

Cumberland County ABC Board
July 13, 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
Neil Yarborough, Attorney
Judge Toni King
David Horne, General Manager
John Crawford, Chief Law Enforcement
Carolyn Parker, Finance Officer/Board Secretary

Absent: Alex Warner, Board Member

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

Mr. Boughman welcomed our guest, Judge Toni King to the meeting.

Judge Toni King administered the oath of office to Ms. Tammy Sinclair and Mr. Paul Crenshaw.

Election of Chairman and Vice-Chairman for FY 2021

Mr. Boughman asked for nominations for Chairman to send to the County Commissioners for approval and nomination for Vice-Chairman.

MOTION: Ms. Sinclair nominated Mr. Lee Boughman for Chairman for FY 2021.

The motion died due to lack of a second.

MOTION: Mr. Crenshaw nominated Ms. Frances Jackson for Chairman for FY 2021.

SECOND: Mr. Boughman

VOTE: Unanimous

MOTION: Mr. Boughman nominated Mr. Paul Crenshaw for Vice-Chairman for FY 2021.

SECOND: Ms. Jackson

VOTE: Unanimous

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

Mr. Boughman asked were there any announcements. Ms. Sinclair announced that today was her birthday. The Board wished her a happy birthday.

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 June 8, 2020 minutes.

Ms. Jackson corrected the June 8, 2020 minutes on page 3, second paragraph, that she asked the question if the officers are required to pick up the deposits daily.

MOTION: Mr. Crenshaw made a motion to accept the June 8, 2020 minutes as corrected.

SECOND: Ms. Sinclair

VOTE: Unanimous

Law Enforcement Report

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

Mr. Crawford gave the June 2020 Law Enforcement report. There were 258 store checks and 34 restaurants compliance checks, 27 permittee inspections, 1 violation report submitted, 1 seller/server training, 7 alcohol education, and 6 other offenses. The officers responded to 8 thefts and charged one bar owner for violating the Governor's Executive Order.

Mr. Crawford said law enforcement seized 6 years ago a 2003 convertible SL500 Mercedes with 124,000 miles and has been stored by the Cumberland County Sheriff's office for 2 years. We have the title, it would cost \$5K to repair and there is no key. He would like to give the vehicle away to Kars4kids, a nonprofit organization.

Mr. Yarborough said the Board would have to declare the vehicle a surplus and sell it. Mr. Crawford said the Sheriff has auctions on the first Saturday of the month.

MOTION: Mr. Boughman made a motion to sell the 2003 SL500 Mercedes through the Sheriff's auction for surplus and seized vehicles.

SECOND: Ms. Jackson

VOTE: Unanimous

Mr. Boughman asked for the approval of the June 2020 Law Enforcement report.

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

SECOND: Ms. Jackson

VOTE: Unanimous

General Manager's Report

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

Mr. Horne informed the Board that there was an attempted break-in at Sycamore Dairy on June 27. There was a power outage on Bragg Boulevard and the front door was kicked out. There was no loss of merchandise.

Mr. Horne reported that the State's sales for June were up 21.4% and we were up 30.78%. July 3 sales were \$437K, which was the biggest sale day ever in Cumberland ABC history. Hope Mills sales were over \$70K. July sales are up \$515K after 8 selling days. The ABC Commission warehouse is running short on liquor supply due to the distillers limited distribution.

Mr. Horne said the June sales were up \$1,002,364, Over-the-counter sales were up \$1,327,722 and Mixed Beverage sales were down \$325,358. The year-to-date sales were up \$5,573,543 and the total sales for FY 2020 were \$45,511,903. Mr. Horne said the Income from Operation was \$677,341.

OLD BUSINESS

Westwood Lease

Mr. Horne said the ABC Commission needs the Board members to complete a financial disclosure form and it must be notarized for the Westwood store lease. The forms need to be returned by July 24. According to Ms. Agnes Stevens, Administrator of the ABC Commission, there should not be any problems approving the Westwood location. Everything is going well with getting the building ready for lease. Mr. Harry Player is proceeding with the construction and is covering the cost of the bathrooms and the floors. Design Plus Store Fixtures Inc. is designing the layout of the store.

416 Glidden Street

Mr. Horne reviewed the issues with the 416 Glidden Street warehouse as outlined below:

1. Phase II study was completed with a .024, small amount, of contamination at the front of Blount Street. This is below the State's requirement range of 24. Crawford Mackethan, Franklin Johnson Commercial Real Estate, is getting a certification from a layer that there is no problem with the land.
2. The 8-foot fence needs to be replaced. The City does not allow fences taller than 6 feet and no barbed wire. Mr. Yarborough said we should be able to opt-out because we store liquor. Mr. Horne received an estimate from Seegars Fence Company for

\$20,000. Mr. Crenshaw suggested that they apply for the Beautification grant with the City.

3. The building leaks from the roof in at least 12 areas from the skylights. The roof is 2 years old and is under warranty.
4. Mr. Greg West, RAYWEST DESIGNBUILD, inspected the warehouse and estimated \$305,736 in repairs. The estimate included HVAC with replacing the original ducts for the office area and ventilation for the warehouse.
5. Mr. Horne said that he has requested quotes from Passport for the docking bay and to replace the doors. He is waiting on estimates for renovation from Diamond Construction, Cape Fear Construction, and Commercial Construction.

Mr. Yarborough said that we will need to review NC Statues Chapter 143, the Board is required to prepare specifications for each branch of work to be performed.

Mr. Horne estimated the building plus upfit will cost approximately \$1.3M to \$1.5M. He said we are into 45 days of the 120 days due diligence.

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

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

SECOND: Ms. Sinclair

VOTE: Unanimous

Mr. Boughman asked for a motion to adjourn.

MOTION: Mr. Crenshaw moved to adjourn.

SECOND: Ms. Jackson

The meeting adjourned at 7:02 PM.

Chairperson