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Time Posted: _____
Posted By: Pat Parris
Witnessed By: _____

**MINUTES OF A JOINT MEETING
OF THE JACKSON COUNTY
AND
TOWN OF SYLVA
BOARDS OF COMMISSIONERS
HELD ON
JUNE 18, 2012**

The Jackson County Board of Commissioners held a joint meeting with the Town of Sylva Board of Commissioners on June 18, 2012 at 2:00 pm, Justice & Administration Building, Room A227, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Jack Debnam, Chairman
Doug Cody, Vice Chair
Mark Jones, Commissioner
Charles Elders, Commissioner
Joe Cowan, Commissioner
Chuck Wooten, County Mgr.
J. K. Coward, County Attorney
Pat Parris, Clerk

Town of Sylva:
Maurice Moody, Mayor
Harold Hensley
Danny Allen
Linda Sossoman
Chris Mathison
Mike Morgan, Interim Town Mgr.
Paige Robison
Brandi King, Clerk

Chairman Debnam called the joint meeting to order.

(1) NC ABC COMMISSION: Laurie Lee, ABC Commission Auditor/Director of Pricing, stated:

1. The ABC Commission encourages merger of boards and prefers to deal with one board per county, but mergers are not required.
2. The ABC Commission has the final authority for approving any merger, consolidation or dissolution of boards, but can be expected to approve what the appointing authorities have agreed upon.
3. Other than 5% for law enforcement and 7% for alcoholism, there are no restrictions on how the profits may be expended.
4. An ABC Board can own property.
5. The ABC Board is defined as an independent local political subdivision of the State. Employees work for the board and are not considered either state or local government employees, but are considered public employees.
6. The appointing authorities may set a rate of compensation for board members. The current board members receive \$150 per month or per meeting and the Chair receives \$250.
7. Local governing boards appoint ABC Board members. The current board was appointed by the Town of Sylva.
8. The ABC Board may select the Chairperson.

9. The ABC Board hires a general manager who in turn hires other employees. The board may choose to participate in the process or leave it in the discretion of the general manager.

10. The ABC Board may elect to offer employees the benefit of participating in the Local Government Retirement System; however, if one employee participates, all employees working more than 1,000 hrs. per year must be allowed to participate. Once employees are in the retirement system, a future board cannot opt out.

11. All permittees in Jackson County are required to purchase liquor from a Jackson County ABC store if there is one. If there is not one, they must purchase from the nearest and most convenient municipal system in the county.

12. There are no mandatory days and hours that store(s) must be open; however, the mandatory closures are: 9pm to 9 am, Sundays New Year's Day, July 4th, Labor Day, Thanksgiving Day and Christmas Day.

13. With approval of the ABC Board, stores can operate on a seasonal basis because many stores in tourist areas have shorter hours in winter and longer hours during the tourist season.

14. Liquor can be delivered to private clubs, but at the ABC Board's expense. The board cannot charge for deliveries.

15. Allocation of profits may be modified by agreement of all governing bodies receiving distributions. (G.S. 18B-805(e))

16. The ABC Board is authorized to borrow money.

17. The ABC Board is subject to the open meetings law.

18. Even though the ABC Board is a component unit of a governing agency, a separate audit is required.

(2) SYLVA ABC BOARD: The board consists of three members appointed by the town. The terms are staggered and there is currently one vacancy. The town will make an appointment to fill the vacant position.

(3) CURRENT DISTRIBUTION OF PROFITS:

- 7% Alcohol education programs (gross profits)
- 5% for law enforcement – Town of Sylva (gross profits)
- 20% for recreation split evenly between Sylva and County (50% of town allocation returned to county for pool operation) (net profits)
- Remaining profit split evenly between Sylva and County (net profits)

(4) PROPOSED BUDGET FOR FY2012-13 SYLVA ABC BOARD:

Revenues	\$ 2,685,000	Distributions:	
Appropriations	\$ 1,503,600	Law Enforcement	\$ 9,512
Operating expenses	\$ 347,818	Alcohol Education & Rehab	\$ 13,316
Working capital retained	\$ 7,410	Other municipal	\$ 80,000
Net profit distribution	\$ 190,238	Other county	\$ 80,000

(5) FUTURE OPTIONS:

Continue current structure, or merge Sylva ABC Board into a Jackson County ABC Board:

- Options for assets
- Revenue sharing options
- Process for adding new locations

There being no further business, Chairman Debnam moved that the joint meeting be adjourned. Commissioner Cody seconded the Motion. Motion carried by unanimous vote and the meeting adjourned at 3:15 p.m.

Attested By:

Approved:

Patsy C. Parris, Clerk

W. J. Debnam, Chairman