

Cumberland County ABC Board
June 2, 2015
Special Meeting
Main Office, 1705 Owen Drive, Fayetteville, NC 28304

PRESENT: Johnson Chestnutt, Chairman
 Wade Harden, Vice Chairman
 Terri Thomas, Board Member
 Alice Stephenson, Board Member
 Bob Lewis, Board Member
 Neil Yarborough, Attorney
 Gene Webb, General Manager
 Carolyn Parker, Finance Officer/Secretary

Mr. Chestnutt called the Special meeting of the Cumberland County Alcoholic Beverage Control Board at 8:30 AM to order.

Mr. Chestnutt announced that the NC Association of ABC Board registration is on the table for the Board members who are going to the July 26 -29, 2015 summer conference. Please bring your completed form to the Monday, June 8, 2015, board meeting. Also, please make your hotel reservations by July 5th.

Mr. Chestnutt said we need to do an agenda adjustment to change item 6 to Real Estate Contract, item 7 to Closed Session for Personnel Matter and item 8 will be Adjournment.

Required Reading

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

NEW BUSINESS

Real Estate Contract

Mr. Chestnutt said one of the purpose for this special meeting is to review a real estate contract to purchase property on Berkley Hall Way in Fayetteville.

Mr. Yarborough explained to the Board that the real estate contract has a Feasibility Studies clause on page 2, item 4. The Feasibility Studies states that the Buyer has 180 days from the effective day to exam, study, get approval from the NC ABC Commission. This time will allow the Board to have access to the property to conduct test, examinations, inspections or survey as is reasonable necessary to determine the property's feasibility for it purpose. The Board has the right to terminate if found the property is not feasible for any reason at their discretion. The Board can terminate with a written notice of termination to the Seller prior to the end of the feasibility period. Upon termination neither party shall have any further liability to the other. If the Board does decide to purchase the property, they have 30 days to close. The Seller has agreed to this contract with no earnest monies for 210 days.

Mr. Webb said Dale Crawford, surveyor, said that there is no problem with any run offs, it is a leveled lot, it is zone appropriately and it has a catch basin. So far, Mr. Crawford has not seen any problems with the land. He is waiting for a ground flow test to make sure it drains properly.

Mr. Yarborough recommended that the Board notify the NC ABC Commission as soon as possible. Mr. Webb said that he would send a letter to Mr. Robert Hamilton, ABC Administrator, to request we be added to the Commissioners agenda. It is a possibility that we could know their decision by next month. Mr. Webb said that he would put a sign on the property today that states the ABC Board has intentions on opening an ABC store with the office phone number.

Mr. Chestnutt asked for a motion on the real estate contract for the Berkley Hall Way property.

MOTION: Mr. Lewis made a motion to approve the real estate purchase contract on the 2nd day of June 2015 for the Berkley Hall Way property in Fayetteville with no earnest monies for 210 days.

SECOND: Mr. Hardin

VOTE: For – Lewis, Hardin and Johnson
Against – Stephenson and Thomas

Mr. Chestnutt asked for a motion to go into Closed Session.

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

SECOND: Mr. Hardin

VOTE: Unanimous

Mr. Chestnutt asked for a motion to adjourn.

MOTION: Ms. Stephenson moved to adjourn.

SECOND: Ms. Thomas

VOTE: Unanimous



Chairperson