

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

November 4, 2020

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

SECTION I

CONTESTED CASES

ALJ Decision:

- T/A Hookah Hotspot**
Kidyos, LLC
2600 Central Avenue
Charlotte, NC 28205
00272320AJ - 999
AJ AL AZ
Mecklenburg County ABC Board

Offer in Compromise: 16-day suspension, avoided upon payment of \$1,600.00 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 and mixed beverages and (2) failing to post permits.

SECTION II

OFFERS IN COMPROMISE

Suspension:

- T/A Burlington Food Mart**
Ireland Street Corner, LLC
217 South Ireland Street
Burlington, NC 27217
00255566AK-999

AK AM AO
ALE District V

Offer in Compromise: 6-day suspension, avoided upon payment of \$600.00 on the charge of consumption at a business with off-premise ABC permits.

3. **T/A Circle K Store 2723926**

Circle K Stores, Inc.
4336 Park Road
Charlotte, NC 28209
Q11434-541
AK AM
ALE District VI

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of failing to maintain the beer and wine invoices from the wholesaler.

4. **T/A Dollar General Store 18892**

Dolgencorp, LLC
2110 US 17 North
Merry Hill, NC 27957
Q11589-240
AK AM
ALE District II

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

5. **T/A Eagle Creek Bar and Grill**

Eagle Creek Bar and Grill, LLC
109 Green View Road
Moyock, NC 27958
00214010AJ-999
AJ AL BT
ALE District II

Offer in Compromise: 4-day suspension, avoided upon payment of \$400.00 on the charge of maintaining living quarters directly attached to the premises.

6. **T/A Expressway Mini Mart**

MAM 14, LLC
1261 Gum Branch Road
Jacksonville, NC 28546
00224060AK-999
AK AM AO
Jacksonville Police Department

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

7. **T/A Hutchins Garage**
Harvey Hancock, LLC
402 West Geer Street
Durham, NC 27701
00266866AJ-999
AJ AL AY
ALE District IV

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of possessing or consuming fortified wine where consumption is not authorized.

8. **T/A Johnny's Bar and Grill**
Johnny's Mexican American Bar and Grill, LLC
1519 West Hwy 150
Lincolnton, NC 28092
00239207AJ-998
AJ AY
ALE District VI

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charges of (1) possessing a controlled substance on the premise and (2) failing to have a tax stamp on a bottle of spirituous liquor.

9. **T/A Lost Colony Brewery and Café**
Half Moon Junction, Inc.
208-C Queen Elizabeth Street
Manteo, NC 27954
00084396AJ-998
AJ AL
ALE District II

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of failing to have an exterior sign with the trade name matching the permit.

10. **T/A M and M Supermarket**
Jai Ambaji, Inc.
1660 North Main Street
Marion, NC 28752
00188836AK-999
AK AM AO
ALE District VIII

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on the charges of (1) transferring glass tubes or splitters without maintaining the proper records and (2) selling alcoholic beverages to an underage person.

11. **T/A Montoya Brothers**
Montoya Brothers, Inc.
102 Airport Road
Greenville, NC 27834
00214170AK-999
AK
ALE District II

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of selling or possessing fortified wine for sale without the proper ABC permit.

12. **T/A Moochies Tavern**
J and B Concepts, LLC
15060 Idlewild Road, Suite I
Matthews, NC 28104
00265253AJ-999
AJ AL AY
ALE District VI

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of allowing an intoxicated person to consume alcoholic beverages.

13. **T/A O'Malleys Pub and Grill**
Mountain Brews, LLC
83 Asheville Hwy
Sylva, NC 28779
00254884AJ-999
AJ AL AN AY
ALE District VIII

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of allowing an intoxicated person to consume alcoholic beverages (2 counts).

14. **T/A Surya Mart**
Surya Mart, LLC
4610 Woody Mill Road, Suite 103
Greensboro, NC 27406
00259092AK-999
AK AM
ALE District V

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

15. **T/A Vapianos**
VAP Charlotte, LLC
201 South Tryon Street, 1st Floor, Suite 101
Charlotte, NC 28202
00191366AJ-999
AJ AL AN AY
Charlotte-Mecklenburg Police Department

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charges of (1) failing to superintend and (2) selling an entire bottle of spirituous liquor.

16. **T/A Abbey Road Tavern and Grill Fuquay**
Total Chaos, Inc.
711 North Main Street
Fuquay Varina, NC 27526
00271790AJ-999
AJ AL AN AY
ALE District IV

Offer in Compromise: 17-day suspension, avoided upon payment of \$1,700.00 on the charge of selling alcoholic beverages to an intoxicated person.

17. **T/A BPO Elks 1710**
Morehead City Beaufort Lodge 1710 BPOE of the USA
400 Miller Farm Road
Morehead City, NC 28557
11384J-997
AJ AL AZ
ALE District I

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of allowing a game of chance or gambling.

18. **T/A Bakadi Lounge**
VIP Club, LLC
4205 Monroe Road
Charlotte, NC 28205
00183286AJ-999
AJ AL AN AZ
Charlotte-Mecklenburg Police Department

Offer in Compromise: 64-day suspension, the last 50 days avoided upon payment of \$5,000.00 on the charges of (1) selling an entire bottle of spirituous liquor, (2) failing to destroy

unconsumed alcoholic beverages, (3) failing to clear tables by 2:30 A.M., (4) failing to deface the tax stamp once a bottle was empty, (5) performing services after having consumed alcoholic beverages and (6) allowing consumption of alcoholic beverages after the legal hours.

19. **T/A Chuys**
Chuys Opco, Inc.
7314 Waverly Walk Avenue, Suite E-8
Charlotte, NC 28277
00209694AJ-995
AJ AL AN AY
ALE District VI

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of advertising a brand name on the exterior of the premises.

20. **T/A Clarks Mini Mart**
Samerah Ismail Awad
26605 US Hwy 264 East
Pantego, NC 27860
00138656AK-996
AK AM AO
ALE District II

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charge of (1) employee possessing a controlled substance and (2) employing an ineligible employee due to a conviction.

21. **T/A Club Climax**
James Douglas Barrett
1375 Hwy 258 South
Kinston, NC 28504
00212084AJ-999
AJ AL AZ
ALE District II

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charges of (1) possessing a spirituous liquor bottle not bearing a tax stamp and (2) possessing nontaxpaid spirituous liquor.

22. **T/A Coco Bongo Bar and Grill**
Coco Bongo Bar and Grill, Inc.
2312 Randleman Road
Greensboro, NC 27406
00282492AJ-999
AJ AY
Greensboro Police Department

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charges of (1) failing to superintend and (2) allowing consumption after the legal hours.

23. **T/A Dixons Jamaican Taste**
Dixons Jamaican Taste, LLC
3261 South Church Street
Burlington, NC 27215
00285965AJ-999
AJ
ALE District V

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charge of employee possessing a controlled substance.

24. **T/A Durham Hotel**
Hotel Durham, LLLP
315 East Chapel Hill Street
Durham, NC 27701
00231345AJ-999
AJ AL AN CY
ALE District IV

Offer in Compromise: 3-day suspension, avoided upon payment of \$300.00 on the charge of possessing a bottle of spirituous liquor not bearing a tax stamp.

25. **T/A Empourium**
Tasty Tap, LLC
734 East Mountain Street
Kernersville, NC 27284
00222985AJ-999
AJ AL AZ
ALE District V

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on the charges of (1) possessing or consuming spirituous liquor where not authorized and (2) selling alcoholic beverages to an intoxicated person.

26. **T/A Fast Mart**
Fayetteville Fast Mart, Inc.
2112 Murchison Road
Fayetteville, NC 28301
00254182AK-999
AK AM
ALE District III

Offer in Compromise: 45-day suspension, avoided upon payment of \$4,500.00 on the charges of (1) selling or possessing alcoholic beverages for sale without the proper ABC permit, (2) failing to keep the premises clean and well-lit to avoid undue hazards, (3) allowing consumption of alcoholic beverages at a business with off-premise ABC permits, (4) failing to maintain records of spirituous liquor purchases, (5) failing to have the entire premises open for inspection, (6) possessing adulterants intended for defrauding a drug or alcohol screening test, (7) failing to maintain beer and wine invoices from the wholesaler and (8) failing to superintend.

27. **T/A Fastop Market 306**

Isaacs Enterprises, Inc.
314 Airport Road
Arden, NC 28704
00273893AK-996
AK AM
ALE District VIII

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charges of (1) employing an ineligible employee due to a conviction and (2) employee possessing a controlled substance.

28. **T/A Florida Mart**

Ayaan, Inc.
803 West Florida Street
Greensboro, NC 27406
00173958AK-998
AK AM AO
Greensboro Police Department

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

29. **T/A Food Lion 1327**

Food Lion, LLC
3211 Enterprise Drive
Wilmington, NC 28405
Q11473-877
AK AM AO CE DF
New Hanover County Sheriff's Office

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

30. **T/A Food Lion 809**

Food Lion, LLC
3037 Legion Road

Fayetteville, NC 28306
Q11473-746
AK AM AO CE DF
Cumberland County ABC Board

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

31. **T/A Get N Go**
Alflahys Get N Go, Inc.
508 McArthur Road
Fayetteville, NC 28311
00281838AK-999
AK AM AO
ALE District III

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on the charges of (1) maintaining living quarters directly attached to the premises, (2) failing to maintain the minimum food inventory for an off-premise fortified wine ABC permit, (3) possessing counterfeit goods for resale and (4) employee possessing a controlled substance (2 counts).

32. **T/A Grumpy's Pub**
Grumpy's Pub, Inc.
111 East 5th Street
Greenville, NC 27858
00230045AJ-999
AJ AL AN AZ
ALE District II

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 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 the private club membership requirements.

33. **T/A Handlebar**
Carol Lafferty Colt
208 Wellons Drive
Beaufort, NC 28516
00082609AJ-997
AJ AL AZ
ALE District I

Offer in Compromise: 4-day suspension, avoided upon payment of \$400.00 on the charge of possessing a bottle of spirituous liquor not bearing a tax stamp.

34. **T/A Jackie Boys**
Jackie Boys, LLC

3775 Concord Parkway, Suite 132
Concord, NC 28027
00289254AJ-999
AJ AL AY
ALE District VI

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charges of (1) failing to purchase malt beverages only from a wholesaler and (2) performing services after having consumed alcoholic beverages.

35. **T/A La Rancherita Mexican Restaurant**

La Rancherita of Raleigh, Inc.
4325 Glenwood Avenue, Suite 3000
Raleigh, NC 27612
00118596AJ-999
AJ AL AY
Wake County ABC Board

Offer in Compromise: 14-day suspension, avoided upon payment of \$1,400.00 on the charges of (1) possessing a bottle of spirituous liquor not bearing a tax stamp and (2) transferring alcohol between commonly owned stores without prior ABC Commission approval.

36. **T/A Laurinburg Food Mart**

Waddah Abdulkarim Mohamed Ashaif
Amran Saleh Hussein
1201 Produce Market Road
Laurinburg, NC 28352
00119011AK-999
AK AM AO
ALE District III

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charge of selling or allowing consumption on Sunday before the legal hours.

37. **T/A Lick Sports Lounge and Bar**

Douglas Glen Jones
2901 NC 97 Hwy
Wendell, NC 27591
00267378AJ-999
AJ AZ
Wake County ABC Board

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charges of (1) failing to cooperate with a law enforcement officer and (2) failing to superintend.

38. **T/A Lodge A Sportsman Grill**
Lodge A Sportsman Grill, LLC
7725 Colony Road, Suite E4
Charlotte, NC 28226
00179548AJ-999
AJ AL AN AY
Mecklenburg County ABC Board

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of possessing nontaxpaid spirituous liquor.

39. **T/A Marina Cafe**
Marina Cafe and Marina of Jacksonville, Inc.
110 South Marine Blvd.
Jacksonville, NC 28540
00105561AJ-999
AJ AL AN AY
Jacksonville Police Department

Offer in Compromise: 50-day suspension, avoided upon payment of \$5,000.00 on the charges of (1) failing to clear tables by 2:30 A.M., (2) performing services after having consumed alcoholic beverages, (3) failing to cooperate with a law enforcement officer and (4) allowing sexually explicit conduct.

40. **T/A Mikes Food Store**
BRAJ, Inc.
2615 South York Road
Gastonia, NC 28052
00119420AK-998
AK AM AO
ALE District VI

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charges of (1) failing to maintain the minimum food inventory for an off-premise fortified wine ABC permit and (2) possessing a video gaming machine.

41. **T/A Mooresville Lodge 2012**
Loyal Order Of Moose
2126 Charlotte Hwy
Mooresville, NC 28115
14839C-999
AJ AL AS
ALE District VII

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of allowing a game of chance or gambling.

42. **T/A Need It Got It**
Need It Got It, Inc.
1608 2nd Avenue NW
Hickory, NC 28601
00206270AK-999
AK AM
ALE District VII

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

43. **T/A Pancho Villa Mexican Restaurant**
Pancho Villa of Salisbury, Inc.
1510 Stokes Ferry Road
Salisbury, NC 28146
00130538AJ-997
AJ AL AN AY
ALE District VI

Offer in Compromise: 6-day suspension, avoided upon payment of \$600.00 on the charges of (1) possessing a bottle of spirituous liquor not bearing a tax stamp and (2) failing to deface a tax stamp once a bottle was empty.

44. **T/A Pavilion Backstage**
Live Nation Worldwide, Inc.
707 Pavilion Blvd., Suite A
Charlotte, NC 28262
00280978AR-999
AR
Mecklenburg County ABC Board

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

45. **T/A Penny Saver**
Guddi Groceries, Inc.
2430 Lees Chapel Road
Greensboro, NC 27405
00239495AK-999
AK AM AO
ALE District V

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charges of (1) transferring glass tubes or splitters without maintaining the proper records, (2) employee

possessing a controlled substance and (3) possessing adulterants intended for defrauding a drug or alcohol screening test.

46. **T/A Ramsey 24 Food Mart**
Ramsey 24 Food Mart, Inc.
2910 Ramsey Street
Fayetteville, NC 28301
00209698AK-999
AK AM AO
ALE District III

Offer in Compromise: 12-day suspension, avoided upon payment of \$1,200.00 on the charges of (1) failing to keep the premises clean and well-lit to avoid undue hazards and (2) failing to maintain the beer and wine invoices from the wholesaler.

47. **T/A Salsa Azteca Mexican Grill**
Salsa Azteca Mexican Grill of Knightdale, Inc.
7425 Knightdale Blvd.
Knightdale, NC 27545
00247466AJ-999
AJ AL AY
ALE District IV

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

48. **T/A Son of the South Saloon**
Michael Eugene Dyson
3007 1st Avenue SW
Long View, NC 28602
40305A-996
AJ AL AS
ALE District VII

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of allowing a game of chance or gambling.

49. **T/A Southend Brewing Company**
Southend Brewing Company, LLC
117-B1 West Lewis Street
Greensboro, NC 27406
00284477AJ-999
AJ AL
ALE District V

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of failing to purchase unfortified wine only from a wholesaler.

50. **T/A Studio 117**
Charles Henderson Bryant
920 McDaniel Avenue
Goldsboro, NC 27530
03570A-998
AJ AL AR AZ
ALE District II

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charges of (1) failing to superintend and (2) failing to cooperate with a law enforcement officer.

51. **T/A Taboo**
Arthur Holdings, LLC
702 West Trade Street, Suite H
Charlotte, NC 28202
00273173AJ-999
AJ AL AZ
Mecklenburg County ABC Board

Offer in Compromise: 14-day suspension, avoided upon payment of \$1,400.00 on the charges of (1) failing to deface a tax stamp once a bottle was empty, (2) failing to file reports as required by the ABC Commission Audit Section, (3) failing to dispose of an empty spirituous liquor bottle and (4) transferring glass tubes or splitters without maintaining the proper records.

52. **T/A Walgreens 7805**
Walgreen Company
3296 Village Drive
Fayetteville, NC 28304
Q11617-928
AK AM
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.

53. **T/A Wyndham Garden Greensboro Coopers Ale House**
Khan Hotels and Hospitality, LLC
415 Swing Road
Greensboro, NC 27409
00202651AJ-999
AJ AL AN CY
Greensboro Police Department

Offer in Compromise: 6-day suspension, avoided upon payment of \$600.00 on the charge of failing to deface a tax stamp once a bottle was empty.