

Cumberland County ABC Board
June 9, 2014
Regular Meeting
Main Office, 1705 Owen Drive, Fayetteville, NC 28304

PRESENT: Johnson Chestnutt, Chairman
 Alice Stephenson, Vice- Chairman
 Bob Lewis, Board Member
 Wade Hardin, Board Member
 Neil Yarborough, Attorney
 Gene Webb, General Manager
 John Russell, Deputy General Manager
 Rick Libero, Assistant Chief Law Enforcement
 Carolyn Parker, Finance Officer/Secretary

ABSENT: Terri Thomas, Board Member

Mr. Chestnutt called the meeting of the Cumberland County Alcoholic Beverage Control Board at 6:05 PM to order.

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

Mr. Chestnutt asked were there any announcements. Mr. Chestnutt said that the Board received an official letter from Kellie Beam, Deputy Clerk of the Board, that Mr. Marshall Faircloth is our new liaison. He reminded the Board to register for the NC Association of ABC Boards' summer conference on July 20-23, 2014 in Greensboro, NC.

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.

Mr. Chestnutt asked for the approval of May 12, 2014 minutes.

MOTION: Mr. Hardin moved that the Board accept the May 12, 2014 minutes as mailed.

SECOND: Ms. Stephenson

VOTE: Unanimous

Law Enforcement Report

Mr. Chestnutt asked for the approval of the May 2014 Law Enforcement Reports in the package.

MOTION: Mr. Lewis moved to approve the May 2014 Law Enforcement reports in the package.

SECOND: Mr. Hardin

VOTE: Unanimous

General Manager's Report

Mr. Chestnutt asked for the approval of the May 2014 General Manager's reports.

Mr. Webb said for the first two months of this quarter we have \$412K more to give the County in profits. He projected the Board will give the County approximately \$2.5 million in profit for the year.

MOTION: Mr. Hardin moved that the Board accept the May 2014 General Manager's reports.

SECOND: Mr. Lewis

VOTE: Unanimous

NEW BUSINESS

FY 2014 Budget Amendment 2

Ms. Parker requested that the Board amend the FY14 Budget to move \$6,000 from Contingencies to Unemployment to cover the budget variance due to the State requires local government to contribute 1% of its quarterly taxable wages paid employees to a reserve account. The reason for the variance is we had to reimburse the State \$12K in November 2013 for 2013 and we started contributing to the reserve account for the first quarter (July – September) in October 2013. This new method caused a double hit in FY14.

MOTION: Mr. Hardin made a motion to adopt the FY14 Budget adjustment to move \$6,000 from Contingencies to Unemployment Insurance.

SECOND: Mr. Lewis

VOTE: Unanimous

Request County Renew Travel Policy Effective 07/01/14

Mr. Chestnutt said the State requires that the ABC Boards elect to follow the State officers and employees travel policy or the appointing authority travel policy. The County travel policy is more lenient than the State's travel policy. The State requires that the local appointing authority approve the use of the County's Travel Policy annually by the Board. The Board's Chairman must send a letter written to the County Commissioners' Chair to request for the renewal of the County Travel Policy. The County Commissioners must send an approval in writing and a copy of the travel policy to the NC ABC Commission.

MOTION: Ms. Stephenson made a motion to adopt the County Travel policy.

SECOND: Mr. Hardin

VOTE: Unanimous

Legislative Report – Jon Carr: Oppose Distilleries Sales Bill

Mr. Chestnutt went over the request from Jon Carr, Legislative Counsel for the NC Association of ABC Boards, to discuss with the local boards to oppose the Bill for the NC Distilleries Association to sale liquor on their premises and to select a representative from the board to be ready to contact their legislator to voice our opposition to this bill.

MOTION: Mr. Lewis made a motion to oppose the NC Distilleries Association bill to sale liquor on their premises and nominated Mr. Chestnutt to represent our board to contact the legislator when needed.

SECOND: Mr. Hardin

VOTE: Unanimous

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

MOTION: Mr. Hardin made a motion to go into Closed Session for Real Estate and Litigation: NC DOT vs Cumberland County ABC Board: N.C. G.S. 143-318.11(5).

SECOND: Mr. Lewis

VOTE: Unanimous

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

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

SECOND: Mr. Lewis

VOTE: Unanimous

NCDOT vs Cumberland County ABC Board – Spring Lake property

MOTION: Mr. Lewis made a motion to accept the NC DOT offer of \$130,000 for the total condemnation of the Spring Lake property. The total condemnation amount includes the original condemnation deposit of \$84,489 and an additional \$45,511.

SECOND: Mr. Hardin


VOTE: Unanimous

Mr. Chestnutt asked for a motion to adjourn at 6:40 PM.

MOTION: Ms. Stephenson moved to adjourn.

SECOND: Mr. Lewis

VOTE: Unanimous



Chairperson