

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL APRPROVING
AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH
THE TOWN OF LAUREL PARK FOR THE MERGER OF THE ABC SYSTEMS**

WHEREAS, the City Council for the City of Hendersonville and the Town Council for Laurel Park adopted an Interlocal Agreement to Provide for the Merger of ABC Systems, dated May 8, 2024 (“Interlocal Agreement”); and

WHEREAS, based upon the adoption of the Interlocal Agreement the Laurel Park ABC System and the Hendersonville ABC System were merged, with the merger being effective July 1, 2024, pursuant to the authority of N.C.G.S. § 18B-703 and N.C.G.S. Chapter 160A Article 20, Part 1, the merged system now being known as the Blue Ridge ABC System; and

WHEREAS, pursuant to the Interlocal Agreement, effective July 1, 2024, the City of Hendersonville Board of Alcoholic Beverage Control and the Town of Laurel Park Alcoholic Beverage Control Board were merged into one consolidated board, known as the Blue Ridge Alcoholic Beverage Control Board; and

WHEREAS, the Blue Ridge Alcoholic Beverage Control Board and the merged system have operated successfully for one year, however, it has become apparent that certain amendments to the Interlocal Agreement could increase operational efficiencies; and

WHEREAS, the Blue Ridge Alcoholic Beverage Control Board has requested that the Town and the City amend the Interlocal Agreement to provide for these operational efficiencies, and the Town and City have agreed;

WHEREAS, a draft of the “First Amended and Restated Interlocal Agreement to Provide for the Merger of ABC Systems” has been presented to City Council for approval;

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA that:

1. Pursuant to the authority of N.C.G.S. § 18B-703 and N.C.G.S. Chapter 160A Article 20, Part 1, the First Amended and Restated Interlocal Agreement to Provide for the Merger of ABC Systems (the “Agreement”) is approved as presented.
2. The Mayor is authorized to execute the Agreement with such changes as she deems appropriate in consultation with the City Attorney, provided that any changes to the Agreement regarding the calculation or distribution of profits from the merged system shall require ratification of City Council.
3. The City Manager, City Attorney, and City Staff are authorized to take such other actions as may be necessary to carry out the terms and provisions of the Agreement as signed by the Mayor.

Adopted by the City Council of the City of Hendersonville, North Carolina on this _____ day of _____, 20____.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney