

**Cumberland County ABC Board**  
**May 11, 2020**  
**Regular Meeting**  
**Person Street, 424 Person St, Fayetteville, NC 28301**

PRESENT:           Lee Boughman, Chairman  
                      Frances Jackson, Vice-Chair  
                      Tammy Sinclair, Board Member  
                      Paul Crenshaw, Board Member  
                      Alex Warner, Board Member  
                      Neil Yarborough, Attorney  
                      David Horne, General Manager  
                      John Crawford, Chief Law Enforcement  
                      Carolyn Parker, Finance Officer/Board Secretary

Mr. Boughman called the meeting of the Cumberland County Alcoholic Beverage Control Board to order at 6:00 PM.

Mr. Boughman asked were there any agenda adjustments. There were none.

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**Required Reading**

Mr. Boughman read the required reading statutes GS 18B-201. The Board members did not have any conflicts of interest concerning any matters on the agenda.

Mr. Boughman asked for the approval of April 9, 2020 minutes.

**MOTION:** Ms. Sinclair moved that the Board accept the April 9, 2020 minutes as mailed.

**SECOND:** Mr. Warner

**VOTE:** Unanimous

**Law Enforcement Report**

Mr. Boughman asked for the approval of the April 2020 Law Enforcement Report in the package.

Mr. Crawford gave the April 2020 Law Enforcement report. During the COVID-19 pandemic, the officers have chosen not to conduct the underage campaign. There were 261 store checks and 42 restaurants compliance checks, 10 permittee inspections, 1 violation report submitted, 11 alcohol education, and 4 other offenses. There was an attempted break-in at the Owen Drive store. The officers assisted FPD with 5 investigations and followed up on 18 investigations.

**MOTION:** Mr. Crenshaw moved that the Board accept the April 2020 Law Enforcement Report.

**SECOND:** Ms. Jackson

**VOTE:** Unanimous

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

Mr. Boughman asked for the approval of the April 2020 General Manager's reports.

Mr. Horne reported that the State's sales for April were up 6.43% and we were up 24.4%. He said the April sales were up \$795,169, Over-the-counter sales were up \$1,406,170 and Mixed Beverage sales were down \$611,001. May sales are up \$436,174 after 8 selling days. There were no calls for MXB buyback. So far, this fiscal year sales are up \$3,497,398. Mr. Horne said the Income from Operation was \$568,385.

Governor Cooper's Phase 1 Executive Order went in place on Friday, May 8. The employees are required to fill out a Symptom Screening Check sheet each time they report to work. Also, the maximum capacity increased to 12 per every 1,000/sq ft.

The employees appreciate the \$2 an hour increase for hazard pay during the governor's executive order.

**MOTION:** Ms. Jackson made a motion to accept the General Manager's report.

**SECOND:** Ms. Sinclair

**VOTE:** Unanimous

### **OLD BUSINESS**

#### **Auditor**

Mr. Horne recommended that we renew the auditor contract for one year with May & Place, PA for \$15,500.

**MOTION:** Mr. Boughman moved to accept the bid from May & Place, PA for auditor service for the fiscal year 2019-2020 for \$15,500.

**SECOND:** Mr. Crenshaw

**VOTE:** Unanimous

#### **Office Hours**

Mr. Horne said the Board pays for a 30-minute lunch for the store associates and the warehouse. The office staff gets an unpaid hour lunch which makes their day longer. He recommended that the board change the office hours from 8 am – 5 pm to 8 am - 4 pm and give the office a 30-minute paid lunch.

**MOTION:** Ms. Sinclair made a motion to change the office hours to 8 am to 4 pm.

**SECOND:** Mr. Warner

**VOTE:** Unanimous

**Store Hours**

Mr. Horne recommended keeping the store hours 11 am to 7 pm this week and next week change the hours from 11 am to 8 pm or 11 am to 9 pm starting Monday, May 18.

**MOTION:** Mr. Boughman made a motion to change the store hours to 11 am to 8 pm beginning May 18 and review in June on returning to the regular hours.

**SECOND:** Mr. Warner

**VOTE:** Unanimous

**Westwood Shopping Center – Lease Agreement Update**

Mr. Boughman asked Mr. Yarborough to update the Board on the Westwood Shopping Center lease agreement.

Mr. Yarborough went over the revised Westwood Shopping Center lease agreement. The lease is ten (10) years and will begin 05/01/2021 to 06/30/2031, the lease will start at \$141,635/year or \$11,803/month, and the CAM is \$11,700/year or \$975/month. The leaseable space contains approximately 7,917 square feet. The lease is contingent upon the NC ABC Commission approvable of the premises. Once approved, the landlord's upfit work is to be completed before or on 11/30/2020. Tenant would have possession and start upfitting and stocking on 12/01/2020. There will be no sales before 05/01/2021.

**Liquor Buyback from MXB Accounts**

Mr. Horne said that we have not had any requests from our MXB accounts to buyback liquor. Mr. Boughman said there is no action required by the Board.

**NEW BUSINESS**

**NCDOT Property Acquisition/Raeford Road**

Mr. Horne informed the Board that the NCDOT is interested in buying land on Gillis Hill Road to widen the road to Stonepoint Road. At this time no action is required by the Board.

**Law Enforcement Vehicle Replacement – Spann's Tahoe**

Mr. Horne said Officer Spann's 2014 Chevy Tahoe has approximately 100K miles and it has needed some repair work. Chief Crawford has found a dealer who is willing to trade in the 2014 Chevy Tahoe and John Russell's 2015 Jeep Grand Cherokee for a newer SUV and limited out of pocket expense to the Board. Chief Crawford said Crown Ford is offering \$15K for the Tahoe and \$13K for the Jeep.

**MOTION:** Mr. Crenshaw made a motion to declare the 2014 Chevy Tahoe and 2015 Jeep Grand Cherokee as surplus and trade-in for a new vehicle for law enforcement.

**SECOND:** Ms. Sinclair

**VOTE:** Unanimous

**Landscape Renewal**

Mr. Horne said Forrest's Landscaping & Lawn Care contract is up for renewal for FY2020 – 2021. He recommended that the Board remain with Forrest's Landscaping due to the great job he has done over the last past five years. The FY21 contract renewal is for \$14,000, which is the same as last year's contract. Due to the contract amount being over \$5,000, the Board does need to approve the contract. We did receive one call inquiring if the lawncare was open for bid.

Mr. Boughman asked for a motion to renew Forrest's Landscaping & Lawn Care contract for \$14,000 for FY21.

**MOTION:** Ms. Jackson made a motion to accept Forrest's Landscaping & Lawn Care contract renewal for \$14,000 for FY 2020-21.

**SECOND:** Ms. Sinclair

**VOTE:** Unanimous

**Pest Control Renewal**

Mr. Horne said we currently use The Master Exterminators who provide excellent service. They spray all the stores, the warehouse, and the office once a month. The contract renewal for FY 2020–2021 is \$30 per location a month or \$3,600 per year. We did not receive any calls inquiring about submitting a bid for pest control.

**MOTION:** Ms. Sinclair made a motion to renew the pest control service with The Master Exterminators for interior and exterior service for \$3,600 per year for FY 2020-21.

**SECOND:** Mr. Warner

**VOTE:** Unanimous

**Policy Manual Update – HR Title Removal**

Mr. Horne recommended that the policy manual is updated to remove Human Resources Director since Ms. Debbie Disbrow has resigned. Mr. Horne said he has handled all HR duties with the help of Ms. Anna Johnson for the last 30 days.

**MOTION:** Mr. Boughman made a motion to remove the Human Resources Director position from the policy manual.

**SECOND:** Mr. Crenshaw

**DISCUSSION:** Mr. Warner said he was concerned if there were an issue between Mr. Horne, General Manager, and the employee who would handle the grievance.

Mr. Yarborough said that if there is an issue with Mr. Horne and an employee then the employee has 10 days to file a grievance with the Chairman of the ABC Board. The Chairman would review the grievance and determine if it needs to be brought before the Board.

**VOTE:** Unanimous

### **Proposed Budget FY 2020-21**

Mr. Horne said the proposed budget for FY 2020-21 is for review only tonight. We have to advertise for a public hearing before the board voting on the budget. The public hearing notice will indicate that the budget will be posted on the Cumberland County ABC Board website for review due to COVID 19.

The highlight for FY 2020-21 budget are as follows:

- Sales will increase by 3 million - \$43 million
- Operating Expenses will decrease \$275,402
- Income from Operation will increase \$945,072
- Salaries will decrease by \$304,200
- Total Distribution is projected at \$4,654,072 compared to last year \$3,573,230
- Separation allowance will increase \$21,400
- Group health will increase \$71,700
- Credit card fees will increase \$46,700

Mr. Horne said the major Capital Expenditures are Morganton Road – Westwood Shopping Center store fixtures and shelving - \$175K, Spring Lake store new registers - \$20K, Office upgrade Microsoft Dynamics Navision 365 - \$44K, and Warehouse replace the small Kenworth truck – \$85K. There were no capital expenditures for Law Enforcement.

Mr. Boughman said we will table the proposed FY 2020-21 budget for the June meeting.

### **CLOSED SESSION**

**MOTION:** Mr. Boughman made a motion go into closed session to discuss real estate, GS 143-318.11(a)(5).

**SECOND:** Mr. Warner

**VOTE:** Unanimous

The Board went into closed session.

**MOTION:** Ms. Jackson made a motion to come out of closed session.

**SECOND:** Ms. Sinclair

**VOTE:** Unanimous

Mr. Boughman asked for a motion to adjourn.

**MOTION:** Mr. Crenshaw moved to adjourn.

**SECOND:** Ms. Sinclair

The meeting adjourned at 7:30 PM.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

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Chairperson