

**Durham County ABC Board
Minutes of the Meeting
January 22, 2013**

The Durham County ABC Board met at the administrative office, 3620 Durham Chapel Hill Boulevard on the 22nd day of January 2013.

Board Chair Kim Shaw called the meeting to order at 5:30 PM.

Board members Wayland Burton, Deirdre Guion, Kevin Nelson and Erroll Reese were present. General Manager Emily Page and Attorney George W. Miller, Jr. were also present.

Conflict of Interest Review and Declaration

Ms. Shaw read the Board's Conflict of Interest Review and Declaration statement. She asked Board members to declare that they had no conflicts of interest with any items coming before the Board and, if so, that they would recuse themselves from voting. All Board members declared their agreement.

Consent Items

Consent agenda items included the Board Attendance Report, Adoption of Agenda and Minutes of the December 17, 2012 Meeting.

Mr. Reese motioned for the consent agenda items to be accepted and Mr. Burton seconded the motion. The Board approved the motion without objection.

General Business

- **Law Enforcement Report for December 2012**

In December, there were 13 ABC law violations and 1 controlled substance violation. Law Enforcement provided alcohol education to 1 group, assisted other agencies during 8 incidents, conducted 68 inspections, 57 compliance checks and conducted 8 hours of training.

Ms. Shaw raised a question regarding the lower number of compliance checks in December 2012 vs. December 2011. Ms. Page indicated that she will confirm the reasons and report back to the Board. Also, the question was raised regarding the lower number of "Agencies Assisted" vs. December 2011. Ms. Page explained that this number is driven by demand received from other agencies, so fluctuation is to be expected.

- **Financial Reports for December 2012**

The December retail sales were up 3.72% compared to last year. MXB sales were up 2.73% compared to last year.

Total sales for the month were \$2,997,469, representing an increase of \$103,246 or a positive 3.57% as compared to last year. Sales were above the budget projections by \$258,180, a positive variance of 9.43%. Year-to-date sales of \$13,791,908 were up 5.79% compared to last year and 6.67% over budget.



Ms. Page noted that Durham County reported higher percentage increases in sales in December than a number of other counties reported in the monthly comparative sales report.

Profit before distributions of \$387,733 was above budget for the month by \$126,900, representing a positive variance of 48.65%.

After profit distributions totaling \$84,618, there was net income of \$303,115, a variance of \$138,005 over budget. Year-to-date, net income of \$728,951 was over budget by \$397,639.

Compared to last year, December net income increased \$127,022. Year-to-date net income was up \$314,698.

Durham County Boards and Commissions' Disclosure Statement

Ms. Page distributed the County's Disclosure Statement and asked that all the members sign it and return it to her at the conclusion of the meeting.

Merit Salary Increase Recommendation

Ms. Page submitted a recommendation to the Board to approve the distribution of a 3% merit salary increase budget that was included in the FY 2013 Operating Budget. Ms. Shaw asked if there was a need for a salary survey since the last survey was conducted in 2009. Ms. Page stated that she would check the salary information available from the ABC Commission to assess Durham County ABC in relation to other comparable boards. Discussion ensued regarding how merit increases will be distributed. Mr. Burton made a motion to approve the General Manager's recommendation. It was seconded by Mr. Reese and the Board approved without objection.

Credit Card Policy – Update and Second Draft Review

Ms. Page distributed the revised credit card policy draft via e-mail which was based on the discussion from last month's meeting.

Ms. Shaw asked that a form be created for approving credit card expenditures. Ms. Page indicated that one would be developed. The board discussed gas cards and mileage documentation. Ms. Page explained that she is looking at a program called "Go Gas" as a possible fuel option which provides more documentation about gas purchases. She will report on this program and make a recommendation on its use once it is determined whether DCABC is eligible for tax exemption on fuel.

The Board discussed minor revisions that are to be made to the current policy draft. A second revised draft will be presented in February for review by the Board.

Ethics Policy – Update

The Board continued their review of the Ethics Policy document that began at last month's meeting. They discussed various items in the document including revisions and formatting. Ms. Page recommended the addition of a statement in the section regarding employee ethics which indicates that employees are to follow policies established by the Board as outlined in the Personnel Policies Manual. The Board agreed with this additional statement. Ms. Page will incorporate all revisions that were agreed upon and present the revised document at next month's

meeting for approval.

Review Offer from NCDOT for Holloway Street Properties

Prior to the meeting, Ms. Page distributed an offer from the North Carolina Department of Transportation for the property on Holloway Street that will be taken by eminent domain to accommodate the widening of the street. A significant portion of the front of the property at both Holloway Street locations will be taken by this DOT project. After discussion about how the loss of property may impact Durham County ABC business, Mr. Reese made a motion that an appraiser be hired to assess the offer from NCDOT. Dr. Guion seconded the motion and it was unanimously approved by the Board.

Strategic Planning and General Manager's Report

Ms. Page provided the Strategic Planning and General Manager's Report in the Board meeting packet which was distributed prior to the meeting. Topics from the report and additions that were discussed include:

- Ms. Shaw will draft a letter to the ABC Commission requesting a final audit report.
- Ms. Page mentioned that she had sent the Board a report on all alcohol education and rehabilitation distributions for all ABC Boards in North Carolina.

Other Business

- Ms. Shaw provided names of the first three organizations that expressed an interest in the copier that is available for donation. Ms. Page will follow up with the organizations in the order that Ms. Shaw received the requests.
- Next steps for the Suggestion Boxes that have been placed in all DCABC locations were outlined. Ms. Shaw will communicate instructions regarding the boxes to employees. Each Board member selected sites from which to pick up the suggestion cards.

The Board developed a process for how the suggestions will be compiled and reviewed. It was noted that these Suggestion Boxes will not replace personnel procedures that are already in place. This is a mechanism for the Board members to hear what employees are saying. Employees may use this format to inform the Board about things that are going well and things that may not be going well.

Closed Business

Mr. Nelson made a motion for the Board to go into closed session per GS 143-318.11(a): (3) consult with attorney (5) facility leases or purchases (6) personnel matters. Mr. Burton seconded the motion and the Board approved without objection.

Adjournment

The Board returned from closed session. Mr. Burton made a motion to adjourn the meeting and Mr. Reese seconded the motion. The Board approved without objection.

Approved By:



Kim Shaw, Board Chair

