

**Minutes of the Meeting
December 18, 2017**

The Durham County ABC Board met at the administrative office, 2634 Durham Chapel Hill Boulevard, on the 18th day of December, 2017.

Board Chair, Andy Miller, called the meeting to order at 5:30 p.m.

Board members Jacqueline Wagstaff, Lawrence Daye, Donald Lebkes and Beverly Thorpe were present. General Manager Rufus Sales, attorney George W. Miller, Jr., Durham County ABC Support Services Director Perlle Davis and Durham County ABC Chief Natausha Pettiford were also in attendance.

Conflict of Interest Review and Declaration

Chair Miller 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 present verbalized that they have reviewed the agenda and do not have any conflicts.

Mr. Daye motioned to adopt the agenda as presented. Mr. Lebkes seconded the motion and the Board approved unanimously.

Consent Item

The consent item approved was the November 13th Board Meeting Minutes. Mr. Lebkes motioned to approve the Board Meeting Minutes. Ms. Thorpe seconded the motion and the Board approved unanimously.

General Business

Public Comment

Chair Miller stated that there are not any members of the public in attendance.

Introduction of New Employees

Mr. Sales introduced the Board members to newly hired DCABC employees. Diamond Linen is a new employee at the Highway 55 Store. Melissa Purfoy is a new employee working at the T.W. Alexander Store. Angeni Ramos is a new employee at the Durham Chapel Hill Boulevard Store. The Board welcomed DCABC's new full-time employees.

Financial Report

Mr. Sales stated that the monthly financial report was included in the meeting packet. He noted that there was an increase in sales in the amount of \$71K in November of this year compared to November of last year. Mr. Lebkes requested that the financial report be reconfigured to include 2015 sales next to year to date growth trends. The Board discussed the financial report and the details of the outstanding loan for the purchase of the Hope Valley Store.

Support Services Report

Ms. Davis stated that the support services report was included in the meeting packet and requested questions or comments from the Board. Ms. Thorpe requested the status of obtaining a disaster recovery plan template. Ms. Davis reported that she has not yet received a response from the entities she has reached out to. Mr. Sales stated that there are several other organizations he will contact to request a disaster recovery plan.

Chair Miller requested the status of the credit card processing error that occurred last month. Ms. Davis stated that the number of credit card errors has decreased and previous duplicate charges were reviewed and corrected.

Mr. Lebkes requested the status of the Point-of-Sale proposals. Ms. Davis stated that she submitted DCABC requirements to three POS providers and proposals are forthcoming.

Law Enforcement Report

Chief Pettiford reported to the Board on law enforcement activity during the month including security at retail stores during the holiday season, an alcohol awareness program at Northern High School, background checks on new employees, CAP training for Clerks and RASP training.

General Manager's Report

Mr. Sales reported to the Board that Mechanics and Farmers Bank sold the building that DCABC leases for administrative offices. An estoppel agreement was received and reviewed by the Board attorney. A new warehouse schedule is in place to expand hours of operation and better accommodate permittees. Mr. Sales reported that five full-time employees are on leave of absence. The positions are presently being filled by part-time employees.

Follow-up Items

- **Financial Investments**

Mr. Sales reported to the Board on expected financial growth by investing with NC Capital Management Trust. The Board had a general discussion regarding investing with Capital Management. Mr. Lebkes motioned to invest DCABC funds in NC Capital Management Trust for a year to evaluate the performance. Mr. Daye seconded the motion and the Board approved unanimously.

- **ZoomGrants Online Service**

Mr. Sales stated that a proposal from ZoomGrants to facilitate administration of the DCABC grant program was previously provided to all Board members for their review. He stated that grant funds may be used for costs associated with administration of the grant program. The Board discussed training and fees required to utilize ZoomGrants. Mr. Lebkes motioned to purchase ZoomGrants' online service. Ms. Thorpe seconded the motion and the Board approved unanimously.

- **Point-of-Sale Systems Review**

Mr. Sales stated that Point-of-Sale system proposals will be presented to the Board for review at the January Board Meeting.

- **Disaster Recovery Plan**
Mr. Sales will continue to provide status updates to the Board in regards to locating a disaster recovery plan template.
- **Meeting with Permittees Regarding Mixed Beverage**
Mr. Sales reported to the Board on his meeting with permittees. He stated that there were issues expressed by permittees regarding DCABC Law Enforcement. Mr. Sales provided statutes and explanations regarding ABC Law Enforcement regulations in response to requests. Mr. Sales provided permittees with the new Mixed Beverage schedule to include expanded hours of operation on Friday and Saturday. Additionally, he increased availability of liquor for emergency orders from twelve to thirty-six bottles.
- **Feasibility Study Proposals**
Mr. Sales reported that he requested proposals from three commercial real estate companies to conduct a feasibility study. Two companies responded and proposals were previously provided to Board members. Mr. Sales recommended to the Board that JLL perform the feasibility study as their proposal provides a more comprehensive approach to addressing the study and considers demographics. The Board discussed the proposal submitted by JLL.

At this time, Ms. Wagstaff entered the meeting. Ms. Wagstaff stated that she has reviewed the agenda and she does not have any conflicts of interest with any items coming before the Board.

- **Feasibility Study Proposals (Continued)**
Mr. Lebkes motioned to hire JLL to conduct a feasibility study for DCABC. Mr. Daye seconded the motion and the Board approved unanimously.

Other Business

Employees in Acting Positions

Mr. Sales stated that due to employees on leave of absence, there are presently two employees in acting manager positions and four employees in acting assistant manager positions. According to policy, approval of the Board is required. Ms. Wagstaff motioned to approve acting positions as presented by Mr. Sales. Mr. Daye seconded the motion and the Board approved unanimously.

Mr. Lebkes inquired whether DCABC has a program in place to reward employees that submit organizational improvement suggestions that result in increased sales or improved efficiency. Mr. Sales stated that a letter of appreciation and acknowledgment at meetings by the General Manager is provided to employees with recommendations and that monetary rewards are not permitted by the ABC Commission.

Closed Session

Ms. Wagstaff 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; (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.

Open Session

Chair Miller stated that the Board is back in open session and that no action was taken during closed session.

Adjournment

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

Approved By: NA Miller