

**Durham County ABC Board
Minutes of the Meeting
December 17, 2012**

The Durham County ABC Board met at the administrative office, 3620 Durham Chapel Hill Boulevard on the 17th day of December 2012.

Board Chair Kim Shaw called the meeting to order at 5:46 PM.

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

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 November 19, 2012 Meeting.

Mr. Nelson motioned for the consent agenda items to be accepted and Dr. Guion seconded the motion. The Board approved the motion without objection.

Law Enforcement Report and the Financial Reports for November 2012

- **Law Enforcement Report for November 2012 and Update on LE Research from Chief McMillan**

Chief McMillan responded to questions from the Board regarding the November Law Enforcement report. In November, there were 12 ABC law violations, 6 controlled substance violations and 7 other offenses. Law Enforcement provided alcohol education to 8 groups, assisted other agencies during 14 incidents, conducted 67 inspections, 46 compliance checks and conducted 6 hours of training. Law Enforcement conducted Clerk Awareness Program (CAP) training for 6 Durham County ABC store employees.

Mr. Burton made a motion that the Board go into Closed Session to discuss a personnel matter concerning law enforcement. Mr. Reese seconded the motion and the Board approved without objection.

- **Financial Reports for November 2012**

The November retail sales were up 16.93% compared to last year. MXB sales were up 30.67% compared to last year.

Total sales for the month were \$2,540,245, representing an increase of \$412,750 or a positive 19.40% as compared to last year. Sales were above the budget projections by \$321,826, a positive variance of 14.51%. Year-to-date sales of \$10,794,439 were up 6.42% compared to last year and 5.93% over budget.

Ms. Page noted that Durham and Orange counties reported higher percentage increases in sales in November than other counties reported in the monthly comparative sales report.

Profit before distributions of \$239,768 was above budget for the month by \$82,967, representing a positive variance of 52.91%.

After profit distributions totaling \$71,441, there was net income of \$168,327, a variance of \$84,623 over budget. Year-to-date, net income of \$425,836 was over budget by \$259,633.

Compared to last year, November net income increased \$133,748. Year-to-date net income was up \$187,676.

Grant Program

Mr. Burton stated that the grant proposal that he presented in October had not changed significantly. He noted a few additional items that are to be included in the grant criteria and evaluation process:

- Risk factor analysis to assess the grantee's ability to achieve grant deliverables as outlined.
- List of grantees that did not perform well in the past and failed to achieve goals of the program.
- Limitations on awarding grants to the same organizations continuously over several grant award periods.

Mr. Burton stated the goal is to start advertising the grant program in January 2013 with an application submission deadline of April 30th. Ms. Shaw thanked the committee for a job well done. The Board approved the committee's proposal without objection.

Credit Card Policy – Review Policy Draft

Ms. Page distributed a draft credit card policy for discussion. Currently, credit card and gas card purchases are governed by the Purchasing and Travel Policies but there has not been an explicit policy for credit and gas card usage.

The Board directed that credit cards be reduced to four – one for the General Manager, one for Administrative Office Use, one for Travel Expenses and one for Miscellaneous Use. The Board also directed the General Manager to pursue the opening of direct billing accounts with frequently used retailers so that bills can be consolidated into one monthly payment. Ms. Page will revise the credit card policy draft to reflect the changes issued from the Board.

The Board also discussed options for eliminating gas cards, however, no decisions were made. The Board also directed the General Manager to research how the County of Durham purchases fuel for its vehicles and provide a report back to the Board.

Ethics Policy – Review

The Durham County ABC Ethics Policy was adopted in December of 2010. Ms. Page stated that some Board members had asked for a review of the policy to determine if the policy should be adapted based on the templates sent by the NC ABC Association. Ms. Page noted that the Board's policy is more explicit regarding Board members than employees. Mr. Burton suggested that the

Ethics Policy language be amended to include employees more explicitly where appropriate. All Board members agreed that the language in the policy should be amended.

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. Ms. Page highlighted the following item from the report:

- Board members who have not submitted their bios for the Annual Report should do so as soon as possible.

Other Business

The Other Business Report was distributed in the Board meeting packet. Other items discussed were:

- Mr. Burton suggested that a meal policy be developed to include the provision of meals if a board meeting is anticipated to last longer than two hours and that a budget be created for this provision.
- Ms. Page suggested that the meal policy also include the provision of a meal for store staff on the last business day before Christmas and New Year's Day whenever budgeted. This meal is provided as a business necessity because there is not time for staff to leave the premises for breaks.
- Ms. Page read the Certificate of Appreciation for Ms. White in honor of her years of service. It will be signed by Ms. Shaw and Ms. Page and sent to Ms. White.
- Ms. Page reminded the Board that the old copier is still on the premises and needs to be donated as soon as possible. Ms. Shaw indicated that she will forward the contact information of the non-profit agency that made a request first for the copier.

Closed Business

Mr. Reese 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. Dr. Guion seconded said motion and the Board approved without objection.

Adjournment

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

Approved By: _____


Kim Shaw, Board Chair