

# Alabama Retailer



STAYING POWER

*Ricky Bromberg*

PRESIDENT OF BROMBERG'S

MEMBER  
HIGHLIGHT  
ROB AND  
MARY ELLEN  
WERNER

OWNERS OF  
WERNER'S TRADING CO.

MEMBER BENEFITS  
Pass-through  
credit card  
processing rates

FEDERAL ISSUE  
Unfair tax policy  
puts couple  
out of business

*Legislative Q&A:  
VP answers  
questions  
in advance of  
regular session*

# From the President



## Our New Look is All About Being Better Together

Retailers are people.

They are your neighbor,  
your Facebook friend.

They are who you ask  
advice about what to  
wear, what ingredients to

use for your evening meal, what over-the-counter medicine is best when you have a cough, what color and kind of paint to use in your kitchen. They are part of just about every aspect of your daily life.

You'll find the stories of just a sampling of Alabama's retailers in these pages: A jewelry store owner carrying on a family tradition that is the most enduring in America; a couple who made the hard decision to close their life's dream because of unfair tax policies; another couple operating a business that their community uses as a gathering place and as a springboard for new businesses; and an owner whose third-generation enterprise is much more than a hardware store.

Yes, these retailers sell products. They also provide jobs and build communities.

The majority of you reading this can also say, "I am an Alabama Retailer."

This magazine is for and about you.

Retailers are better when we work together to tell the retail story in our state. We are better when we speak with one voice on public policy. Together, the 4,100 businesses that make up the Alabama Retail Association can negotiate better benefits for its membership.

Retail is better together. If you aren't already a part, I hope you'll join us.

**RICK BROWN, Publisher and President**

# Alabama Retailer

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# February

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## Nominate your favorite as an Alabama Retailer of the Year

The Alabama Retail Association will accept nominations for the 2016 Alabama Retailer of the Year awards through Monday, May 16. In its 17th year, this prestigious award recognizes outstanding retailers who have demonstrated a blend of sound business practices with commitment to their communities, customers and employees.

Nominees must own, operate or manage a retail business with a physical presence in Alabama and

that Alabama location must have been in operation for a minimum of five years. To be considered a retail operation, a business must collect state and local sales taxes.

Nominate your favorite retailer at [alabamaretail.org/retaileroftheyearnomination](http://alabamaretail.org/retaileroftheyearnomination) or call Nancy King Dennis at **1.800.239.5423** to make a nomination by telephone.



THE RETAILER OF THE YEAR awards honor just a few of the many outstanding retailers who make a positive difference every day in the communities they serve.

EFAIRNESS

# Unbalanced Tax Collection System Made Staying in Business Untenable for Birmingham Couple

TIME FOR CONGRESS TO QUIT “DRAGGING ITS FEET,”  
FORMER BUSINESS OWNERS SAY

By Nancy King Dennis



Photo By Brandon Robbins

**F**or the 38 years they owned a business, Dennis and Dianne Wammack's biggest competitors were out-of-state sellers who weren't required to collect sales taxes.

From the beginning, competition came from New York mail-order sales. Still, it wasn't until remote Internet sellers came heavily into play that the Wammacks' Birmingham business began to suffer. After 31 years, they reduced their sales staff by half and relocated to a space at half the rent in an attempt to survive.

"Everything we did for 38 years was running uphill, and we could run uphill, but at some point, it just got too tiring," Dennis said recently as he stood outside the empty building where Cameras Brookwood once operated.

It has been two years since the Wammacks decided to retire and close the business they started in 1977. They miss the energy their employees gave them and the comradery with their customers, but know an unbalanced tax system made their situation untenable.

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**“...75 percent of the reason why we chose to close the store was because competitors didn't have to collect sales tax”**

**- DIANNE WAMMACK**

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"The lease was up. We could get out on our own terms, but 75 percent of the reason why we chose to close the store was because competitors didn't have to collect sales tax," said Dianne, who for nearly two decades traveled to Washington, D.C., almost annually to try to convince Congress to quit picking winners and losers when it comes to which retailers must collect sales taxes. A 1992 U.S. Supreme Court decision set the precedence that only retailers with a physical presence in a state have to collect sales taxes. The decision though made it clear Congress could change that.

"The American people want a level playing field," said Dennis. "The American retailer is not getting a level playing field."

Dianne served for six years on the executive committee for the Alabama Retail Association board, ending her service in 2013 as the association's chairman. Besides visiting Alabama's congressional delegation, she testified before state legislative committees and wrote letters to the editor. Still, she said, Congress "is dragging its feet."

In 2013, the U.S. Senate approved the Marketplace Fairness Act. The U.S. House has yet to act, despite the existence of another legislative fix, the Remote Transaction Parity Act.

If federal legislation had made it so all retailers – brick-and-mortar, online, catalog or telephone – have to collect sales taxes, the Wammacks' story might be different.

"There is a high probability, we would still be around," said Dennis. "It was just too onerous to keep going."

Dennis and Dianne both relate how customers quizzed their sales staff on products, then bought from a source not required to collect the sales tax. Customers even bought products and supplies from the Wammacks "as insurance in case their online purchase didn't come in on time," said Dianne. Dennis recalls one long-time customer even returned something with the price tag from a New York supplier still attached. Dennis refunded their money anyway.

"We were always service oriented, and we tried to help everybody," said Dianne, "but that was pretty hard when we knew they were taking advantage of the good will we had built and then were not actually spending money with us."

Admittedly, Dennis says Dianne was tougher than him when it came to their customers.

When they decided to close the store, "I had carte blanche to hug everybody who walked in the store, and I took advantage of it," he said. Professional photographers broke down and cried in the showroom, he added.

The Wammacks were integral to helping Birmingham area professional photographers build their businesses



Photo By Nancy Dennis

as well as helping build high school and college photography programs.

Brandon Robbins, who photographed the Wammacks' portrait for this story, said "28 years ago, when I was 14 and taking a photography class, I got all of my stuff from him," pointing to Dennis. When Brandon was just starting out as a professional photographer, the Wammacks allowed him to buy on account and pay when he got paid.

"Our function in life was to keep photographers going," said Dennis. Cameras Brookwood was the lone independent photo supply and imaging business in the

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**"Ever since I was a little kid, owning my own business made me think I would be part of the community, build something of consequence and put some meaning in my life."**

**- DENNIS WAMMACK**

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region. After helping find other jobs for their employees when the store closed, Dianne said her husband "worked hard at getting someone in town to stock the supplies our customers needed."

Dennis, an aerospace engineer in his first career, said, "Ever since

I was a little kid, owning my own business made me think I would be part of the community, build something of consequence and put some meaning in my life."

Even though his dream job ended before he would have liked, Dennis said, "We got a wonderful 38 years out of it." ■



# Q&A

with Alison Hosp, Vice President, ARA

## Alabama Legislature Basics for 2016

### When does the Alabama Legislature meet in 2016?

Alabama lawmakers go into session Tuesday, Feb. 2. They must meet no more than 30 legislative days (days when the Legislature is in formal session. This does not include days when there are only committee meetings). They must complete these days within 105 calendar days, so the last day they could possibly meet would be May 16.

### Where is the best place for me to get information about legislation that might affect my business?

Stay in touch with Alabama Retail! During the week, we tweet items and post information on our website and Facebook page. Each Friday, we email a comprehensive recap of the week, known as the Capital Retail Report. Follow Alabama Retail on Twitter and on Facebook and make sure Alabama Retail has your correct contact information. We will keep you informed!

### The Alabama Retail Association looks out for my interests at the Alabama State House, right?

Absolutely. Our strength, however, is in our numbers. From time to time, we may ask you to contact your legislator to voice your opinion on an issue. I can't overestimate the importance that legislators place upon hearing from constituents. We have to make 10 contacts with a legislator to get the same impact your one call or email can make.

### How and when is the best time to talk to my state senator or representative?

Honestly, the best time to talk to your legislator is BEFORE you need something. Just a few contacts when they are not in session will be beneficial to your request when they are in session. If they have seen you at an event, or you have

taken the time to thank them for a vote or something they did in your community, they will remember your name during session when you call to ask for their help.

When the Legislature is in session, things move quickly. Lawmakers are usually in Montgomery on Tuesday through Thursday of each week, so if the issue can wait, it is likely to get more attention if you contact them on Monday or Friday at their home or office. If you happen to know them or see them about town over the weekend, then it would be appropriate to discuss something with them. Emails are fine any time, but may get lost in the shuffle if sent on a legislative day.

#### HIGHLIGHT

**The best time to talk to your legislator is BEFORE you need something. Just a few contacts when they are not in session will be beneficial to your request when they are in session.**

### What will be the main issue in the 2016 regular session?

Money. It is as simple and as difficult as that. Alabama doesn't have enough. You can count on Alabama Retail to work to make sure this burden isn't unfairly placed upon your back.

 **For more information, visit [alabamaretail.org](http://alabamaretail.org).**

BUILDING COMMUNITY

# ‘We Are Stronger When We Work Together’

WERNER’S TRADING CO. OWNERS WORK TO ATTRACT  
BUSINESSES TO CULLMAN, EVEN COMPETITORS

Story and Photos By Melissa Johnson Warnke



*Six days a week, Rob, Mazzie and Mary Ellen Werner are on the job at Werner's Trading Co. in Cullman. Labradoodle Mazzie often hangs out near the registers.*

Tucked inside a beautiful, vine-covered entrance along Cullman's busy Fourth Street is one of the growing city's most distinctive retailers. Werner's Trading Co., a second-generation family owned store, is in its sixth decade of business.

Rob Werner's father, Robert, opened the business in 1952 as an army surplus store, which over the years evolved into a hardware store, then an industrial supply store. These days, you can find just about anything inside the shop – from men's and women's apparel, to recreational supplies, grills, bicycles, canoes, specialty beer and wine and even bee-keeping supplies.

"Our product diversity is our calling card," said Rob, the current owner/operator. "We're blessed to have shoppers from all over the United States because of our unique store. Families consider it a gathering place. They come into town and meet here."

Rob learned the basics of the retail business and customer service as a child, helping his father deliver goods back

***"Families consider Werner's a gathering place. They come into town and meet here."***

**- ROB WERNER**

when the business was still a surplus store. "We had a route that we carried and sold goods all over the county. We did that until the mass merchants started moving into town. We have continued to change through the years," he added.

While the product selection has changed quite a bit in the last 63 years, the Werner's Trading Co. commitment to the community has never wavered. Rob, who's owned the business for 44 of those 63 years, says, "We come here every day to work very hard for our community."

Along with his work inside the store, once a week, Rob mentors inside the Cullman City Schools. He also serves on various boards of directors within the community, including

the United Way. You'd be hard pressed to find a local project or charitable cause in the community that Werner's Trading Co. hasn't supported in the past.

Werner's is also a long-time member of the Cullman Area Chamber of Commerce, and Rob has been active in the city's industrial development efforts. He's worked



Werner's Trading Co. at 1115 4th St. SW in Cullman is open 8:30 a.m. to 5:30 p.m. Monday through Friday and 8:30 a.m. to 3 p.m. Saturdays. Visit online at [wernerstradingco.com](http://wernerstradingco.com)

alongside city and other business leaders in building and recruiting new industries to the city, even some companies that now compete for the same customers who shop at Werner's.

"It all helps move the community forward," Werner said. "We are a stronger city when we all work together."

Werner and his wife, Mary Ellen, are inside the store every day, as is another familiar face – their 12-year-old dog, Mazzie. The 60-pound Labradoodle greets customers and is often found alongside the registers.

"She's part of the business," said Rob. "It's a family atmosphere. We've had employees who've been with us for a long time, and customers who've shopped with us for several generations. We knew them as children, and now they bring their own children shopping in the store. We have been blessed."

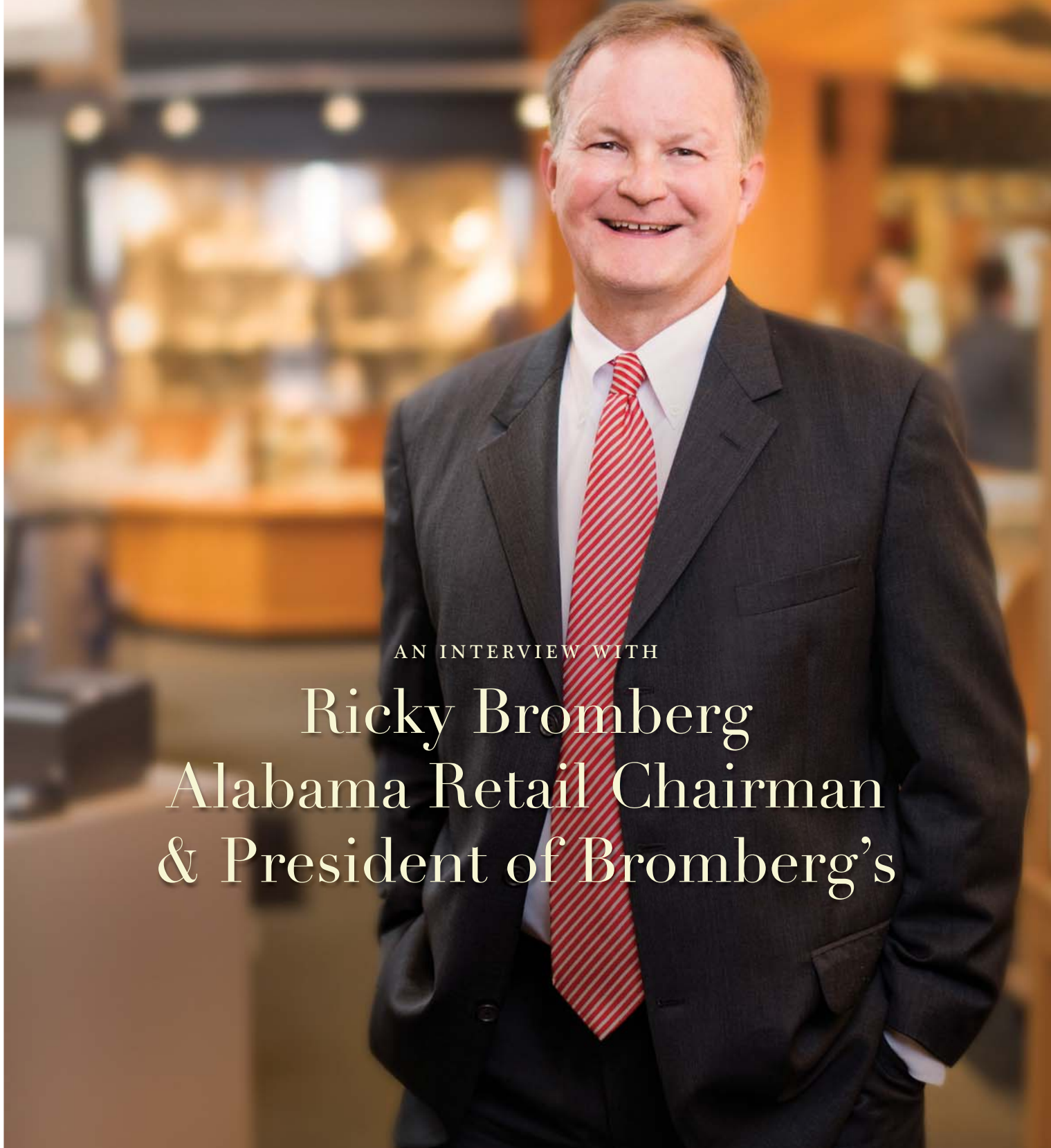
***For more information, visit [alabamaretail.org](http://alabamaretail.org).***

# Staying Power

By Melissa Johnson Warnke

AN INTERVIEW WITH

Ricky Bromberg  
Alabama Retail Chairman  
& President of Bromberg's



**R**icky Bromberg still recalls the day he got his first “paycheck,” if you could call it that, he said. It was June 30, 1966. “I was six years old at that time,” he remembers. “I got a 50-cent piece for being the elevator operator at our downtown Birmingham location. That was my pay for the day.”

Now as president of Bromberg & Co. Inc., he is the sixth generation of the family to lead the company. Bromberg’s was founded in 1836 by his grandfather’s great-grandfather, Frederick W. Bromberg, for whom Ricky is named. He can’t remember a time when his life didn’t revolve around the family business.

“I have always wanted to do this,” Ricky said. “When I was a kid, the jewelry store was where I’d play; where I’d spend most of my day. There was not much difference in the conversation at home and around the dinner table than what was talked about inside the store.”

This year, Bromberg and Co. is celebrating an impressive anniversary, its 180th year in business. That makes the business America’s oldest known family owned retailer. It’s a milestone not lost on Ricky Bromberg, who couldn’t help but smile when describing the unique and intertwining story of his family and company.

In 1836, Alabama was in the midst of a population boom as settlers continued to move into the young state. It was primarily a state of small farmers, with pockets of larger landowners in central and south Alabama. Cotton was the chief commodity, and cotton exports transformed Mobile – the state’s only deep-water port – into one of the largest cities of the American South. Commerce was the driving force behind the thriving city of Mobile, and it was there that Prussian immigrant Frederick Bromberg chose to open his business.

Those first years were incredibly difficult, with fire, disease and even war testing their efforts. His grandson, also named Frederick, took over and grew the business,

**Bromberg & Co. Inc. celebrates its 180th year in business this year, making it America’s oldest known family owned retailer.**

**“Retailers everywhere are the bedrock of communities. It’s not just about employment; retail is part of the fabric of everyday life.”**

**- RICKY**

eventually moving it to Birmingham around the turn of the century. In the early 1900s, he and his sons managed to keep the store alive and thriving throughout the Great Depression. Throughout the 1950s, ‘60s and ‘70s, Bromberg’s saw tremendous expansion.

Today, the company is known for its engagement rings, diamonds and statement pieces of jewelry made by exclusive, world-class brands such as David Yurman, Rolex, Roberto Coin and Mikimoto. The company also carries a large selection of china, crystal, sterling flatware and other gifts and collectables. Bromberg’s has stores in Mountain Brook and at The Summit with its corporate offices in downtown Birmingham. The Bromberg family also owns Underwood Jewelers in Jacksonville, Fla, with four locations there.

#### **One member can make a difference**

Ricky’s term as chairman of the Alabama Retail Association began in January. “I’m honored to be a part of the voice for retailers in our state,” he said. While the company has been a member of the association since 1992, Ricky says he got actively involved in 2000 because of a state sales tax issue.

“We had a sales tax audit, which showed we owed \$500 in back taxes and interest on items the company had donated to charity,” Ricky said. It never occurred to him that his company would owe taxes on charitable

*Continued on page 12*

## THE ESSENTIALS

**Founded**  
1836

**Number of Employees**  
38

**Mentor**  
Frank H. Bromberg Jr.  
(my father)

**Smart Move**  
Marrying my wife, Nancy

**Learning Moment**  
Receiving various job assignments over the years without warning!

**Wisdom Shared**  
Slow and steady wins the race

See more  
of this story at  
[alabamaretail.org](http://alabamaretail.org)



Continued from page 11

donations, and he didn't think it was right for the state to tax such donations. "We were trying to do the right thing and to be generous, and then were penalized for doing it."

Ricky made it his personal cause to take up the issue, but he wasn't getting far. After a suggestion to contact his trade association, Bromberg made a call to ARA's lobbying team.

"The Retail Association, through its collective voice, carries a lot of clout in Montgomery. And they listened," he said. It took a few years, but the Inventory Reduction for Charitable Purposes Relief Act is now law. Any donation of inventory valued at less than \$10,000 is no longer taxable.

"I'm pretty proud that it really passed!," said Ricky. "To me, it's a great example of what the association can do on behalf of its members. I encourage all retailers to bring these types of things to ARA's attention. One person, one phone call, one conversation can really make a difference."

**Moving the organization forward**

"I have big shoes to fill," said Ricky, describing the leadership of George Wilder, the association's immediate past chairman and owner of The Locker Room in Auburn and Montgomery.

"He did such a great job, and I am happy to carry forward the work of the association."



*Bromberg's at 2800 Cahaba Road in Mountain Brook and 131 Summit Boulevard at the Summit are open Monday through Saturday. The Mountain Brook store is open 9:30 a.m. to 5:30 p.m., while the Summit hours are 10 a.m. to 6 p.m. Learn more at brombergs.com*

The issue top of mind for Ricky today is e-fairness or marketplace fairness. Currently, the government only requires retailers who have a physical presence in a state to collect sales taxes, while those that sell exclusively online get a pass.

"All retailers welcome competition, whether that is through the Internet or the store next door. But, we should all be playing by the same rules. The law, as it stands now, doesn't

treat us fairly. The government is giving an advantage to one type of business over another," Ricky said. "It just doesn't make sense." (See related story, pages 4-6)

**What's next?**

Ricky is proud of his family ties to retailing. "Retailers everywhere are the bedrock of communities. It's not just about employment; retail is part of the fabric of everyday life. How many silent auctions have you been to? How many live auctions? What supports those – its local retailers who donate a lot of those items. Who sponsors Little League teams? It's the local business owners," said Ricky.

Ricky says there was never any pressure for him to take up the family business, and that's the same frame of mind offered to the next generation. "There is another generation, so we'll see if there is interest in carrying the business forward within the family. Time will tell," he says. ■

**ALABAMA RETAIL'S OTHER 2016 OFFICERS**



Vice Chairman  
**Jacob Shevin**  
Standard Furniture



Treasurer  
**Bob Akers**  
Davis Direct



Executive Committee Designee  
**Todd Noden**  
Books-A-Million



Immediate Past Chairman  
**George Wilder**  
The Locker Room

*Find a full list of ARA directors at [alabamaretail.org/association/directors](http://alabamaretail.org/association/directors)*

# What to Expect If Sued or a Suit Is Threatened

By Whitney R. Brown, Esq.

In the past two years, retailers and restaurateurs have been hit hard by Americans with Disabilities Act (ADA) access lawsuits. The costs of repairs are generally minor, but getting rid of the lawsuit generally requires thousands of dollars in settlement costs and attorneys' fees.

Below are four steps to take immediately if your business is threatened with or receives one of these lawsuits.

**Relax.** Take a deep breath. If lawsuits (or threatened lawsuits) were dentist appointments, this one would be a routine cleaning.

**Determine if anyone else should share the costs.** Although these claims are not covered by most types of insurance, you will want to contact your agent to see if you might have coverage that would cover either the costs of defense, repairs or a settlement. Also, your lease may accord some responsibility to a landlord; or, you may have a similar agreement with a builder or architect.

**Decide if you need an attorney.** You will definitely need an attorney if a lawsuit has been filed because corporations and other entities can't represent themselves in court. The time to make a responsive filing in federal court is also short – 21 days – so be sure to move quickly.

If a lawsuit has not been filed, you may still want to consult with an attorney. An attorney can help you:

- Evaluate whether or not the conditions at the location actually violate the ADA.

- Evaluate alternatives for remediation.
- Protect these evaluations with the attorney-client privilege or work product confidentiality.
- Provide a sounding board. An attorney with experience in these matters will have a good idea of what practices and prices are reasonable and unreasonable.

## HIGHLIGHT

As you would in any negotiation, consider the initial demand for attorneys' fees as a starting point for negotiations, not the be-all, end-all.

**Decide on a goal.** Do you want to avoid being sued or get out of a lawsuit as quickly as possible? These lawsuits are typically resolved quickly and inexpensively by the parties agreeing on what changes will be made. The only damages that the plaintiffs can collect from these lawsuits are the attorneys' fees, so the dollar amounts paid are relatively low as long as resolution is quick. As you would in any negotiation, consider the initial demand for attorneys' fees as a starting point for negotiations, not the be-all, end-all. While most businesses opt to negotiate the best resolution they can, there are procedural maneuvers that, in some cases, could

eliminate or severely limit plaintiffs' attorneys' ability to collect these fees. ■

*Whitney Brown is a shareholder with Birmingham labor and employment law firm, Lehr Middlebrooks & Vreeland P.C., which provides information for Alabama Retail's Employment Law Resource Center. The firm represents employers exclusively regarding workplace matters.*

*For Whitney's full article and more information on this issue, visit [alabamaretail.org](http://alabamaretail.org).*

# Member News

## MIKE'S MERCHANDISE OPENS 6TH STORE



**Mike's Merchandise**, where "it's a new store every time you walk in," opened its sixth store in November. The new location in Montgomery joins stores in Guntersville, Huntsville, Decatur, Muscle Shoals and Auburn. Mike's began in Guntersville as a resale business from merchandise obtained at auction. In addition to resale retail, the inventory includes wholesale merchandise. The stores sell tools, books, clothes, linens, pet supplies and a myriad of other merchandise. In 2007, owner Michael Ray Jones was named the Bronze Alabama Retailer of the Year in the Annual Sales \$1 Million to \$5 Million category. *Visit [mikesmerchandise.com](http://mikesmerchandise.com)*

## URBAN COOKHOUSE OPENS MONTGOMERY RESTAURANT



**Urban Cookhouse's** newest location, in Montgomery's EastChase development, opened late last year. The restaurant chain now has four Alabama locations, three of which are in the Birmingham area. Two South Carolina and an Atlanta location are slated to open this year. A Nashville location is expected to open this month. The chain uses fresh, locally sourced ingredients in its salads, sandwiches and meals. The original Urban Cookhouse owners received the first Gee Alabama Emerging Retailer of the Year Award in 2012. *Visit [urbancookhouse.com](http://urbancookhouse.com)*

## PUBLIX DONATES FOOD, FUNDS TO BUY REFRIGERATED TRUCK



**Publix Super Markets** made the holidays brighter for the Bay Area Food Bank in Mobile. The company donated 22 pallets of food items and \$120,000 to help the food bank purchase a brand new 26-foot refrigerated truck. The truck allows the food bank to more efficiently pick up and transport larger quantities of donated goods. The gift was part of a \$1.5 million donation from Publix Super Markets Charities to 12 'Feeding America' partners. Currently Publix has 1,107 stores in Alabama, Florida, Georgia, Tennessee, South Carolina and North Carolina. It is America's largest employee-owned grocer. *Visit [publix.com](http://publix.com)*

## PANTS STORE OPENS 5TH ALABAMA LOCATION



**The Pants Store** opened its fifth Alabama location in Huntsville's Twickenham Square development in November. Pants Store offers casual lifestyle clothing and shoes for men, women and children. The flagship store for the third-generation family business is in Leeds. The other stores are in Mountain Brook, Trussville and Tuscaloosa. The Pants Store operators earned the Silver Alabama Retailer of the Year Award in the Annual Sales \$5 Million to \$20 Million category in 2012 and the Silver Retailer of the Year in the Annual Sales \$1 Million to \$5 Million category in 2007. *Visit [pantsstore.com](http://pantsstore.com)*

*For more member news, visit [alabamaretail.org](http://alabamaretail.org).*

## NEW BOARD MEMBERS

# Alabama Retail Adds Four to Its Board of Directors

THE ALABAMA RETAIL ASSOCIATION HAS ADDED FOUR NEW MEMBERS TO ITS BOARD OF DIRECTORS. THEIR TERMS BEGAN JAN. 1.

MEMBER  
SINCE  
2013

**AVERY AINSWORTH** is the owner of Fleet Feet Sports in Montgomery. He and his wife, Erin, opened the store in 2013. Before that, he was the general manager of the Fleet Feet Sports in Jackson, Miss. Fleet Feet Sports specializes in shoes, apparel and accessories. It also provides training and educational programs to enhance the local running and walking community. In addition to running the store, Avery founded Renewed Soles, a project that collects and provides footwear to those in need in the River Region. He also was the catalyst for bringing Girls on the Run to Montgomery. The Ainsworths and their son, Emory, live in Montgomery.

MEMBER  
SINCE  
1992

**MICHAEL GEE** is the president and co-owner of the Pants Store. The company, founded in 1950 by his grandfather and nurtured by his father, has grown from its flagship in Leeds to a total of five locations. The other stores are in Mountain Brook, Trussville, Tuscaloosa and Huntsville, the newest location. In 2013, the *Birmingham Business Journal* named Michael as one of the Top 40 under 40. He also has a long association with the Arthritis Foundation, founding the state chapter of the junior board and establishing a fund-raising event that raised hundreds of thousands of dollars for the cause. He and his wife, Melanie, have two children, Morris and Mae Grace.

MEMBER  
SINCE  
2004

**TERRY WAKEFIELD SHEA** is the co-owner of Wrapsody in Auburn and Hoover. In 2015, Shea was chosen to represent retailers nationwide to testify before a congressional committee about the impact of the U.S. Labor Department's proposed overtime regulations. Terry also attended the Retail Advocates Summit in Washington, D.C., as one of 52 invited Retail Champions from throughout the country. Wrapsody is a gift and home accessory boutique. Terry and co-owner Sarah Brown created the stores with a "celebration of giving" being at the

core of their mission. Terry; her husband, John; and daughter, Molly, live in Hoover.



*The Alabama Retail Association board now includes from left, Avery Ainsworth, Michael Gee, Terry Wakefield Shea and Jeremy Walker.*

MEMBER  
SINCE  
2003

**JEREMY WALKER** is a store team leader for Target Corp., currently serving at the Super Target in Trussville. He has been with Target since 2001, serving in various roles in Alabama and Louisiana. During his time as store team leader in Montgomery

in 2006, Walker's store was the backdrop for then Gov. Bob Riley and other state leaders as the governor signed into law legislation, backed by the Alabama Retail Association, that created Alabama's first statewide sales tax holiday for back-to-school shoppers. Prior to joining Target, Walker was a district manager for Walmart for more than 10 years. He and his wife, Beth, live in Trussville, and have four children: Lee, Kayle, Emma and Laine.

👉 [Find a full list of ARA directors at alabamaretail.org/association/directors](http://alabamaretail.org/association/directors)

# Get Prepared at Holley True Value in Selma

Story By Nancy Dennis. Photo By Lloyd Gallman

For at least 50 years, maybe more, the owners aren't really sure, a Holley has run the business at the corner of Water Avenue and Martin Luther King Jr. Street in Selma.

The focus of the third-generation business has shifted based on the interest and expertise of the Holley in charge.

Founder Elam Holley first opened a rental property office. With background as a JCPenney manager, Ralph Holley turned his dad's business into a clothing plus lawn and garden store, eventually dropping clothing for

hardware and adding a pet store. The founder's grandson, Alden Holley, who briefly left the business to work with catfish farmers, expanded the feed portion of the business.

Even when it was the founder's rental property and farm office, the business sold seed, the only product that has remained a constant for the duration of the business.

"People would come in to pay rent, and they would buy some seeds to plant in their gardens," said Alden, who with his mother, Pat Conaway Holley, now owns Holley True Value in Selma. Paying bills at the store also is a constant. You can no longer pay your rent there, but you can pay your phone and gas bill.

"Everything we've ever done is an odd combination," said Alden, but the Holleys know their merchandise, which fills every nook and cranny of the three-building business that takes up most of a block.



MEMBER  
SINCE  
2003

*Holley True Value owner Alden Holley stands in the feed warehouse portion of his hardware, plumbing, lawn, garden and pet store. The third generation business evolves with the Holley in charge.*

"The products and lines we sell, we know," said 33-year-old Alden, who "had to step up and take over" in 2009 when his dad was disabled in a car accident. "We wouldn't sell it, if we didn't believe in it."

Holley True Value is one of the stores where Alabamians can buy tax-free items the last weekend of

February to prepare for weather emergencies. The store sells batteries, flashlights, tarps, plastic sheeting, bungee cords, rope, tie-down kits, duct tape, smoke detectors, carbon monoxide detectors and gasoline containers. All of those items and more are tax free **Feb. 26-28**.

Although Alden says his customers tend to wait until after an emergency to buy needed supplies, "we do get some sales. We make a section. People come in for one thing and then they say, 'Oh yeah, we can buy this tax free.'"

[For more information, visit alabamaretail.org](http://alabamaretail.org)

Learn more about Alabama's Feb. 26-28 severe weather preparedness sales tax holiday at [alabamaretail.org/alabamasalestaxholidays/](http://alabamaretail.org/alabamasalestaxholidays/)



# Take Advantage of the Low-Cost Credit Card Processing ARA Offers

MEMBER  
SINCE  
1993

"I literally get calls weekly of folks wanting to quote us credit-card processing rates," said **GEORGE WILDER, OWNER/PRESIDENT OF THE LOCKER ROOM,**

a 14-employee, men's clothing store in Montgomery and Auburn. The Locker Room uses Huntsville-based processor CHECKredi®, the Alabama Retail Association partner that offers group-negotiated rates typically reserved for only the largest retailers.

George knows his rates are the best they can be, because he validated it.

"A long-time friend, who has been in the processing business for a long

**"We like doing business with folks we can talk to."**

**-GEORGE WILDER,  
THE LOCKER ROOM**

time, asked me if he could give us a quote and try to win our business. He is the only person I would trust to see our information. He said he could not touch CHECKredi®'s rate. This is someone I would trust my grandkids with."

The service The Locker Room gets from CHECKredi® also is top notch, George said. "We updated our terminals several months ago with chip-ready technology," he said,

adding that with CHECKredi®, it was easy. "You invariably have issues with equipment, but we have always gotten replacement equipment promptly. We have a couple of folks we deal with, so the service and personal aspect is what we like. We like doing business with folks we can talk to and not go through voice mails to get to someone who can help."

**CHECKredi**

**For a free cost comparison, go to [alabamaretail.org/benefits/credit-card-processing/](http://alabamaretail.org/benefits/credit-card-processing/)**

## Avoid Unnecessary Costs; Get Your Workplace Posters from ARA

With your Alabama Retail membership, you receive the workers' rights posters that are required by federal and state law to be posted in your workplace. These posters can cost as much as \$200 from other sources but are yours absolutely FREE from Alabama Retail!

Despite what poster companies try to tell you, you do not need to replace posters you received from ARA in 2013 or 2014, even though the Occupational Safety and Health Administration has redesigned its "Job Safety and Health – It's The Law!" posters. OSHA says earlier posters work too. If you received free posters from the Alabama Retail Association, they are still valid.



Check to make sure you have the latest posters by going to [alabamaretail.org](http://alabamaretail.org). You can either download and print the posters from our website, or request new posters be mailed to you.

Each Alabama Retail member initially receives one each of the state and federal posters. If you have more than one location and those locations are not part of the Alabama Retail member database, you may need additional posters. You can order additional posters online or call 1-800-239-5423.

When the law changes, Alabama Retail prints and mails new posters to you, free of charge.

**For more information, visit [alabamaretail.org](http://alabamaretail.org).**



# Socially Speaking

THE POSTS YOU MAY HAVE MISSED




“When people choose to spend their dollars locally, those dollars go right back into the community.”

- MARGARET HAMM


Get social with us!  
Talk to us about the photos, resources, retail updates and member news we share.

 /Alabama Retail

 @AlabamaRetail

 Stay informed at [alabamaretail.org](http://alabamaretail.org)

**Support your community on Nov. 28th and #ShopSmallAlabama.** SHARE if you support Small Business Saturday too! – at Monograms Plus of Cullman. Nov. 20 


Executives. Hosp is past president of ACAE and a Kid One board member. #GivingTuesday. Dec. 1 



**Alabama Retail VP Alison Hosp presents \$3,000 to Matt Holdbrooks,** president of Kid One Transport System Inc., on behalf of the Alabama Council of Association




**Werner's Trading Company shared ARA photo on Facebook**

Thanks to Melissa with the Alabama Retail Association for stopping by to visit Werner's Trading Company ... Nov. 18 




**Facebook comment by ARA Board Member Bud Kitchin**

Great Annual Meeting today. It was great to visit with our fellow retailers again. With Virgie Todd's retirement looming, I would like to applaud her dedication and gift of 27 years to this organization. The resolution was perfect. Today's staff under Rick Brown's leadership will take this

association to new heights. I'm excited to be a part for 40 years. Oct. 28 



**Just finished up a lovely visit with Alabama Retail Association member Salon Allure Huntsville!**

More pictures from Huntsville to come. #AlabamaRetailOnTheRoad Nov. 10 

RECENTLY TWEETED @ALABAMARETAIL

It's time for an #eFairness solution. Local retailers support our communities: Let's support them. Dec. 16 





# SAFE WORKPLACES

## ELIMINATING WORKPLACE INJURIES CAN LOWER PREMIUMS

**W**orkplace safety saves you money. It benefits employees, customers and the bottom line of your business.

Workplace injuries can cost an employer considerable time in lost productivity and insurance premiums. An employer who invests in eliminating or reducing injuries can significantly lower their workers' compensation insurance premiums over the course of a few years.

### Claims affect your cost

For larger employers, typically those with \$5,000 or more annually in workers' comp premium, their claims history is calculated into what is called an experience mod factor, said ARC Fund Manager Mark Young. Mod is short for modification.

"Employers can think of their experience mod as their workplace safety credit score," Mark said.

The mod factor is a value that compares the claim profile of the employer to the claim profile that would be expected of an employer of similar size (payroll) in the same industry (class codes) using an industrywide formula.

Frequent claims are heavily weighted into both the experience mod calculation and the manual underwriting process for smaller businesses. "These small, often dismissed claims are troubling to an underwriter, because they often eventually result in the occurrence of a much larger claim," said Melissa Lamar, Alabama Retail Comp's underwriting

manager. "You will often see a history of slip and falls with minor injuries, before a fall that results in major injuries," she said.

### Easily avoid the accident and its related cost

For many employers there is significant "low-hanging fruit" that can prevent a large percentage of workplace

accidents, said ARC Claims Administrator Pam Baxter, who has almost 40 years of claims experience. "Job and safety training combined with the use of widely available safety equipment like non-slip shoes and mats, can pay off big in the long run," she said. "Injuries are going to happen, the key is preventing the injuries you can reasonably prevent, and making sure there are open lines of communication once an injury does take place," she added. "Managers should make sure their employees feel comfortable coming to

them when they see something potentially unsafe or they injure themselves. Managers and store owners should communicate those injuries to their comp provider as soon as possible."

*Alabama Retail Comp maintains a safety training library for its insureds at [alabamaretail.org/safety/](http://alabamaretail.org/safety/)*

*To report an injury, go to [alabamaretail.org/reportclaim/](http://alabamaretail.org/reportclaim/)*

*[For more information, visit alabamaretail.org](http://alabamaretail.org)*

**“Managers should make sure their employees feel comfortable coming to them when they see something potentially unsafe or they injure themselves. Managers and store owners should communicate those injuries to their comp provider as soon as possible.”**

**- PAM BAXTER  
CLAIMS ADMINISTRATOR**

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BETTER TOGETHER

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# Together We Are the Leading Voice and Resource for Retailers in Our State

Retail in Alabama is better when we join together.

Whether voicing the retail view when public policy is made, negotiating rates for benefits and services or communicating the retail story, the 4,100 members of the Alabama Retail Association are better together.

Take advantage of all your association has to offer.

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**“ARA keeps small business owners informed on different areas of business, from making the most of social media to new government regulations.”**

- TERRY SHEA, WRAPSODY INC.

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## Legislative Clout

Your membership gives us the power to stop laws that interfere with your business and help shape laws that let your business succeed.

## Cost-Effective Workers' Compensation Coverage

The greatest benefit of ARA membership is the workers' compensation coverage available through Alabama Retail Comp. You get great rates, expert claims handling and exceptional service. Excess income comes back to you in the form of an annual retro return.

## Low-Cost Credit Card Processing

Through our partnership with Huntsville's CHECKredi®, you have access to group-negotiated, credit-card processing rates typically reserved for only the largest retailers.

## In-Depth Communication

Whether posts or issues briefs on [alabamaretail.org](http://alabamaretail.org), timely email communications, real-time social media posts or stories in our magazine *Alabama Retailer*, ARA keeps you informed on the latest regulatory, legal, legislative and business issues affecting your business.

 [Visit us at alabamaretail.org](http://alabamaretail.org)