



MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD OF DIRECTORS MEETING MINUTES

January 19, 2010 @ 12:00 Noon
3333 North Tryon Street Charlotte, North Carolina 28206

DIRECTORS: *Elton L. Shoemaker, Acting Chairman*

Mary N. Richardson and Angeles Ortega-Moore

ABSENT: *James K. Polk, Sr.*

STAFF:

Chief Executive Officer Calvin W McDougal

Chief Financial Officer Mike Tully; Operations Director Jason Hughes; Law Enforcement Division Director Mike Crowley; Human Resource Director Laura Sherer; Education/Community Relations Director Mary Ward; Marketing/Customer Service Coordinator Jerry Vaughan, and Administrative Assistant Dawn Carey

GUESTS: *Malcolm McLean, The Providence Group; Howard Phillips, HMP Service; Skip Tappy, Hood Hargett*

ITEMS OF BUSINESS DISCUSSED AND ACTION TAKEN:

Acting Chairman Shoemaker called the meeting to order.

I. CHAIRMAN REPORT

There were no presenters for public comment.

Motion was made by Director Ortega Moore, seconded by Director Shoemaker and unanimously carried to approve the December 14, 2009 open and closed session meeting minutes.

Director Richardson questioned whether her absence at the December 14th "call" meeting would be charged against her attendance record. Director Shoemaker noted although the December 14th meeting was not a regular scheduled meeting, it still constitutes an official board meeting and would count against Director Richardson's attendance.

Future meeting dates were confirmed for February 16 and March 16, 2010. Ms. Carey will notify Director Polk of the February and March meeting dates.

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In response to comments from North Carolina ABC Commission Chairman, Jonathan Williams regarding his statement relative to Governor Beverly Perdue's directive pertaining to gifts and items of value, motion was made by Director Shoemaker, seconded by Director Ortega Moore and unanimously carried that Mary Ward and Laura Sherer, in consultation with the board's attorney, write new rules and regulations covering the acceptance of gifts, meals and items of value.

Documents are to be presented to the board at a special meeting to be held February 2, 2010 for the board's adoption.

Director Shoemaker also proposed management present an expense review to ensure Mecklenburg County ABC Board is in compliance with Mecklenburg County's rules and regulations relative to expense reporting. In addition to, the board proposed writing an ethics statement that will be reviewed and signed by all ABC board directors, management and staff.

II. MANAGEMENT

Mr. McDougal read a statement addressing recent media coverage stemming from the November 18, 2009 dinner hosted by liquor supplier, Diageo.

Director Richardson read a statement addressing Mr. McDougal and her discontent with recent events.

Motion was made by Director Ortega Moore seconded by Director Richardson and unanimously carried authorizing the board to enter into closed session as permitted under NCGS 143.318(A)(6) to discuss personnel matters.

In response to a records request from the Charlotte Observer, Mr. McDougal informed the board management will provide requested information via electronic format.

III. STORE OPERATIONS

Mr. Hughes introduced new associate, Marketing/Customer Service Coordinator Jerry Vaughan.

Director Shoemaker proposed for the next holiday season, create a model store demonstrating how product displays should look throughout the system.

Mr. Hughes reviewed the November and December 2009 Sales Report.

Director Shoemaker questioned the \$400,000 shortfall in profits during the month of December. Mr. Tully explained profits were significantly lower due to the 5% increase in excise tax.

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Director Shoemaker also inquired why some stores move the same product volume but profit results are considerably different particularly Store #25 – Cotswold, Store #22 – Huntersville, and Store #21 – Ballantyne. For a closer look, Director Shoemaker requested a profit and loss statement for these three stores.

IV. FINANCE

Mr. Tully reviewed the November and December 2009 financial highlights.

V. LAW ENFORCEMENT

Mr. Crowley reviewed the November and December 2009 law enforcement activity report.

VI. HUMAN RESOURCES

Ms. Sherer introduced Mr. Skip Tappy, Hood Hargett and Associates. Mr. Tappy updated the board on a claim made by The Olive Law Firm on behalf of a client seeking damages following an automobile accident that occurred in July 2009. The board's insurer (The Travelers), has responded to this claim. Mr. Tappy reported, at this time Travelers has received nothing to substantiate the claim that any employee of the board was negligent in making a sale to the party who was charged in the accident. Mr. Tappy, The Travelers and Ms. Sherer will continue to keep the board apprised in this matter as additional information becomes available.

VII. ALCOHOL EDUCATION

Ms. Ward reviewed the November and December 2009 activity report.

Ms. Ward advised the board of major events coming to Charlotte: 2010 National Rifle Association Annual Meeting May14-16 and the May 11, 2010 grand opening of the NASCAR Hall of Fame.

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

Elton L. Shoemaker, Acting Chairman