

**Minutes of the Meeting  
November 18, 2019**

The Durham County ABC Board met at the administrative office, 2634 Durham Chapel Hill Boulevard, on the 18<sup>th</sup> day of November, 2019.

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

Board members Donald Lebkes, Ryan Urquhart and Beverly Thorpe were present. General Manager Niegel Sullivan, Attorney George W. Miller, Jr., Durham County ABC Support Services Director Perlle Davis, Durham County ABC Financial Officer Lee Keatts, Durham County ABC Warehouse Manager Rader Dorman and Agent Sean Hamilton with Alcohol Law Enforcement were 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.

**Consent Items**

The consent items were the October Board Meeting Minutes and the Special Meeting Minutes of November 4<sup>th</sup>. Mr. Lebkes motioned to approve the Special Board Meeting Minutes of November 4<sup>th</sup> as presented. Mr. Lebkes motioned to approve the October Board Meeting Minutes with the correction of Board member Beverly Thorpe's name. Mr. Urquhart seconded the motion and the Board approved unanimously.

**General Business**

**Public Comment**

There were not any members of the public signed up for public comment.

**Financial Report**

**October Financials**

Mr. Keatts reported the summary of income statement results as included in the board meeting packet. He noted that DCABC was ranked 4<sup>th</sup> out of the nine boards that DCABC considers for comparison purposes. The Board discussed mixed beverage sales and financial savings due to the use of FinTech EFT payments versus credit card processing fees.

**Support Services Report**

Ms. Davis reported to the Board on support services for the month. Twenty-four customers are presently set up to use FinTech EFT payments. Ms. Davis stated that there are challenges with displaying content on the digital signage in retail stores due to firewall security measures. She will continue to work with Dalcom to resolve the issues. Alcoholics Anonymous is developing an advertisement to be viewed on DCABC digital signage. All grant recipients submitted their initial reports by the deadline. Four DCABC vehicles were sold on GovDeals.net.

### **Law Enforcement Report**

Agent Hamilton reported to the Board on law enforcement activity in October. Sixty ABC store checks were performed, 36 mixed beverage inspections, 29 inspections at non-mixed beverage outlets, 8 violation reports were submitted to the ABC Commission, 154 arrests were made, there were 242 charges at permitted establishments and 38 charges from non-permitted establishments totaling 268 misdemeanor charges and 12 felony charges. Agent Hamilton noted an operation at an unlicensed nightclub selling malt beverages, unfortified wine and spirituous liquor. The owner of the establishment was charged with 12 alcohol related offenses and nearly 1,000 containers of alcohol were seized.

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

- **Building Projects Update**

- **Hillsborough Road**

- Mr. Sullivan reported that the Hillsborough Road store project contractor is going to miss the completion date due to sewer issues. There are extra parking spaces on gravel available now and the paving is expected to be complete a week later than expected. Due to asphalt damage, additional funding is needed totaling \$2,898, which requires a budget amendment. Mr. Lebkjes motioned to approve a budget amendment in the amount of \$20K to complete the Hillsborough Road Store project. Ms. Thorpe seconded the motion and the Board approved unanimously.

- **Holloway Street**

- Durham County approved the sedimentation and erosion control plan at the Holloway Street store. A realtor is assisting with locating a temporary store location during construction.

- **Sherron Road**

- The closing date for the purchase of the Sherron Road property is set for December 20<sup>th</sup>. The architect is working on an updated elevation plan to comply with restrictions in the retail center.

- **ALE Building**

- ALE is now utilizing the law enforcement building on Fayetteville Street as it is now completely cleaned out. This provides an extra law enforcement presence in the area.

- **Bourbon Lottery**

- Mr. Sullivan reported that the bourbon lottery is ongoing throughout the state. Difficult to obtain bourbons such as Pappy Van Winkle are available for purchase by lottery winners. DCABC received 2,762 total entries. The warehouse is working towards stocking premium bourbons to be available in all store locations.

### **Other Business**

- **FY2020 Retreat Date Scheduling**

- The Board agreed to schedule the Board Retreat at the December Board Meeting.

- **In-Store Spirituous Liquor Tastings**

Attorney Miller prepared a final form of Board member requests setting strict parameters for in-store spirituous tastings. Mr. Sullivan outlined items listed in the document. The Board discussed whether they wished to adopt the proposed document. The Board agreed to strike the item that required designated parking for tasting event patrons.

- **Distributions**

Mr. Sullivan presented to the Board the sales and distribution figures for comparable ABC Boards including grant funds and city and county distributions. Mr. Sullivan agreed to provide a copy to Board members with the addition of the percentage of sales distributed.

**Closed Session**

Mr. Lebkes motioned to go into closed session for the purpose of discussing the possible acquisition of real property. Ms. Thorpe seconded the motion and the Board approved unanimously.

**Open Session**

The Board returned to open session. Mr. Urquhart motioned to accept the motion that was approved during closed session. Mr. Lebkes seconded the motion and the Board approved unanimously.

Chair Miller stated that this was his last DCABC Board meeting. He expressed gratitude toward Durham County and the County Commissioners for his time serving as Chair.

**Adjournment**

Mr. Urquhart motioned for the Board to adjourn. Ms. Thorpe seconded the motion and the Board agreed unanimously.

Approved By: \_\_\_\_\_

