

A. D. "ZANDER" GUY, 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

August 11, 2021

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

SECTION I

CONTESTED CASES

ALJ Decision:

1. **T/A Smokers Post**
Smokers Post, LLC
1042 NC Highway 210
Sneads Ferry, NC 28460
00160125AJ - 999
AJ AL AN DZ
ALE District I

Imposition of Decision of Administrative Law Judge: Payment of \$500.00 on the charge of violating Executive Order restrictions [4 counts].

SECTION II

OFFERS IN COMPROMISE

Suspension:

2. **T/A Barzarre**
Juggling Gypsy, Inc.
1612 Castle Street
Wilmington, NC 28401
00200310AJ-999
AJ AL DZ
ALE District I

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charge of performing services after having consumed alcoholic beverages.

3. **T/A Blue Crab Tavern**
Argie Pangas Shultz
2500 Colington Road
Kill Devil Hills, NC 27948
58995A-999
AJ AL
ALE District II

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of failing to superintend.

4. **T/A Buffaloe's Watering Hole**
Andrew Scott Buffaloe
4924 Wrightsville Avenue
Wilmington, NC 28403
00282805AJ-999
AJ AL AO
New Hanover County Sheriff's Office

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

5. **T/A Catawba Food Store**
Catawba Food Store, Inc.
111 South Main Street
Catawba, NC 28609
00115577AK-999
AK AM AO
ALE District VII

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charges of (1) delivering drug paraphernalia [2 counts] and (2) possessing adulterants intended for defrauding a drug or alcohol screening test.

6. **T/A Crossroads Tavern**
Cobbrock, LLC
874 Browns Chapel Road
Gibsonville, NC 27249
00253412AJ-997
AJ DZ
ALE District V

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charges of (1) violating Executive Order restrictions [3 counts] and (2) possessing a video gaming machine [5 counts].

7. **T/A Dollar General Store 15259**

Dolgencorp, LLC
4112 NC 33 West
Greenville, NC 27834
Q11589-423
AK AM
Pitt County ABC Board

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.

8. **T/A Dollar General Store 4318**

Dolgencorp, LLC
2609 East 10th Street
Greenville, NC 27858
Q11589-269
AK AM
Pitt County ABC Board

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.

9. **T/A Duck Thru 51**

Jernigan Oil Company, Inc.
2497 West 5th Street
Washington, NC 27889
Q11604-957
AK
ALE District II

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.

10. **T/A Duck Thru Food Store 45**

Jernigan Oil Company, Inc.
2991 Hwy 345 South
Wanchese, NC 27981
Q11604-964
AK AM
ALE District II

Offer in Compromise: 22-day suspension, avoided upon payment of \$2,200.00 on the charge of selling alcoholic beverages to an underage person [2 counts].

11. **T/A Duck Thru Food Store 50**

Jernigan Oil Company, Inc.
1706 West 5th Street
Washington, NC 27889
Q11604-958
AK
ALE District II

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

12. **T/A Family Dollar 20057**

Family Dollar Stores of NC, Inc.
207 East 5th Street
Washington, NC 27889
Q11605-769
AK AM
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.

13. **T/A Grape and Agave**

Grape Above, Inc.
11318 North Community House Road, Suite 202
Charlotte, NC 28277
00245728AJ-999
AJ AL AN DZ
Mecklenburg County ABC Board

Offer in Compromise: 13-day suspension, avoided upon payment of \$1,300.00 on the charge of violating Executive Order restrictions [3 counts].

14. **T/A Han Dee Hugos 14**

Sampson Bladen Oil Company, Inc.
2600 Charles Blvd.
Greenville, NC 27858
Q11310-901
AK AM
Pitt County ABC Board

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.

15. **T/A Johnson Brothers Mutual Dist of NC**
Johnson Brothers of North Carolina, Inc.
2233 Capital Blvd.
Raleigh, NC 27604
00210017WS-998
BA
ALE District IV

Offer in Compromise: 16-day suspension, avoided upon payment of \$1,600.00 on the charge of wholesaler delivering fortified wine to a retailer without proper permit.

16. **T/A Mar Mac Express**
Hadwan, Inc.
2371 US 117 South
Dudley, NC 28333
00210101AK-997
AK AM AO
Wayne County ABC Board

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of employing an ineligible employee due to conviction.

17. **T/A Mi Cancun Mexican Restaurant**
Mi Cancun of Pittsboro, Inc.
114 Russet Run, Suite 130
Pittsboro, NC 27312
00276870AJ-999
AJ AL AY
ALE District IV

Offer in Compromise: 50-day suspension, avoided upon payment of \$5,000.00 on the charges of (1) selling alcoholic drinks at a price that is different than usual for less than one full business day, (2) giving an alcoholic beverage to an underage person, (3) employing a person not of sufficient age to serve alcohol, (4) allowing possession of alcohol not authorized by permits and (5) possessing a container of spirituous liquor not bearing a mixed beverage tax stamp.

18. **T/A Press Box Bar and Grille**
KVEC, LLC
9609 North Tryon Street, Suite A
Charlotte, NC 28262
00217609AJ-999
AJ AL AN
Charlotte-Mecklenburg Police Department

Offer in Compromise: 39-day suspension, avoided upon payment of \$3,900.00 on the charges of (1) selling to an intoxicated person, (2) knowingly allowing fighting or other disorderly conduct [2 counts] and (3) failing to superintend [2 counts].

19. **T/A Sunhouse**
Jebee, LLC
1901 Hwy 70 SW
Hickory, NC 28602
00209925AK-999
AK AM
ALE District VII

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of delivering drug paraphernalia [2 counts].

20. **T/A Trinity Park Family Fare 432**
M.M. Fowler, Inc.
1016 West Main Street
Durham, NC 27701
Q11390-936
AK AM AO
ALE District IV

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of selling alcoholic beverages to an underage person [2 counts].

21. **T/A G M Mart**
Jai Gayatri Mata Corp., Inc.
817 South 3rd Street
Smithfield, NC 27577
00258116AK-999
AK
ALE District IV

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.

22. **T/A Littleton Food and Spirits**
Littleton Food and Spirits, LLC
235 North Mosby Avenue
Littleton, NC 27850
00276206AJ-999
AJ AL AY
ALE District II

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

23. **T/A 41 Mini Mart**
41 Highway, Inc.
905 Martin Luther King Jr. Drive
Lumberton, NC 28358
00285393AK-999
AK AM
ALE District III

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charges of (1) failing to have an exterior sign with trade name matching permit and (2) delivering drug paraphernalia.

24. **T/A 7 Eleven Store 35588C**
Shree Shakti, LLC
10023 North Tryon Street
Charlotte, NC 28262
00267187AK-999
AK AM AO
Mecklenburg County ABC Board

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.

25. **T/A AAA Tobacco**
AAA Tobacco, Inc.
301 North George Street, Suite C
Goldsboro, NC 27530
00262026AK-999
AK AM AO
Wayne County ABC Board

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of leaving an underage employee in charge of premises.

26. **T/A A and W's Mini Mart**
Ismail Grocery, Inc.
221 South Kerr Avenue
Wilmington, NC 28403
00289642AK-999
AK AM AO
New Hanover County Sheriff's Office

Offer in Compromise: 60-day suspension, the last 53 days avoided upon payment of \$5,000.00 on the charge of selling an alcoholic beverage to an underage person.

27. **T/A Back Yard Convenience**

Ashe Gas and Grocery, Inc.
838 South Jefferson Avenue
West Jefferson, NC 28694
00251723AK-999
AK AM
ALE District VII

Offer in Compromise: 40-day suspension, avoided upon payment of \$4,000.00 on the charges of (1) failing to post permit, (2) failing to have entire premises open for inspection [2 counts], (3) possessing a video gaming machine [2 counts] and (4) transferring glass tubes or splitters without proper records.

28. **T/A Bi Rite Market 5**

Bi Rite Market 5, LLC
5161 Hathaway Street
Battleboro, NC 27809
00259511AK-999
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.

29. **T/A Bordeaux Fine and Rare**

William Albert Bowman
3300 Lake Woodard Drive
Raleigh, NC 27604
00115301CM-996
AT AU BJ BL BM
ALE District IV

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of wholesaler delivering wine to a retailer without proper permit.

30. **T/A Browns Grocery**

Nadine Reham, Inc.
1013 Bradley Avenue
Tarboro, NC 27886
00262259AK-999
AK 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.

31. **T/A EZ Pass Tobacco and Vape**

Moefo, Inc.
701 Phillips Road
Kinston, NC 28504
00268676AK-999
AK AM
ALE District II

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on the charges of (1) employee possessing a controlled substance, (2) transferring glass tubes or splitters without proper records and (3) knowingly allowing a controlled substance on premise.

32. **T/A Element 31 Lounge**

Element 31 Lounge, LLC
7631 Sharon Lakes Road, Suite E
Charlotte, NC 28210
00278140AJ-999
AJ AL AN DZ
Charlotte-Mecklenburg Police Department

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charges of (1) failing to purchase malt beverages and wine only from a wholesaler and (2) failing to comply with the private club membership requirements.

33. **T/A Family Dollar 825**

Family Dollar Stores of NC, Inc.
250-A Easy Street
Greenville, NC 27835
Q11605-913
AK AM
Pitt County ABC Board

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

34. **T/A Five Points Food Mart**

Gazem, Inc.
1210 Broad Street
New Bern, NC 28560
00273299AK-999
AK AM AO
ALE District I

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

35. **T/A Get N Go**
Alflahy's Get N Go, Inc.
508 McArthur Road
Fayetteville, NC 28311
00281838AK-999
AK AM AO
ALE District III

Offer in Compromise: 22-day suspension, avoided upon payment of \$2,250.00 on the charges of (1) failing to post permit, (2) possessing counterfeit goods for resale and (3) failing to have the entire premises open for inspection.

36. **T/A Home Market**
Home Market, Inc.
3829 US Hwy 220
Jackson Springs, NC 27281
00266748AK-999
AK AM AO
ALE District V

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of transferring glass tubes or splitters without proper records.

37. **T/A Hwy 49 Neighborhood Store**
Om Aryan, Inc.
2668 Hwy 49 North
Burlington, NC 27217
00159354AK-999
AK AM
Graham Police Department

Offer in Compromise: 12-day suspension, avoided upon payment of \$1,200.00 on the charge of selling an alcoholic beverage to an underage person.

38. **T/A Liberty Street Citgo**
East Winston Oil, LLC
1522 North Liberty Street
Winston-Salem, NC 27105
00273573AK-998
AK AO
ALE District VII

Offer in Compromise: 40-day suspension, avoided upon payment of \$4,000.00 on the charge of failing to superintend [4 counts].

39. **T/A Marley's**
Marley's, LLC
6228 Yadkin Road
Fayetteville, NC 28303
00286855AJ-999
AJ AL AN AY
ALE District III

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charges of (1) allowing consumption after the legal hours and (2) violating the Executive Order restrictions.

40. **T/A Murphy USA 7616**
Murphy Oil USA, Inc.
2760 Ashley Road
Charlotte, NC 28202
Q11567-953
AK AM
Charlotte-Mecklenburg Police Department

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on the charges of (1) failing to maintain, on the premises and available for inspection or audit for three years, all records including original invoices related to alcoholic beverages, (2) failing to superintend and (3) failing to post permit.

41. **T/A Raleigh Brewing Company**
Raleigh Brewing Company
3701 Neil Street, Suite 3709
Raleigh, NC 27607
00205509CM-999
AE BL DG
ALE District IV

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of wholesaler deliver products outside a distribution agreement.

42. **T/A Raleigh Brewing Company**
Raleigh Brewing Company
3701 Neil Street, Suite 3709
Raleigh, NC 27607
00206084AJ-999
AJ AL
ALE District IV

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of selling or possessing for sale an alcoholic beverage product that had not first been approved by the ABC Commission for sale in this State.

43. **T/A Restaurante Lupitas**
Restaurante Lupitas, Inc.
228 Cabarrus Avenue West
Concord, NC 28025
00248750AJ-999
AJ AY
Concord Police Department

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

44. **T/A Sheetz 492**
Sheetz of NC, LLC
1138 South Main Street
Graham, NC 27253
Q11557-959
AK AM AO
Graham Police Department

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.