

A. D. "ZANDER" GUY, JR.
CHAIRMAN

AGNES C. STEVENS
ADMINISTRATOR



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

October 7, 2020

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

SECTION I

CONTESTED CASES

ALJ Decision:

1. **T/A Triangle Food Mart**
Vinayak Stores, Inc.
1001 Hickory Chapel Road
High Point, NC 27260
00269820AK - 999
AK AM AO
ALE District V

Imposition of Decision of Administrative Law Judge: 10-day suspension and payment of \$500.00 on charges of (1) selling or transferring glass tubes or splitters without proper records and (2) possessing adulterants intended for defrauding a drug or alcohol screening test.

SECTION II

OFFERS IN COMPROMISE

Suspension:

2. **T/A Dreams Tobacco Mart**
Aymra, LLC
501 South Memorial Drive

Greenville, NC 27834
00279986AK-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.

3. **T/A Graduate Chapel Hill**

GCNC Lessee, LLC
311 West Franklin Street
Chapel Hill, NC 27517
00280109AJ-999
AJ AL AN CY
ALE District IV

Offer in Compromise: 6-day suspension, avoided upon payment of \$600.00 on the charge of premixing mixed beverages without prior authorization.

4. **T/A Grub**

Flying Saucers, LLC
1200 West Chapel Hill Street
Durham, NC 27701
00253919AJ-999
AJ AL AN AY BX
ALE District I

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

5. **T/A Han Dee Hugo's 94**

Sampson Bladen Oil Company, Inc.
8400 Creedmoor Road
Raleigh, NC 27615
Q11310-931
AK AM
Wake County ABC Board

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on the charges of (1) performing services after having consumed alcoholic beverages and (2) employee intoxicated.

6. **T/A Wal-Mart 3600**

Wal-Mart Stores East, LP
970 Strickland Bridge Road
Fayetteville, NC 28304

Q11492-815
AK AM AO CE DF
Cumberland 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.

7. **T/A 240 Bar**
Kenneth Wayne Locklear
3706 Elmsley Court, Suite 102
Greensboro, NC 27406
00275611AJ-999
AJ AZ
ALE District V

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

8. **T/A Aldi 22**
Aldi NC, LLC
4920 Raeford Road
Fayetteville, NC 28304
Q11518-987
AK AM
Cumberland County ABC Board

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

9. **T/A Big Daddy's Minit Mart 1**
Big Daddy's Of Burke County, Inc.
1308 Carbon City Road
Morganton, NC 28655
32245B-999
AK AM AO
ALE District VII

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

10. **T/A Duck Thru 14**
Jernigan Oil Company, Inc.
3000 East 10th Street
Greenville, NC 27858
Q11604-977

AK
Pitt County ABC Board

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.

11. **T/A East Coast Wings and Grill**

Lucas Dining IV, Inc.
101 North Berkeley Blvd.
Goldsboro, NC 27534
00198809AJ-999
AJ AL AY
Wayne County ABC Board

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charges of (1) failing to purchase unfortified wine only from a wholesaler and (2) failing to maintain, on the premises and available for inspection or audit for three years, all records including original invoices related to alcoholic beverages and mixed beverages.

12. **T/A Levy Restaurants at Charlotte Bobcats Arena**

Levy Premium Foodservice Limited Partnership
333 East Trade Street
Charlotte, NC 28202
Q11494-968
AJ AL AN AR BN
ALE District VI

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charges of (1) failing to determine the age of persons possessing alcohol and (2) delivering more than one drink at a time to a single patron for his personal consumption.

13. **T/A Liberty Post 81**

American Legion Post 81
604 South Greensboro Street
Liberty, NC 27298
09199J-999
AJ AR AS
ALE District V

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charges of (1) possessing non-taxpaid alcoholic beverages, (2) failing to ensure members' alcoholic beverages were properly labeled and (3) failing to ensure members' alcoholic beverages were properly stored on the premises.

14. **T/A Lucky Seven**

Abdulgaber Abdulla Alfalahy

7603 Raeford Road
Fayetteville, NC 28314
00140791AK-999
AK AM AO
ALE District III

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

15. **T/A Lucky Stop Food Mart**

Sadek M. Ali
6402-B Market Street
Wilmington, NC 28405
00152341AK-998
AK AM AO
ALE District I

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.

16. **T/A Metro Mart Convenience Store**

Metro Mart, LLC
777 West Raleigh Blvd.
Rocky Mount, NC 27803
00198189AK-998
AK AM AO
ALE District II

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charges of (1) failing to keep the premises clean and well-lit to avoid undue hazards and (2) failing to maintain minimum food inventory to qualify for an off-premise fortified wine permit.

17. **T/A Mini Food Mart**

NDAR, LLC
9510 Reynolda Road
Tobaccoville, NC 27050
00215555AK-998
AK AM
ALE District V

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charge of possessing video gaming machines.

18. **T/A Mortimer's Coffee and Pub**

Mortimer's Venture, LLC
210 East Trade Street, Suite C-148

Charlotte, NC 28202
00175974AJ-999
AJ AL AN AY
Mecklenburg 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.

19. **T/A Painted Fish Café**
Scratch Kitchens, LLC
2941 Tynecastle Hwy
Banner Elk, NC 28604
00188308AJ-999
AJ AL AY
ALE District VII

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, (2) failing to dispose of empty spirituous liquor bottles as soon as the bottles were empty, (3) selling or possessing fortified wine for sale without the proper ABC permit and revenue license and (4) failing to maintain, on the premises and available for inspection or audit for three years, all records including original invoices related to alcoholic beverages and mixed beverages.

20. **T/A Ribeyes of Washington**
Pates Food Group, LLC
228 Stewart Parkway
Washington, NC 27889
00252298AJ-999
AJ AL AN AY
ALE District II

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charge of delivering more than one drink at a time to a single patron for his personal consumption.

21. **T/A Three Bulls**
Three Bulls, Inc.
1480 River Ridge Drive
Clemmons, NC 27012
00262978AJ-999
AJ AL AN AY
Triad Municipal ABC Board

Offer in Compromise: 30-day suspension, avoided upon payment of \$3,000.00 on the charges of (1) possessing multiple containers of spirituous liquor not bearing mixed beverage tax stamps and

(2) failing to maintain beer and wine invoices from wholesaler, (3) manufacturing a commercial beverage without a proper permit and (4) handling and storage of liquor in a prohibited manner.

22. **T/A Tobacco Barn II**
Chad Edward Earp
401 Old Shelby Road
Morganton, NC 28655
00126621AK-998
AK
ALE District VII

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.

23. **T/A Vivace**
VV, LLC
4209 Lassiter Mill Road, Suite 115
Raleigh, NC 27609
00142937AJ-999
AJ AL AN AY
Wake County ABC Board

Offer in Compromise: 6-day suspension, avoided upon payment of \$600.00 on the charge of possessing non-taxpaid alcoholic beverages.

24. **T/A 5th Street Distillery**
JBC of Greenville, LLC
120 East 5th Street
Greenville, NC 27858
00138509AJ-998
AJ AL AZ
ALE District II

Offer in Compromise: 13-day suspension, avoided upon payment of \$1,300.00 on the charges of (1) delivering more than one drink at a time to a single patron for his personal consumption and (2) failing to comply with private club membership requirements.

25. **T/A Charley's Pub**
Jonathan Ray Knight
102 Person Street, Suite A-B
Fayetteville, NC 28301
00162487AJ-997
AJ AL AZ
ALE District III

Offer in Compromise: 64-day suspension, the last 50 days avoided upon payment of \$5,000.00 on the charges of (1) failing to comply with private club membership requirements, (2) delivering more than one drink at a time to a single patron for his personal consumption, (3) failing to superintend, (4) permittee intoxicated and (5) selling to an intoxicated person.

26. **T/A Club 519**
Club 519, Inc.
519 Cotanche Street
Greenville, NC 27858
00115858AJ-999
AJ AL AZ
ALE District II

Offer in Compromise: 13-day suspension, avoided upon payment of \$1,300.00 on the charges of (1) delivering more than one drink at a time to a single patron for his personal consumption and (2) failing to comply with private club membership requirements.

27. **T/A El Mariachi Mex and Grill Two**
El Mariachi Mex and Grill 2, Inc.
1302 Carolina Avenue
Washington, NC 27889
00254332AJ-999
AJ AL AY
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.

28. **T/A Elks Security Lodge 688**
IBPOEW
708 Cox Maddox Road
Sanford, NC 27330
14895J-999
AJ AR AS
ALE District III

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on the charges of (1) failing to ensure members' alcoholic beverages were properly labeled, (2) failing to purchase malt beverages only from a wholesaler, (3) possessing non-taxpaid liquor and (4) failing to ensure members' alcoholic beverages were properly stored on the premises.

29. **T/A Food Lion 235**
Food Lion, LLC
122 South Post Road
Shelby, NC 28150
Q11473-734

AK AM AO CE DF
Shelby 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.

30. **T/A Food Lion 475**
Food Lion, LLC
3308 Bragg Blvd.
Fayetteville, NC 28303
Q11473-900
AK AM AO CE DF
Cumberland County ABC Board

Offer in Compromise: 32-day suspension, avoided upon payment of \$3,200.00 on the charge of selling an alcoholic beverage to an underage person.

31. **T/A Hop and Vine**
Ashlock Fortune Milbredt, LLC
605 Jetton Street, Suite C
Davidson, NC 28036
00284221AJ-999
AJ AL
ALE District VI

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on the charge of performing services after having consumed alcoholic beverages (2 counts).

32. **T/A JC Price Post 107**
J C Price Post 107, Inc.
1433 Old Wilkesboro Road
Salisbury, NC 28144
14851J-999
AJ AZ
ALE District VI

Offer in Compromise: 11-day suspension, avoided upon payment of \$1,100.00 on the charges of (1) failing to purchase malt beverages only from a wholesaler and (2) possessing a container of spirituous liquor not bearing a mixed beverage tax stamp.

33. **T/A Mac Billiards**
Mac Billiards, Inc.
517 Cotanche Street
Greenville, NC 27858
00168811AJ-999
AJ AZ

ALE District II

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of delivering more than one drink at a time to a single patron for his personal consumption.

34. **T/A Marty's Pub and Grill**

Marty Hadis Bragg
211 West Broad Street
Statesville, NC 28677
00186233AJ-999
AJ AL AY
ALE District VII

Offer in Compromise: 30-day suspension, avoided upon payment of \$3,000.00 on the charge of allowing an intoxicated person to consume (2 counts).

35. **T/A One Stop Shop**

DG4, Inc.
323 East Meadow Road
Eden, NC 27288
00277634AK-999
AK AM AO
ALE District V

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.

36. **T/A Pantana Bobs**

Pantana Bobs, Inc.
513 Cotanche Street
Greenville, NC 27858
67357A-999
AJ AL AN AZ
ALE District II

Offer in Compromise: 40-day suspension, avoided upon payment of \$4,000.00 on the charges of (1) delivering more than one drink at a time to a single patron for his personal consumption, (2) failing to comply with private club membership requirements and (3) employee possessing a controlled substance.

37. **T/A Paul's Corner Bar**

Paul Tracy Williams
701 North James Street
Goldsboro, NC 27530
00190662AJ-997
AJ AZ

Wayne County ABC Board

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of employing an ineligible employee due to a conviction.

38. **T/A Rafters**
420 Club, Inc.
420 Cotanche Street
Greenville, NC 27858
00243869AJ-999
AJ AL AZ
ALE District II

Offer in Compromise: 13-day suspension, avoided upon payment of \$1,300.00 on the charges of (1) delivering more than one drink at a time to a single patron for his personal consumption and (2) failing to comply with private club membership requirements.

39. **T/A Taco Mama**
Taco Mama Dilworth, LLC
2452 Park Road, Suite C
Charlotte, NC 28203
00283902AJ-999
AJ AL AY
Mecklenburg County ABC Board

Offer in Compromise: 16-day suspension, avoided upon payment of \$1,600.00 on the charges of (1) possessing a container of spirituous liquor not bearing a mixed beverage tax stamp, (2) premixing mixed beverages without prior authorization and (3) possessing non-taxpaid alcoholic beverages.

40. **T/A Uncle Llew's**
Llewellyn Van Seiden Sutton
130 West Montgomery Street
Henderson, NC 27536
00258853AJ-999
AJ
ALE District IV

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charge of performing services after having consumed alcoholic beverages (2 counts).

41. **T/A Wills Social Bistro and Lounge**
Wills Social Bistro and Lounge, LLC
5400 South Miami Blvd., Suite 112
Durham, NC 27703
00235795AJ-999

AJ AL AY
ALE District IV

Offer in Compromise: 4-day suspension, avoided upon payment of \$400.00 on the charge of failing to qualify as restaurant.

42.

T/A Yama Izakaya
Yama Izakaya, LLC
1324 Central Avenue
Charlotte, NC 28205
00222832AJ-999
AJ AL AN AY
Mecklenburg County ABC Board

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of performing services after having consumed alcoholic beverages (2 counts).