

# MINUTES

## **Indian Trail Alcoholic Beverage Control Board**

Law Offices of Goodwin & Hinson, PA

September 9, 2010 6:30 PM

**Board Members:** Ken Porter- Chairman, Wes Hinson, Jan Brown

**Attendees:** Charles Fowler

### **Call to Order**

The meeting was called to order by Chairman Ken Porter at 6:30 PM.

### **Presentation**

Motion was made by Ken Porter to approve the agenda, seconded by Wes Hinson, and approved unanimously by the Board. Ken Porter opened the floor for public comments, but there were none.

### **Store Upfit**

- Jan gave update report. Entrance flooring has been installed. Painting should be finished in 1.5 days. Carpeting being installed tomorrow. Lighting fixtures will be installed next Tuesday through Saturday and the electrician will be back the following week to connect the fixtures.
- Jan is meeting with Rick Turner tomorrow to design the store layout for product placement.
- Everything is on or ahead of schedule.
- Wes Hinson has been contacted by the landlord regarding the fact that they have not received a letter of credit to finalize the signed lease before the premises were entered for store upfit and design. This is a concern for insurance purposes. The landlord agreed to allow the ABC board to move forward under the terms of the lease with the following criteria: They receive the security deposit of \$6,304.00, the lease can be amended to provide that the payment of the tenant allowance is to be contingent upon receipt of the letter of credit within 30 days from the finalization of the lease or tenant allowance will be forfeited, and the landlord will provide an early entry letter. They agreed that they would like to negotiate 60 days to secure the letter of credit.
- Ken Porter made a motion to accept the modification of the lease terms and speak to the town to secure the required deposit of \$6,304.00. Jan Brown seconded and it was passed unanimously. Wes will propose this to the landlord.

### **Financing**

- Wes Hinson reported that we have dropped Citizens South and are working with 2 other possible financing partners now: Paragon Bank and First Citizens Bank.
- Wes spoke with Paragon Bank on September 8. They are struggling with the letter of credit that is required and the size of the total credit facility without a guarantee. They are asking if the Town of Indian Trail would be willing to place a deposit relationship with the bank for \$200,000.00 to guarantee the letter of credit. Board does not want to propose this to the Town, and understands that would not be an option legally in any event, so this bank may not be an option.
- Wes met with First Citizens on September 7. He provided the information they required and is waiting for their response. They would also like to see 2<sup>nd</sup> and 3<sup>rd</sup> year revenue projections. Ken will prepare these reports with the numbers the board agreed upon.

- Ken is going to contact BB&T for possible financing options. Wes and Ken will also attempt different contact avenues with Sun Trust.

#### **Board Insurance Proposal**

- Wes presented the coverage changes the board discussed at their previous meeting to the insurance company. Insurance company provided new quote based on the changes, which the board reviewed.
- Jan Brown made a motion to accept this new insurance proposal and annual premium in the amount of \$2,405.00 from Jim Mahoney with Robins & Weill Insurance in Greensboro. Wes seconded and motion was passed unanimously.

#### **Point of Sale Systems**

- Board agreed to avoid any other possible issues by going with the POS system that is already in place and currently used in other NC ABC stores.
- Wes Hinson made a motion to accept the point of sale system proposal from Carolina Data Systems. It was seconded by Jan Brown and passed unanimously.
- Jan Brown will contact Carolina Data Systems to see what installation time is needed, so it can be scheduled into the construction plan.

**Motion was made by Wes Hinson to remove item e) Security Systems from the agenda and table it for the next meeting. Motion seconded by Ken Porter, and approved unanimously.**

#### **Personnel and Store Manager Hiring**

- Board agreed on top candidates for store manager and assistant manager position that they want to call back for another interview.
- Ken Porter made a motion to notify 4 candidates that they are still being considered for manager, but an additional 2 weeks are required for a final decision. Seconded by Jan Brown and passed unanimously.
- Ken Porter made a motion to notify 3 applicants that they were not chosen for positions. Seconded by Jan Brown and passed unanimously.

#### **Board Discussion & Possible Action/Comments**

None

#### **Next Meeting**

Board agreed to set next meeting for September 30, 2010, at 6:30 PM at the Law Offices of Goodwin & Hinson, PA.

#### **Adjourn**

Motion to adjourn made by Ken Porter, seconded by Wes Hinson and was passed unanimously.