

**Minutes of the Meeting  
March 21, 2016**

The Durham County ABC Board met at the administrative office, 3620 Durham Chapel Hill Boulevard, on the 21<sup>st</sup> day of March, 2016.

Board Chair, Wayland Burton, called the meeting to order at 5:30 p.m.

Board members Norwood “Andy” Miller, Robert “Bob” Nauseef and Jackie Wagstaff were present. Attorney George W. Miller, Jr. was also present. Durham County ABC Support Services Director Perlle Davis, Durham County ABC Finance Officer Lee Keatts, Durham County ABC Law Enforcement Chief Rufus Sales and Misty Walters Durham County ABC Operations Coordinator were also in attendance.

**Conflict of Interest Review and Declaration**

Chairman Burton read the Board’s conflict of Interest Review and Declaration statement and asked Board members if they have an actual conflict or appearance of a conflict of interest with any items coming before the Board and, if so, does the Board member wish to recuse him or herself from deliberating and voting on the matter. All Board members present verbalized that they do not have any conflicts.

Chairman Burton requested to adjust the agenda to go into closed session after Public Comment and address the remaining agenda items in open session afterwards. Mr. Burton motioned to move agenda items as indicated and the Board approved without objection.

**Consent Items**

The consent item was the Minutes of the January Board Meeting. Mr. Nauseef motioned to accept the January Board Meeting Minutes as presented. Ms. Wagstaff seconded the motion and the Board approved without objection.

**General Business**

**Public Comment**

Chairman Burton stated that there are not any members of the public present this evening.

**Closed Business**

Ms. Wagstaff motioned for the Board to go into closed session per G.S. § 143-318.11(a): (3) consult with attorney, (5) facility leases or purchases and (6) personnel matters. Mr. Nauseef seconded the motion and the Board approved without objection.

The Board returned to open session. Chairman Burton reported that the Board accepts the resignation of the General Manager Barry Sessoms. At this time, Chairman Burton will act as interim General Manager.

**Other Business**

Chairman Burton circulated a proposal for HVAC services from Carolina Air Conditioning for Board consideration. Board members reviewed the proposed contract. Ms. Wagstaff motioned to

accept a one year contract with Carolina Air Conditioning. Mr. Nauseef seconded the motion and the Board approved without objection.

Chairman Burton requested any Board members interested in attending the upcoming General Manager meeting to notify him as soon as possible as reservations are necessary. Additionally, a NABCA meeting is scheduled in May and any interested Board member should notify via e-mail Mr. Burton, Ms. Davis and Mr. Keatts as soon as possible so travel arrangements can be made.

Chairman Burton reported to the Board that he will contact several ABC Boards to request a recommendation for human resources search companies. Tentatively, at the April Board Meeting, the Board will approve of a company to begin searching for a new general manager.

### **Support Services Update**

Ms. Davis reported to the Board that an update on credit card processing services was disseminated to Board members via e-mail. She reported that DCABC has been researching credit card processing companies and comparing transaction fees and ease of implementation. Ms. Davis stated that the decision was down to two vendors: Heartland Payment Systems and Electronic Payments, Inc. (EPI). Both providers have offered very low rates with EPI's rates being the lower of the two. However, the POS provider (Fusion) uses a payment gateway called PayGuardian for the EMV solution which comes with an additional transaction fee. Discussions have occurred with Fusion regarding the possibility of integrating with the gateways of either provider which would do away with this additional fee. Further discussion is needed to determine which gateway will be compatible with Fusion for EMV.

The Board had a general discussion regarding credit card processing services available through vendors Ms. Davis identified. As stated in the update that was emailed, the recommendation is to "allow the Support Services Director and the other Senior Managers to make the decision between EPI and Heartland based on the outcome of further evaluation with Fusion and what would be in the best interest overall of Durham County ABC". Mr. Nauseef motioned to proceed with the recommendation as presented which would result in a change to the credit card processor. Ms. Wagstaff seconded the motion and the Board approved without objection.

### **RFP Selection**

Chairman Burton recounted to the Board that DCABC has been researching CPA firms in an effort to contract with a new auditor. Mr. Keatts reported to the Board that proposals received by DCABC were provided to Board members in February for their review.

The Board had a general discussion regarding the selection of a CPA firm. Mr. Nauseef motioned to accept the proposal of Koonce, Wooten and Haywood, LLP for DCABC auditing requirements. Board Member Miller seconded the motion and the Board approved without objection.

Chairman Burton requested that Mr. Keatts notify Koonce, Wooten and Haywood that their proposal was accepted and also extend an invitation for a representative from the firm to be present at the April Board meeting for the purpose of introductions.

**Finance Report**

Chairman Burton notified the Board that a budget amendment will be on the agenda for discussion at the April Board Meeting. Mr. Keatts reported that there is a list of items including maintenance costs that exceeded the budgeted figure that will be presented for Board approval per DCABC procedure.

Chairman Burton requested that all budgeted maintenance items be properly documented for clarification purposes. Mr. Keatts stated that he will reconcile the reports to ensure approved budgeted items are properly identified.

**Law Enforcement Report**

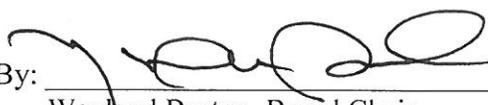
Chief Sales reported to the Board on law enforcement activity including establishment inspections resulting in several violations. Chief Sales reported to the Board that the Sheriff's Department has agreed to allow DCABC Law Enforcement to utilize their communications center and their IT team is working to allow use of their records management system. Currently, DCABC is using the Sheriff's Department radio communications.

Chief Sales also reported that he attended the Legal Symposium and noted that there were ABC Police Chiefs in attendance to discuss ABC operations highlighting technical issues. A major topic of discussion at the Legal Symposium was legalization of marijuana emphasizing that Colorado has generated \$80M in tax revenue this year on the sale of marijuana. For this reason, many other states have included legalization on their ballots and it is projected that by year 2020, tax revenue on marijuana will exceed \$200M.

Chief Sales reported that DCABC Law Enforcement is participating in mandatory in-service training required for law enforcement personnel. Additionally, interviewing for part-time ABC Law Enforcement Officers is in progress.

**Adjournment**

Ms. Wagstaff motioned to adjourn the meeting. Mr. Nauseef seconded the motion and the Board approved without objection.

Approved By:   
Wayland Burton, Board Chair