

**NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL
SPECIAL COMMISSION
MINUTES
SEPTEMBER 17, 2010**

The following narrative and summary highlights action taken by the North Carolina Alcoholic Beverage Control Commission at its meeting on September 17, 2010, beginning at 2:00 PM. The meeting was recorded and the disk is on file at the ABC Commission in the Legal Division.

ROLL CALL

Chairman Jonathan S. Williams was present and Commissioner Zander Guy was present via teleconference.

CONFLICTS OF INTEREST

As required by North Carolina General Statute 138A-15, Chairman Williams asked Commissioner Guy if there were any conflicts of interest or any conditions or facts that might create the appearance of a conflict of interest with respect to any matters on the agenda. Chairman Williams and Commissioner Guy both stated they found no conflicts of interest.

**REVIEW OF THE PUBLIC COMMENTS OF THE PROPOSED 04 NCAC 2R RULE CHANGES
PUBLISHED IN VOLUME 25, ISSUE 02 OF THE NORTH CAROLINA REGISTER**

Chairman Williams stated that Mr. Robert Hamilton was present to speak regarding the public comments pertaining to proposed 04 NCAC 2R Rule Changes.

Mr. Hamilton stated that he had only received two comment regarding changes to 04 NCAC 2R. The first comment came from Mr. Rodney Johnson, General Manager of the Asheboro ABC Board regarding 04 NCAC 02R.1701(a), nontaxpaid samples leaving the ABC Stores. Mr. Johnson asked that the Commission consider allowing exemptions to be added to NCAC 02R.1701(a).

Mr. Hamilton further stated that the legal staff recommended that the requested rule change proceed as written and wait to further address the proposed rule change in the proposed 04 NCAC 02T rule changes.

Mr. Hamilton stated that the next comment also came from Mr. Rodney Johnson. Mr. Johnson asked that in regard to 2R.1405(3), the minimum order of 3,000 commemorative bottles be deleted from subsection 3.

Finally due to recent legislative changes, the legal staff recommends to withdrawal of 04 NCAC 02R.1008, Conflicts of Interests.

Mr. Hamilton asked the Commission to adopt the 04 NCAC 2R rules and the staff recommended changes to NCAC 02R.1701(a), NCAC 2R.1405(3) and 04 NCAC 02R.1008.

Commissioner made a motion to adopt the published revisions to subchapter 2R with the recommended changes. Seconded by Chairman Williams. So Ordered.

With no further business, the meeting adjourned.

Jonathan S. Williams, Chairman
N.C. Alcoholic Beverage Control Commission

Respectfully submitted by

Tiffany Goodson, Legal Division