

**Minutes of the Meeting  
August 21, 2017**

The Durham County ABC Board met at the administrative office, 2634 Durham Chapel Hill Boulevard, on the 21<sup>st</sup> day of August, 2017.

Jacqueline Wagstaff called the meeting to order at 5:30 p.m.

Board members Norwood “Andy” Miller, Lawrence Daye and Donald Lebkes were present. General Manager Rufus Sales and attorney George W. Miller, Jr. were also present. Durham County ABC Support Services Director Perlie Davis, Durham County ABC Finance Officer Lee Keatts and Durham County ABC Chief Natausha Pettiford were also in attendance.

**Conflict of Interest Review and Declaration**

Ms. Wagstaff read the Board’s Conflict of Interest Review and Declaration statement and asked Board members if they have an actual conflict or appearance of a conflict of interest with any items coming before the Board and, if so, does the Board member wish to recuse him or herself from deliberating and voting on the matter. All Board members verbalized that they have reviewed the agenda and do not have any conflicts.

Board member Miller requested to remove item 2 Introduction of New Board Member from the agenda. Without objection by the Board, item 2 was removed from the agenda. Board Member Miller motioned to adopt the agenda with the removal of item 2. Mr. Daye seconded the motion and the Board approved unanimously.

**Consent Items**

The consent items approved were the Minutes of the June 19, 2017 Board Meeting, Minutes of the July 15, 2017 Special Meeting and Minutes of the July 15, 2017 Board Retreat. Board Member Miller motioned to accept the consent items. Mr. Daye seconded the motion and the Board approved unanimously.

**General Business**

**Public Comment**

Ms. Wagstaff stated that there are not any members of the public present this evening for comment.

**Introduction of Employees**

Raymond Norwood introduced himself to the Board as a new warehouse employee. Andrew Harris introduced himself to the Board as an employee of DCABC for several years on a part-time basis and recent transfer to the warehouse as a full-time employee. Tracy Price introduced herself to the Board as an Assistant Manager at the Hope Valley Road Store. She stated that she has been an employee of DCABC for nineteen years and plans to attend the Board meeting this evening. Valerie Martinez introduced herself to the Board as a new Clerk at the Durham Chapel Hill Boulevard store. The Board welcomed all employees to DCABC.

## **Financial Report**

### **June and July Financials**

Mr. Keatts stated that the Summary of Income Statement Results for June and July were included in the Board meeting packet. He noted that DCABC was ranked 8<sup>th</sup> in June and 9<sup>th</sup> in July among the nine boards DCABC considers comparable.

Mr. Sales explained that mixed beverage sales decreased \$21K in July of this year compared to last year. He attributes the loss in sales to a large mixed beverage purchase by a new hotel opening in July of last year and also the recent closure of several Durham establishments this summer. Mr. Sales stated that he is working with law enforcement to increase establishment inspections as bar and restaurant adherence to proper purchasing procedures directly relates to mixed beverage sales.

Board Member Miller requested additional details to support decreased sales in the month of June. Mr. Sales stated that he will research the matter and report back to the Board.

### **Budget Amendment**

Mr. Sales reported to the Board that the Budget Amendment reflects the technology and law enforcement items approved by the Board at the July Special Meeting. Board Member Miller motioned to accept the Budget Amendment. Mr. Daye seconded the motion and the Board agreed without objection.

### **Support Services Report**

Ms. Davis stated that the Support Services Update was included in the Board meeting packet and offered clarification at Board members' request. The Board accepted the support services report as presented.

### **Law Enforcement Report**

The Law Enforcement Summary was included in the Board meeting packet. Chief Pettiford requested Board member questions or comment. Ms. Wagstaff stated that the law enforcement report was received and accepted by the Board.

### **General Manager's Report**

Mr. Sales reported to the Board that air conditioning repair at the Durham Chapel Hill Boulevard Store is estimated to cost between \$15-\$20K. The price reflects the cost of the repair to the unit and also a contractor to open the ceiling in order to access the unit because it is located in the attic.

Mr. Sales reported to the Board that the Mixed Beverage Open House went over well with a good turnout.

Mr. Sales stated that he recommends hours of operation at all retail store hours revert back to 9:00 a.m. to 9:00 p.m. beginning in October. He stated that the third largest ABC retail store recently opened several miles from the Durham Chapel Hill location and the schedule change will enable DCABC to remain competitive.

Mr. Sales stated that a DCABC Assistant Manager on long term disability is approaching a year-long leave of absence. After consulting with human resources personnel, he learned that the

standard for holding a position open for an employee on disability is one year. Mr. Sales notified the Board that he plans to advertise and fill the position once a full year on leave has passed.

Mr. Sales stated that two DCABC employees have notified him of their retirement in November. Both employees work at the same location and they hold the positions of Assistant Manager and Clerk. Mr. Sales will advertise and hire for both positions timely so the store will not be short staffed.

Mr. Sales recommended to the Board that law enforcement utilize allotted alcohol tax revenue funds in the amount of \$19,973.90 for equipment purchases. He stated that these monies have accumulated over the years and are not included in the budget. Additionally, the funds can only be used for law enforcement equipment and that there are presently equipment needs. Board Member Miller motioned to allow law enforcement to utilize \$15K of funds available. Mr. Daye seconded the motion and the Board approved unanimously.

### **Other Business**

- **Travel Policy (County v. State)**

Ms. Wagstaff requested the Board attorney to report on his findings to distinguish between the County and State Travel Policies. Attorney Miller presented his report to the Board. Ms. Wagstaff recommended that the Board accept the State Travel Policy to avoid conflicting issues between State and County policies. The Board had a general discussion regarding differences between the policies. Mr. Daye motioned that the Board adopt the State Travel Policy. Board Member Miller seconded the motion and the Board approved unanimously. Mr. Sales will notify the County Commissioners of the Board's decision.

- **NC Association of ABC Boards Conference Highlights**

Mr. Lebkes reported to the Board on items of interest at the NC Association of ABC Boards Conference. He noted information received on technological advances in warehouse ordering systems that would improve DCABC's process. He also discussed a program used by Mecklenburg County ABC Board to facilitate community grant processing from Foundant Technologies. The software would allow DCABC and grant recipients to utilize the program concomitantly from application submission to follow up instructions and requirements. Mr. Lebkes suggested that that the Board contact the County and City Managers to request whether they have an online program similar to that of Foundant. The General Manager will request information regarding the County and City's system for facilitating grants.

### **Closed Session**

Mr. Daye motioned for the Board to go into closed session per G.S. § 143-318.11(a): (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; (5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public in negotiation (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or

prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. Mr. Lebkes seconded the motion and the Board approved without objection.

**Adjournment**

Ms. Wagstaff motioned to adjourn the meeting and the Board approved without objection.

Approved By: Lawrence Day (9)