

MINUTES

Indian Trail ABC Board
Board of Directors – Regular Meeting
Indian Trail ABC Board
5880 Hwy 74 East, Indian Trail NC 28079

1. Call to Order: Time: 6:42 pm by: Robert, Thursday, February 28, 2019

PRESENT

Board Members: Chairman Robert Laatz, Board Members Jim White and Jennifer Rehberg

Attendees: General Manager Jeff Sullivan, Finance Officer/AGM Shelly Hinson

(First names will be used for Board Members and Attendees when appropriate)

Board liaisons – N/A

Guest: Omar Qureshi, ALE Special Agent In Charge, Jerry Morse, Councilman, Town of Indian Trail, Wes Hinson, Hinson Faulk Attorneys

Not Present:

2. CONFLICTS OF INTEREST

Chairman Robert Laatz read **G.S. 18B-201**: *It is the duty of every Board Member to avoid both conflicts of interest and appearances of conflicts. In accordance with this statute, Robert asked everyone to review the agenda for the meeting and if any member has any known conflict or appearance of conflict with any matters coming before the Board today, that they identify the conflict and refrain from any undue participation in the matter involved. None were identified.*

3. Additions and Deletions; Motion to Approve Agenda: February 28, 2019

ADDITIONS/CHANGES TO THE AGENDA – **Change 5. Business Items:, 6. Board Discussion, 7. Public Comments, 8. General Manager Remarks, 9. Board Members Remarks, Add 10. Close Session – NCGS 143.318.11(A)(1) Prevent disclosure of privileged or confidential information and NCGS 143.318.11(A)(6) Personnel matters, Add 11. Adjournment**

DELETIONS FROM THE AGENDA – N/A

APPROVAL OF THE AGENDA-

Jim made a motion to approve the agenda as presented with changes.

Seconded by Jennifer the vote to approve the agenda: passed unanimously.

4. Review and Approval of Prior Meeting Minutes – January 31, 2019

ADDITIONS/CHANGES TO THE MINUTES– **Change Board liaisons – N/A – Jerry Morse will be under Guest.**

DELETIONS FROM THE MINUTES – N/A

APPROVAL OF THE MINUTES

Jennifer made a motion to approve the minutes as presented with changes.

Seconded Jim, the vote to approve the minutes: passed unanimously.

January 31, 2019 minutes will be provided to Town of Indian Trail.

5. Business Items:

a) Update on LE report: Omar Qureshi reported the January 2019 Law Enforcement report. Baker's Fire Department is available to ALE and they will let us use their facilities for the BARS classes starting April 2019. Not sure we will include the first offenders class through the Drug Court unless they request it through the District Attorney.

b) Update on Sales Reports; Store Business; and General Operations

General Manager – Jeff Sullivan reported – Monthly Sales – **Jan. 2019 vs Jan. 2018** – Retail and MXB + \$7,149.38 + 2.3%, state overall average -7.33%. Jeff reported other Union County ABC store sales from the Commission's Monthly Sales report. We are up 1050 customers for month over last year. State's Top 100 in NC, Indian Trail ABC Top 20 Retail and MXB list were reviewed for **January 2019**.

c) Update on Store Financials – Finance Officer/AGM – Shelly reported – **Jan. 2019** – General fund down 11.1% from last year. **January 2019** - Cash balances, A/P, Inventory at Cost with previous year comparison. Summary of Operations, Actual vs. Budget Comparison. The budget amendment approved last month reflects on the budget worksheet. Any changes noted at bottom of Summary of Operations. I have included copies, provided by the NC ABC Commission for the Revenues from Spirituous Liquor-NC ABC Board – July 1, 2017-June 30, 2018 – Summary sheet and Jim's condensed report of only Union County stores and another report of the 7 surrounding boards and the total of all NC ABC boards in N.C. Discussed CAM catch up charges for the year from property Management Company, Indian Trail MLZ, LLC. *Note-Wes Hinson suggested that Omar Qureshi make a statement concerning the camera charges on the CAM catch up as follows: Omar Qureshi stated: This camera system for the ABC Board is not good enough to make a positive identification to recognize a problem, usable surveillance or to have immediate access if needed. Discussed applicants for Co-Assistant Store Manager Position and board members would like them to come to the next board meeting.

6. Board Discussion & Possible Action/Comments

a) Cultural Art Room rental from IT Town Hall to support ALE training – Jim stated that since ALE has been able to secure the use of Baker's Fire Dept.'s conference room we do not need to pursue the Town Hall. For any reason we would need to utilize the Town Hall the ABC Board will pay the fee for rental, but would need advance notice to rent the room needed for the BARS class. Jim had asked Patrick if he could defer the rental cost for the room for the ABC Board and he said he could not only defer rental for non-profit organizations. Jim asked Patrick to reach out to Council to defer the rental if we needed the room. Jim is still waiting for the answer and didn't see anything on the last Town meetings agenda to address this matter, but now we have secured Baker's room.

b) Joint meeting between IT Town Council and ABC Board – Jerry discussed plans concerning the joint meeting and having 2 Town Council members to meet with the ABC Board. Presently they are working on this and the agenda. Hopefully the middle of March for the meeting and we will let the ABC Board know end of next week. Robert discussed the email issues to the Town that has recently come up and how to communicate with Jerry. Jerry will look into this issue and let us know. Jennifer just asked for clarification on the emails and information being sent to the Town.

c) Report of PED Oversight Committee/Draft PED ABC Legislation – Jim discussed these emails from Jon Carr and the Resolution for the Town Council to address and approve, like the Monroe ABC and City of Monroe resolution. Basically 2 issues that will affect the IT ABC Board, also the Town of Indian Trail and that is privatization and the modernization of the ABC Commission, with the recommendation for the merger of county boards. Jim discussed the map of the NC ABC Boards, the county board's vs the multiple municipality boards that would be merged if this bill is passed. Jim wants to request that the Town address and adopt the Resolution.

d) Issue of privatization of the ABC stores in N.C. – Jim and the board discussed in above 6 c).

e) Feasibility Study Proposals – Jeff discussed the feasibility study proposals he obtained and that the Board will need to decide on these and communicate with these individuals. Jeff stated it will be up to the Board to check them out and make decision. Jim recommended that we defer this study at this time.

7. PUBLIC COMMENT

Chairman Laatz opened the floor for public comments – **Jerry Morse** – Discussed his concerns on the feasibility study and the house bill on mergers. Jerry and the Town Council have concerns with the merger and privatization. Jerry feels there is no problem with the Resolution we have requested from the Town. Jerry said he and the Town Council want the ABC Board to be successful because it benefits everyone. Jerry said he looked forward to our joint meeting.

8. General Manager Remarks –

Jeff – reported that January was a good month and he is proud of the staff.

9. Board Members comments –

Jennifer – Looking forward to joint meeting and open line of communication. Thanked Omar and his agents, Shelly, and Jeff and his store staff. Jennifer discussed maintenance of the new floors and provided Jeff with suggested floor maintenance. Thanked Jim, Robert, Jerry and Wes Hinson.

Jim – Ditto on Jennifer's remarks about the Town Council and ABC joint meeting. Thanked Jeff for feasibility study and store, Shelly and her documentation for the meeting and Robert and always great meeting. Thanked Jerry for being here and participating and thanked Wes Hinson for his information. Jim let the Board know of the GOAT Distillery (distillery in Indian Trail) tour with Shelly and Jeff this month.

Robert – Thanked Jerry for coming and his public comments and the IT ABC Board is being good stewards of the Town's monies. We do put a lot of thought into how we do our business. Thanked Shelly and Wes.

10. Close Session – Confidential – Not for Public Disclosure – 1st Session

CLOSED SESSION, PURSUANT TO NCGS 143.318.11 (A)(1)

CONFIDENTIAL – NOT FOR PUBLIC DISCLOSURE

The Board of Directors discussed NCGS 143.318.11(A)(1) To prevent disclosure of privileged or confidential information

Motion was made at 8:53pm to move to Close Session by Robert, 2nd by Jim, passed unanimously.

Motion was made at 10:30pm to come out of Close Session by Robert, 2nd by Jim, passed unanimously

Close Session - Personnel matters – 2nd Session

CLOSED SESSION, PURSUANT TO NCGS 143.318.11(a)(6)

CONFIDENTIAL --- NOT FOR PUBLIC DISCLOSURE

The Board of Directors to discuss personnel matters.

Motion was made at 10:32pm to move to Close Session by Jennifer, 2nd by Jim, passed unanimously.

Motion was made at 11:27pm to come out of Close Session by Robert, 2nd by Jennifer, passed unanimously.

10 a) Board decision and/or Possible Action/Comments – From Closed Session - 2nd Session - Performance review update with General Manager, Jeff Sullivan

11. Adjournment –

Next Board Meeting Scheduled: March 2019 meeting

Thursday, March 21, 2019 at 6:30 pm at the Indian Trail ABC Store

Motion to adjourn Indian Trail Board Meeting made by Chairman or Board Member Robert,

Seconded by Chairman or Board Member Jim, passed unanimously.

Adjournment: 11:35 pm -Time

