

**Minutes of the Meeting  
January 17, 2017**

The Durham County ABC Board met at the administrative office, 3620 Durham Chapel Hill Boulevard, on the 17<sup>th</sup> day of January, 2017.

Board Chair, Wayland Burton, called the meeting to order at 5:00 p.m.

Board members Norwood “Andy” Miller, Pilar Rocha-Goldberg, Jacqueline Wagstaff and Lawrence Daye were present. Acting General Manager Wayland Burton and attorney George W. Miller, Jr. were also present. Durham County ABC Support Services Director Perlle Davis, Durham County ABC Operations Coordinator Misty Walters and Durham County ABC Chief Rufus Sales 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 have reviewed the agenda and do not have any conflicts. .

The Board unanimously agreed to move agenda item 8. Closed Session to the second item on the agenda after Public Comment.

**Consent Items**

The consent items approved include the Minutes of the November Board Meeting, Minutes of the Special Meeting, Minutes of the December Board Meeting, Section 9-903 Smoking, Section 8-806 Complaints and Grievances and Section 8-807 Appeals Process. Board Member Miller motioned to accept the consent items. Ms. Wagstaff seconded the motion and the Board approved unanimously.

Section 3-306 Limitation on Employment of Relatives was not approved and was removed from consent items for Board discussion.

**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) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant; (5) to establish, or to instruct the public body’s staff or negotiating agents concerning the position to be taken by or on behalf of

the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract; (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. Ms. Rocha-Goldberg seconded the motion and the Board approved without objection.

The Board returned to open session.

### **Recognitions and Comments**

Chairman Burton recognized retail store employees' performance during the holiday season including the Durham Chapel Hill Boulevard store employees for record breaking sales on December 23<sup>rd</sup>. Additionally, warehouse employees were recognized for keeping stores well-stocked and delivering liquor during winter storm conditions.

### **Financial Report**

Chairman Burton stated the summary of income statement results for December was included in the Board packet.

### **Support Services Report**

Ms. Davis reported to the Board that DCABC administrative offices move to M&F Corporate Center is scheduled on February 3<sup>rd</sup>.

### **Law Enforcement Report**

Chief Sales stated that law enforcement activity for the month included store security and investigation of credit card fraud at DCABC stores. Chairman Burton praised DCABC Law Enforcement for meeting security and traffic control goals during the holiday season.

### **General Manager's Report**

- **Initiation of Ethics Training**  
Mr. Burton reported to the Board that ethics training for employees will begin in February. He explained that all DCABC employees will attend the same ethics training course as required by Board members.
- **Discrimination and Harassment Training**  
Mr. Burton reported that a discrimination and harassment training class for employees will be held in February.
- **Alternate Temporary Staffing Agencies**  
The Board attorney reviewed and approved the temporary staffing agency contracts.
- **Full-Time Hires**  
Mr. Burton reported to the Board on the status of open positions. He stated that three individuals are being screened for clerk positions.

- **Customer Complaints**

Mr. Burton stated that DCABC has responded to customer complaints concerning store closure on Friday night and Monday due to the snow storm.

**Other Business**

**Section 3-306 Limitation on Employment of Relatives**

Chairman Burton recited the NC General Statute from which the proposed DCABC policy Section 3-306 language was derived. Board Member Miller motioned to accept Section 3-306 Limitation on Employment of Relatives as presented. Ms. Wagstaff seconded the motion and the Board approved without objection.

**Upcoming Conferences**

Chairman Burton stated that the two annual ABC conferences are upcoming and requested Board members interested in attending to notify the General Manager prior to the next Board meeting. Mr. Sales stated that hotel rooms are reserved for those who wish to attend.

**Closed Business**

Ms. Wagstaff motioned to return to recessed closed session. Ms. Rocha Goldberg seconded the motion and the Board approved unanimously.

The Board returned to open session. Chairman Burton stated that the Board offered the position of General Manager to Rufus Sales and that he accepted the position.

**Adjournment**

Ms. Wagstaff motioned to adjourn the meeting. Chairman Burton seconded the motion and the Board approved without objection.

Approved By: \_\_\_\_\_



Wayland Burton, Board Chair