

**NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL  
COMMISSION MINUTES  
SEPTEMBER 9, 2015**

The following narrative and summary describes the North Carolina Alcoholic Beverage Control Commission meeting held at 400 East Tryon Road, Raleigh, North Carolina on September 9, 2015, beginning at 10:00 AM. The meeting was recorded and the disc is on file at the NC ABC Commission in the Legal Division.

**ROLL CALL**

Chairman James C. Gardner and Commissioners Joel L. Keith and Kevin M. Green were present. Chairman Gardner called the meeting to order.

**MINUTES OF AUGUST 12, 2015**

Chairman Gardner asked for a motion to waive the reading of the minutes of the August 12, 2015 meeting into the record. Commissioner Green made a motion to waive the reading of the minutes. Commissioner Keith seconded the motion. Motion Passed. Chairman Gardner asked for a motion to approve the minutes of the August 12, 2015 meeting. Commissioner Keith made a motion to approve the minutes. Commissioner Green seconded the motion. Motion Passed.

**CONFLICTS OF INTEREST**

As required by N.C.G.S. § 138A-35, Chairman Gardner asked if there were any conflicts of interest or any conditions or facts which might create the appearance of a conflict of interest with respect to any matters on the agenda. Commissioner Keith stated he found no conflicts of interest. Commissioner Green recused himself from the vote on the consideration of a new location for the Greensboro ABC Board as he has a relationship with one of the property owners. Chairman Gardner found no conflicts of interest.

**I. HEARING CASES – 56**

Chief Counsel K. Renee Cowick stated no one was present on behalf of the hearing cases. Ms. Cowick asked for ratification of the offers in compromise.

Commissioner Keith made a motion to ratify the remaining offers in compromise. Commissioner Green seconded the motion. Motion Passed.

**II. ABC STORE LOCATION – GREENSBORO ABC BOARD**

Administrator Robert A. Hamilton stated on July 29, 2015, the NC ABC Commission received a request from the Greensboro ABC Board for approval to purchase property to build and operate an ABC Store at 4633 West Market Street in Greensboro, North Carolina. The new store will replace an existing leased store located approximately 180 feet behind the proposed location.

On August 6, 2015, ABC Auditor/Investigator Edwin Strickland confirmed the property is zoned C-H, commercial high and is approved for an ABC store. The property is listed as .81 acres and currently there is an 8,000 SF building divided into suites on the property.

The property is owned by Weaver Investment Company of Greensboro. Mr. Strickland confirmed with the company there are no personal or financial conflicts with any Greensboro ABC Board members. All Greensboro ABC Board members submitted financial disclosure forms. The purchase price for the property is \$1,100,000.00.

The Board plans to demolish the existing building and construct a building of approximately 6,000 SF of which 4,800 SF will be used for retail sales. Greensboro ABC Board Manager Vickee Armstrong provided Mr. Strickland with tentative diagrams and designs.

The nearest school, Lindley Elementary School, is approximately 2.2 miles from the proposed location. The nearest church, Change the Nations Church, is approximately .4 miles from the proposed location. The nearest ABC Store, other than the ABC Store to be replaced, is located approximately 2.6 miles from the proposed location at 1700 Stanley Road in Greensboro.

Mr. Hamilton stated notice to the public was posted on July 10, 2015, and replaced on August 3, 2015. No comments have been received. The anticipated first year sales are \$3,500,000.00. Mr. Hamilton stated staff recommended approval of the proposed location.

Commissioner Keith made a motion to approve the proposed location based upon staff's recommendation. Chairman Gardner seconded the motion. Motion Passed.

Ms. Cowick introduced Missy Welch, a new attorney who recently joined the Legal Division, and Rachel Spear, a temporary employee within the Legal Division. Chairman Gardner welcomed them to the ABC Commission staff.

Chairman Gardner announced the next regular NC ABC Commission meeting will be held on Wednesday, October 14, 2015. Mr. Hamilton confirmed with Ms. Cowick a Special Meeting is scheduled for Thursday, September 24, 2015 at 10:00 am, regarding the consideration to adopt the temporary rules pertaining to distillery bottle sales.

Commissioner Keith made a motion to adjourn. Commissioner Green seconded the motion. With no further business, the meeting adjourned.

***Approved at the October 14, 2015 Commission Meeting***

          /S/ James C. Gardner            
James C. Gardner, Chairman  
N.C. Alcoholic Beverage Control Commission

Respectfully submitted by,

          /S/ Caroline Y. Washburn            
Caroline Y. Washburn for the Legal Section