



STAFF REPORT

Meeting Date: November 3, 2014

Agenda Item #: 9d

TO: Mayor and Town Council
FROM: Lisa Anglin, Town Clerk
THRU: Susan Parker, Town Administrator
TITLE: ABC Board

Summary:

Councilman Williams and Councilman Sherrill have interviewed the applicants for the ABC Board and reported to Council.

During the October 29th Work Session, the Council discussed increasing the number of ABC Board members to five (5) and reached a consensus to add the consideration to the November 3rd Council agenda. Some questions were raised concerning the Council's authority to increase the ABC Board membership to five (5) without an amendment to the Enabling Act of 1969. Staff was requested to obtain a legal opinion.

Attorney Richardson reviewed the 1969 Enabling Act and NCGS 18B-700 and advised that in his opinion the Council does have the authority to increase the number of members for the ABC Board without amending the Enabling Act based on NCGS 18B-700(1).

Council Action:

Council is requested to by motion determine the number of members for the ABC Board.

If the number is increased, Council is requested to:

- Appoint the applicants to three (3) year terms;
- Authorize the Clerk to advertise for the remaining position.

If the number is not increased, Council is requested to:

- Appoint an applicant to a three (3) year term.