYLORSVILLE ABC BOARD

ABC Boards and Pricing Supervisor Greg Stallings approached the podium to present this request. He summarized stating in 2012 the Taylorsville ABC Board and the Catawba County ABC Board merged as a matter of convenience to sell and procure inventory, and to share staff and resources. He stated they have now decided in their best individual interests to revert to operating as existing separate boards.

Mr. Stallings stated ABC staff spoke with the Town of Taylorsville regarding the requirements to again be a standalone board. He stated pursuant to N.C.G.S. §18B-700(c1) and N.C.G.S. §18B-703(e) neither board would be required to merge with another board because of this dissolution.

Mr. Stallings asked if there was anyone present from either board who would like to be heard regarding the dissolution. Hearing no one, he stated after reviewing N.C.G.S. §18B requirements, staff concluded all elements had been satisfied and requested the Commission consider the information shared today.

Commissioner Sherlin inquired if both the Catawba County ABC Board and the Taylorsville ABC Board wanted this dissolution to occur. Mr. Stallings stated that was correct. Commissioner Sherlin further asked if the dissolution was permitted under N.C.G.S. §18B-703(e). Mr. Stallings again stated that was correct.

Commissioner McCrimmon made a motion to approve the dissolution of the Catawba County ABC Board and the Taylorsville ABC Board. Commissioner Sherlin seconded the motion. A vote was held, and the motion passed.

Mr. Stallings added the effective date of the dissolution would be January 1, 2025.

III. ABC STORE LOCATION – CABARRUS COUNTY ABC BOARD (1388 WARREN C COLEMAN BLVD, CONCORD, NC)

Deputy Commissioner Mike DeSilva summarized this request stating on October 9, 2024, the Cabarrus County ABC Board requested approval from the Commission to purchase property and relocate an ABC store to 1388 Warren C Coleman Blvd, in Concord, NC. He stated, if approved, the Board intends to begin construction renovations of the existing building in the fall of 2024.

Mr. DeSilva stated ABC Permit Compliance Officer Eric McClary verified the property zoning allowed for an ABC store. He added the property was owned by Tri Sides Properties, LLC and stated that all members of the Cabarrus County ABC Board provided financial disclosures as requested and there were no conflicts.

Mr. DeSilva provided some details stating the building was a little over 39,000 square feet and included one loading dock at this location. He stated the nearest ABC store was 4.9 miles away, the nearest school was 2.3 miles away, and the nearest church was 1.1 miles away. He added the Board anticipated first year sales at 7.4 million.

Mr. DeSilva stated on October 9, 2024, a sign announcing the Board's intentions of opening an ABC store was placed at the location and was witnessed by Mr. McClary. He stated the sign was determined to meet ABC rules and requirements. He added there have been some calls opposing the proposed new store location. Some of the reasons cited were because the location was near a church and school as well as concerns about traffic. He stated there were two calls in support of the new location.

Mr. DeSilva concluded by asking if there was anyone present who would like to be heard regarding the Cabarrus County ABC Board request. Hearing no one, he stated after reviewing N.C.G.S. §18B requirements, staff concluded all elements had been satisfied and asked the Commissioners to consider the information shared today.

Commissioner Sherlin moved to approve the ABC store location as presented. Commissioner McCrimmon seconded the motion. A vote was held, and the motion passed.

IV. OTHER BUSINESS

Commissioner McCrimmon asked if there was any other business. Hearing none, she adjourned the November 13, 2024, Commission meeting.

The next Commission meeting will be held Wednesday, December 11, 2024, beginning at 10:00 AM at the ABC Commission.

**Approved at the December 11, 2024, Commission meeting.*

/S/ La'Tanta McCrimmon

La'Tanta (L.T.) McCrimmon, Commissioner
N.C. Alcoholic Beverage Control Commission

Respectfully submitted by,

/S/ Jennifer Temple

Jennifer Temple for the Legal Section