



MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD OF DIRECTORS MEETING MINUTES

April 20, 2010 @ 12:00 Noon

3333 North Tryon Street Charlotte, North Carolina 28206

DIRECTORS: Cleveland Edwards, Chairman

James K. Polk, Sr., Mary N. Richardson, Angeles Ortega-Moore and David Conway

STAFF: Chief Executive Officer Elton L. Shoemaker

Chief Financial Officer Mike Tully; Operations Director Jason Hughes; Law Enforcement Division Director Mike Crowley, Officer's Sheila Giles and Donna Medina, Administrative Assistant Tammy Ogilvie; Human Resource Director Laura Sherer; Education/Community Relations Director Mary Ward and Administrative Assistant Dawn Carey

GUESTS: Howard Phillips, HMP Service; Malcolm McLean, Providence Group

ITEMS OF BUSINESS DISCUSSED AND ACTION TAKEN:

Chairman Edwards called the meeting to order.

There were no presenters for public comment.

I. CHAIRMAN REPORT

Motion was made by Director Ortega-Moore, seconded by Director Polk and unanimously carried to approve the March 18, 2010 meeting minutes.

Regarding the April 13, 2010 meeting minutes, Ms. Carey noted one correction: instead of "there were presenters for public comment", the minutes should reflect "there were no presenters for public comment". Motion was made by Director Ortega-Moore seconded by Director Polk and unanimously carried to approve the April 13, 2010 meeting minutes noting the correction.

Future meetings were confirmed for May 18 and June 15 , 2010 meeting dates.

II. FINANCE

Mr. Tully reviewed financial highlights from the March 2010 financial report.

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Chairman Edwards questioned why "Training Conferences" expenses were 236% over budget. Mr. Tully noted there were no unexpected expenditures but would research to determine what caused the increase. In follow-up from last month's meeting, Director Ortega-Moore reminded Mr. Tully to include a year-to-date column for each line item reflecting any variances. Chairman Edwards suggested Mr. Tully also input graphs that will highlight year-to-date finance trends.

Mr. Shoemaker noted although sales fell off, the board was ahead of budget by 8.3%.

Mr. Tully advised the board of the pending land lease extension for the cell tower located at the board owned property, 100 Billingsley Road (Anuvia). Mr. Tully explained the history of the land lease agreements that date back to 1995. Currently, the May 1997 land lease between Cellco Partnership (Verizon Wireless) and the Mecklenburg County ABC Board is up for renewal which allows for an additional 3-year extension. Mr. Tully advised the board would need to declare its intent, by resolution, to enter into this amendment, publish the notice of intent in the newspaper, and 10 days after the date of publication, adopt the resolution approving the lease.

Motion was made by Chairman Edwards, seconded by Director Ortega-Moore and unanimously adopting the resolution declaring its intent to enter into agreement with Cellco Partnership (d/b/a Verizon Wireless).

III. STORE OPERATIONS

Mr. Hughes reviewed the March 2010 sales report.

Mr. Hughes presented information to amend Store #24 (Eastfield Village) operating hours from its current hours 10am-9pm to new hours 12pm-9pm. The primary benefits to executing this change result from the opportunity to cease the practice of staffing this location with a single employee during a portion of the workday. This site currently operates with a lone employee approximately 22 hours per week. Under the new proposed hours and the resulting work schedule, two employees would be on duty at all times. By reducing the operating hours, the Board would experience a reduction in labor-related costs of approximately \$22,000 per year, compared to current expenses, which would result in an increase in operating profits.

Management recommends amending Store #24 (Eastfield) operating hours to become noon until 9 pm; Monday through Saturday.

After discussion, motion was made by Director Conway, seconded by Director Polk and unanimously carried approving the amendment of Store #24 (Eastfield) operating hours from 10am-9pm, Monday-Saturday to the new operating hours 12pm-9pm, Monday-Saturday, effective June 1, 2010.

IV. MANAGEMENT

Mr. Shoemaker noted for the board's information management initiatives and action taken in recent months, as they pertain to inventory control, sales promotion and personnel.

In follow-up from the April 20, 2010 board meeting, Mr. Phillips presented the proposal for store fixtures and exterior signage for the new Morrocroft store. The original proposed construction budget excluded store fixtures and exterior signage for the reason that original bids were too high. As a result of receiving and reviewing other store fixture bids, Mr. Phillips recommended the board approve the \$72,186.80 proposal originally presented by Design Plus Store Fixtures, Inc., as it remained the lowest.

Motion was made by Director Polk, seconded by Director Ortega-Moore and unanimously carried approving the store fixtures and exterior signage budget of \$72,186.80 for new store development at Morrocroft.

Motion was made by Chairman Edwards, seconded by Director Polk and unanimously carried authorizing the board to enter into closed session under NCGS 143.318.11(A)(5) for the purposes of discussing real estate matters.

Motion was made by Director Richardson, seconded by Director Conway and unanimously carried authorizing the board to return to open session.

After returning to open session, the board took the following action: motion was made by Director Polk, seconded by Director Richardson and unanimously carried authorizing management to list for sale Store #14, Wendover Road.

Motion was made by Chairman Edwards, seconded by Director Richardson and unanimously carried authorizing the board to enter into closed session under NCGS 143.318.11(A)(6) for the purposes of discussing personnel matters.

Motion was made by Director Ortega Moore, seconded by Director Polk and unanimously carried authorizing the board to return to open session.

The board took no action while in closed session.

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V. HUMAN RESOURCES

Ms. Sherer updated the board on current board member liaison assignments. Board member/staff member liaison assignments are structured to rotate annually, or as designated by the board chair. Historically, these assignments have also been reviewed/updated upon the appointment of new board members. Ms. Sherer reviewed current assignments as well as vacancies.

After discussion, the board agreed on the following assignments:

- Chairman Edwards, Store Operations & Audit Committee
- Director Polk, Law Enforcement
- Director Conway, Law Enforcement (Advisor)
- Director Richardson, Human Resource
- Director Ortega-Moore, Alcohol Education & Audit Committee

As a matter of information, Ms. Sherer informed the board of the new “Financial Disclosure Statement”, distributed by the North Carolina ABC Commission to all boards. The purpose of this statement is to obtain acknowledgement from all board members, attesting that they have no financial or personal interest in locations where ABC boards propose to locate stores. Going forward, the disclosure statement will have to be completed and provided to the NC ALE when they contact ABC Boards who are proposing new store locations (whether lease or purchase).

Regarding the recent approval to the personnel manual concerning the “Sick Leave & Bereavement Leave”, Ms. Sherer requested the board’s approval to retain the current sick leave accrual formula, of “one working day for each calendar month worked”, instead of “.04615 hours per each regularly scheduled hour worked”, as had been approved when the board adopted the updated personnel manual at its February 2010 meeting. This method of accruing sick leave is already in place, employees are already familiar with it, and it can be more easily maintained as a payroll function.

Motion was made by Director Ortega-Moore, seconded by Director Polk and unanimously carried authorizing management to retain the current sick leave accrual formula of “one working day for each calendar month worked”, instead of the proposed “.04615 hours per each regularly scheduled hour worked” effective May 1, 2010.

VI. LAW ENFORCEMENT

Mr. Crowley reviewed the March 2010 activity report.

Mr. Crowley introduced and welcomed the new law enforcement administrative assistant Tammy Ogilvie.

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Officer's Sheila Giles and Donna Medina gave a presentation on law enforcements new program S.U.R.E (Safety Usually Requires Education). This program was developed as an initiative to put ABC officer's into elementary and middle schools interacting and teaching younger school aged children about making good decisions relative to alcohol education.

Mr. Crowley reported ABC Officer Kemp England has applied for a grant from the North Carolina Governor's Highway & Safety Program to purchase 2 golf carts, trailer and traffic cones. These tools will be used to assist law enforcement with DWI checkpoints, uptown and local community events, as well as concerts. Mr. Crowley will share more information as it becomes available.

In conjunction with Alcohol Awareness Month, the ABC Law Enforcement marked unit that was placed in South Park Mall on April 5 has now been removed and is back in normal operation. The vehicle was manned by Officer's Chesser, Shankle and Lowe.

VII. ALCOHOL EDUCATION

Ms. Ward reviewed the March 2010 Activity Report.

Ms. Ward requested board approval for a 5% increase in base funding for FY11, bringing the total base funding to \$525,000. Any carry-over from FY10 will be discussed at the May board meeting for approval to be incorporated into the funding for FY11.

Motion was made by Director Conway, seconded by Director Richardson and unanimously carried approving base funding for FY11 of \$525,000.

Director Ortega-Moore shared that the 3-member alcohol education grant program evaluation committee will meet in May to evaluate each grant application in order to submit recommendations to the board at its June 2010 meeting.

There being no further business, the meeting was adjourned at 3:00 p.m.

Cleveland Edwards, Chairman