

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: December 5, 2011

SUBJECT: ABC Store Distribution

PRESENTER: Michael Hodes, Chairman of the Laurel Park ABC Board

ATTACHMENTS: Yes

1. Request letter from Laurel Park ABC Board
2. Draft letter to Laurel Park ABC Board

SUMMARY OF REQUEST:

The State ABC Board recently initiated new regulations, including a minimum distribution to government units based on the number of bottles sold. For FY11, the Laurel Park ABC store did not meet that minimum distribution to Henderson County. The Laurel Park ABC Board of Directors is requesting that the County issue a waiver of that minimum distribution for FY11. As noted in the attached letter, this would be a one year only waiver.

BOARD ACTION REQUESTED:

The Board is requested to waive the requirements of a minimum distribution from the Laurel Park ABC Store for FY 10-11, and to authorize the Chair to sign the attached letter.

Suggested Motion(s):

I move the Board waive the requirements of a minimum distribution from the Laurel Park ABC Store for FY 10-11, and to authorize the Chair to sign the attached letter.

LAUREL PARK ALCOHOLIC BEVERAGE CONTROL BOARD

1709 Brevard Highway
Hendersonville, NC 28791
Telephone (828) 692-5325

November 28, 2011

**Steve Wyatt, Henderson County Manager:
1 Historic Courthouse Square, Suite 2
Hendersonville, NC 28792**

Subject: Laurel Park ABC Store Distributions

As we discussed, due to the downturn in business over the past several years, the store's cash position was depleted and the board decided to reduce the distributions until we had sufficiently replenished that position.

In the interim, the state ABC Board initiated some new regulations including a minimum distribution based upon the number of bottles sold. The Laurel Park ABC Store did not meet that minimum to Henderson County by the amount of \$2,611.01 for the fiscal year ending June 30, 2011.

Our board of directors is requesting the Henderson County Commissioners to issue us a waiver for the fiscal year ending June 30, 2011. This is a one-year only waiver. We fully anticipate resuming normal distributions.

Attached is a copy of the letter the Laurel Park ABC Board of Directors received from the Town of Laurel Park waiving the requirements of a minimum distribution from the ABC Store.

Thank you for bringing this to the Henderson County Board of Commissioners.

Sincerely,



Michael Hodes, Chairman,

Laurel Park ABC Board of Directors.

HENDERSON COUNTY BOARD OF COMMISSIONERS

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J. MICHAEL EDNEY
Chairman
THOMAS THOMPSON
Vice-Chairman

CHARLIE MESSER
LARRY YOUNG
BILL O'CONNOR

December 5, 2011

Town of Laurel Park ABC Board
Attn: Michael Hodes
1709 Brevard Road
Laurel Park, NC 29739

Re: ABC Store Distribution

Chairman Hodes,

With respect to the minimum contribution set forth by NCGS 18B-805, the Board of Commissioners hereby authorizes a waiver to the requirements of a minimum distribution from the Laurel Park ABC Store for FY 10-11.

As this is a one-year only waiver, the County looks forward to resuming regular distributions for FY 11-12.

Sincerely,

J. Michael Edney
Chairman, Board of Commissioners