

Durham County ABC Board

**Minutes of the Special Meeting
October 25, 2013, 3:00 p.m.**

The Durham County ABC Board upon notice for a Special Meeting met at the administrative office, 3620 Durham Chapel Hill Boulevard, Durham, NC 27707, on October 25, 2013 at 3:00 p.m. The purpose of the meeting was to consider a personnel matter. Notice of the date, time, location and purpose for the meeting was published on October 23, 2013.

Wayland Burton, Board Chair, called the meeting to order at 3:00 p.m. Board members Deidre Guion, Rufus Sales and Norwood "Andy" Miller were present. Attorney George W. Miller was also present.

Conflict of Interest Review and Declaration

Mr. 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 that were known to be coming before the Board and, if so, does any Board member having a conflict wish to recuse him/herself from deliberating and voting on the matter. All Board members verbalized that they do not have a conflict. Mr. Burton indicated that the Conflict of Interest Review and Declaration would be reviewed again once the agenda for the closed session was reviewed.

The Board considered going into closed session to discuss a personnel matter. Dr. Guion made a motion for the Board to go into closed session per G.S. § 143-318.11(a): (3) consult with attorney and (6) personnel matters. Mr. Sales seconded said motion and the Board approved without objection.

The Board returned to open session at 3:10 p.m.

The Board while now in open session received a report from Chairman Burton of the action taken in the closed session that he together with counsel, George Miller, had met with General Manager Emily Page on October 21, 2013 for the purpose of considering an extension of her employment to serve as General Manager until her replacement has been selected. He reported that he had received a letter dated October 21, 2013 from the General Manager proposing a transition plan for the role of General Manager at the end of the existing contract on November 2, 2013. In her letter, the General Manager proposed that the Board rescind her resignation as General Manager previously submitted and she would enter into a new employment agreement. If this option was not acceptable to the Board, the General Manager proposed that she would continue to carry out the duties of General Manager as a consultant working at a contracted rate for a defined period of time on conditions therein set forth.

Chairman Burton reported that the proposal submitted by the General Manager exceeded the authority extended to him by the Board for negotiating an extension of her contract on an interim basis and he so informed the General Manager. Further, he informed her that the Board would be meeting in a Special Meeting to consider his report of negotiations in the event she determined to reconsider her position. He reported that the General Manager did not reconsider

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her position. Therefore, he concluded that the effective date of the General Manager's contract would terminate November 2, 2013 which he would report.

The Board approved the report of the Chairman without objection.

The Chairman announced that he would meet with counsel for the purpose of working out the details leading to the winding up of the employment of the General Manager and also with the managers and the administrative staff.

There being no further business, upon motion of the Chair, seconded by Mr. Sales, the meeting was adjourned.

Approved By:  _____
Wayland Burton, Board Chair

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