

Cumberland County ABC Board
May 13, 2019
Regular Meeting
Main Office, 1705 Owen Drive, Fayetteville, NC 28304

PRESENT: Lee Boughman, Chairman
 Frances Jackson, Vice-Chair
 Tammy Sinclair, Board Member
 Paul Crenshaw, Board Member
 Alex Warner, Board Member
 Neil Yarborough, Attorney
 Commissioner Larry Lancaster
 David Horne, General Manager
 John Russell, Deputy Director
 John Crawford, Law Enforcement
 Kenneth Spann, Law Enforcement
 Debbie Disbrow, HR Director
 Carolyn Parker, Finance Officer/Secretary

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

Mr. Boughman welcomed our guest Commissioner Larry Lancaster, Agent John Crawford and Agent Kenneth Spann to the meeting.

Mr. Boughman asked were there any agenda adjustments. Mr. Horne asked for a Closed Session for a Store Personnel Matter.

Mr. Boughman asked were there any announcements. Mr. Horne informed the Board members attending the NABCA conference in Marco Island, FL that the banquet theme is Kentucky Derby and that there is a ticket exchange for tables.

Required Reading

Mr. Boughman read the required reading statutes GS 18B-201. The Board members did not have any conflicts of interest pertaining to the meeting.

Mr. Boughman said the April 8, 2019 minutes need a correction on page 4 for the first motion to change the year from “2012” to “2022”.

Mr. Boughman as for a motion to approve the April 8, 2019 minutes with correction.

MOTION: Ms. Jackson moved that the Board accept the April 8, 2019 minutes with the correction to the year from “2012” to “2022” on page 4.

SECOND: Ms. Sinclair

VOTE: Unanimous

Law Enforcement Report

Mr. Boughman asked for the approval of the April 2019 Law Enforcement Report in the package.

Mr. Crawford gave the April 2019 Law Enforcement report and said there was 13 Sell to Underage Campaign Checks in April with three sold to underage. ABC Store #10, Raeford Road, failed the sell to underage campaign check. The agents assisted other agencies with 12 incidents and there were 111 compliance checks.

MOTION: Ms. Jackson moved to approve the April 2019 Law Enforcement Report in the package.

SECOND: Mr. Crenshaw

VOTE: Unanimous

General Manager's Report

Mr. Boughman asked for the April 2019 General Manager's reports.

Mr. Horne reviewed the State's sales for April. The State was up 13.98% in April and we were up 13.81%. Mr. Horne said the April sales were up \$394,028, Over-the-counter sales were up \$335,402 and Mixed Beverage sales were up \$58,626. The year-to-date sales were up \$3,119,592.

Mr. Horne reviewed the April 2019 Condensed Schedule of Revenue and Expenses by Store Location with an Income from Operation of \$381,942.

Mr. Boughman asked for a motion to approve the General Manager report.

MOTION: Ms. Jackson made a motion to accept the General Manager report for April 2019.

SECOND: Mr. Warner

VOTE: Unanimous

OLD BUSINESS**Warehouse Update**

Mr. Horne said we offered \$700K and 120-day due diligence for the Blount Street property. The owner accepted the \$700K price but countered at 60-day due diligence. Ray West said they need at least 100 days to review the property. We countered at 90-days and was rejected by the owner. The owner maintained the 60 days and offered the option to buy time at \$10K for 30 days. Mr. Horne recommended that the Board to not pursue the Blount Street property. The Board instructed Mr. Horne to continue looking for a warehouse.

Mr. Horne said per Jon Carr, Lobbyist for NCAABC Boards, the HB 971, Privatization of the ABC System, will be brought before the House in June. The bill does not have to go to the Senate.

Owen Drive Update

Mr. Horne said the fixtures are being installed this week, the liquor has been ordered for this Friday and staff has been selected to stock the shelves next week. We are waiting on the installation of the registers and phone & internet reconnection with Spectrum. The store should be ready to open Tuesday after Memorial Day.

NEW BUSINESS**Health Insurance Representative**

Mr. Boughman said Ms. Tracy Mazingo from EbenConcepts sent the ABC Board a letter in April requesting to be our local insurance agent for health insurances. Mr. Boughman asked for a motion for Ms. Mazingo to be our Agent of Record for health insurances.

MOTION: Ms. Jackson made a motion to accept Tracy Mazingo, EbenConcepts, as the ABC Board local agent for health insurances and sign an Agent of Record agreement.

SECOND: Ms. Sinclair

VOTE: Unanimous

Budget Amendments for Law Enforcement Vehicle(s)

Mr. Horne said Chief Libero totaled his vehicle and therefore we need to purchase another vehicle for the new chief. The insurance company is giving a \$10,620 net settlement for the totaled 2016 Dodge Charger. The value on the vehicle was \$16,688. The Law Enforcement FY2019 Budget has \$46,165 unused for equipment and training. Mr. Horne recommended to the Board to move \$15,900 from LE equipment and training budget to purchase a LE vehicle for appropriately \$25,000.

MOTION: Mr. Boughman made a motion to amend the FY19 Budget to move \$15,900 from LE equipment and training to purchase a LE vehicle.

SECOND: Mr. Crenshaw

VOTE: Unanimous

Proposed FY 2019 – 2020 Budget

Mr. Horne said the NC ABC Commission suggest we present to the Board the proposed budget in May and after review, the Board votes on the budget in June. The FY 2019-2020 Budget will be made available for the public to review 10 days prior to the June Board meeting.

Mr. Horne said the projected revenue for FY 2019-2020 is \$40 million which is \$700K over what we plan to do this year.

The High Points of FY 2020 Budget:

- One vehicle for administration for \$18K and a box truck for the warehouse for \$95K.
- Upgrade registers and installation for one store for \$20K.

- Additional law enforcement equipment for \$12K, which includes 2 portable radios and 2 Tasers.
- Cost of Living increase of 3.5%, merit wage increases and longevity is included in the budget.

The estimated profit to the County is \$3.2 million and there is \$328,300 in contingencies. The distributions to the County are paid quarterly and as of March 2019 we have given \$2,535,548.

Policy Manual – Vacation Pay for Termination

Mr. Horne said the vacation payout for an employee that is terminated is not listed in the policy and procedure manual for the ABC Board. The policy manual only addresses “Resignations” on page 28, item T as stated below:

“In the event you choose to end your employment voluntarily, you are asked to submit a dated written notice to the General Manager at least two weeks prior to the effective date of your resignation. Failure to submit the required two week notice in writing will result in the loss of any vacation leave payout.”

MOTION: Mr. Boughman made a motion to delete from the policy and procedure manual under subtopic “Resignations” on page 28, item T the statement *“Failure to submit the required two week notice in writing will result in the loss of any vacation leave payout”* effective January 1, 2019.

SECOND: Mr. Warner

Mr. Crenshaw recused himself from voting on the policy for vacation pay for termination.

VOTE: Unanimous

Forrest’s Landscaping & Lawn Care FY20 Contract Renewal

Mr. Horne said Forrest’s Landscaping & Lawn Care contract is up for renewal for FY2019 – 2020. Forrest has done a great job over the last past five years. Due to the contract amount being over \$5,000, the Board does need to approve Forrest’ FY20 contract renewal for \$14,000.

Mr. Boughman asked for a motion to renew Forrest’s Landscaping & Lawn Care contract for \$14,000 for FY20.

MOTION: Ms. Jackson made a motion to accept Forrest’s Landscaping & Lawn Care contract renewal for \$14,000 for FY 2019-20.

SECOND: Mr. Crenshaw

VOTE: Unanimous

MOTION: Mr. Boughman made a motion to go into Closed Session for personnel matter, GS 143-318.11(a)(6).

SECOND: Mr. Warner

VOTE: Unanimous

Mr. Boughman asked for a motion to come out of closed session.

MOTION: Mr. Warner made a motion to come out of closed session and to resume open session.

SECOND: Ms. Jackson

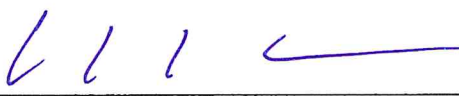
VOTE: Unanimous

Mr. Boughman asked for a motion to adjourn.

MOTION: Mr. Jackson moved to adjourn.

SECOND: Mr. Crenshaw

The meeting adjourned at 7:00 PM



Chairperson