

BENEFIT FROM THE VALUE.

**THIS ISSUE
INSIDE**

Neurosurgeon is a Community All Star



— On Sept. 23, Alabama Retail and UAB recognized 13 retail businesses with locations in 48 Alabama cities as the 2014 Alabama Retailers of the Year. 2015 nominations are due May 18.



— Alabama Retail has added two new board members. The 2015 term for officers and directors begins Jan. 1.



— Cities and counties have until Jan. 20 to join Alabama's fourth annual severe weather sales tax holiday, which runs from Feb. 20 to Feb. 22. The August back-to-school sales tax holiday grew 5.4 percent.



— Have you checked your store lately to make sure it meets the physical requirements for the Americans with Disabilities Act? An expert shares some tips to protect your property from a lawsuit.



— Alabama Retail's VP wins the Alabama Civil Justice Reform Committee's Chairman's Award for second time.

Dr. Zenko Hryniw, an Alabama Retail physician member since 2002, is the 2014 Healthcare Community All Star, an annual award given by Safety National, a provider of excess workers' compensation coverage to self-insured employers and



Alabama Retail Comp presents Dr. Zenko Hryniw with donation from Safety National.

self-insured groups nationwide. Each year, Safety National names three Community All Stars who have done something extraordinary in terms of philanthropy or acts of kindness – beyond their normal daily job requirements.

Alabama Retail Comp, the workers' compensation fund that serves Alabama Retail Association members, nominated the neurosurgeon for heroic efforts he made during the debilitating snow and ice storm

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Alabama to top \$9 billion in holiday sales

Alabama consumers will make \$9.15 billion in taxed purchases during the 2014 holiday shopping season, the Alabama Retail Association projects.

Our state experienced an almost 2.7 percent increase in retail sales through October of this year and has averaged 2.6 percent growth each month over the same month in the previous year.

If sales continue along that trajectory, Alabama will break the \$9 billion mark for November and December combined sales for the first time since 2006 and 2007. During the 2013 holiday season, Alabama

consumers made \$8.92 billion in taxed purchases during November and December, a 2 percent growth over the 2012 holiday season, according to Alabama Department of Revenue figures.

The National Retail Federation projects a nearly 4.1 percent growth in holiday sales nationwide. NRF also projects an 8 percent to 11 percent growth in online holiday sales this year. Dr. Bob Robicheaux with the University of Alabama at Birmingham's Collat School of Business and author of the 2012 study, "Estimates of Alabama Losses Due to E-Commerce," puts



that increase even higher at 12 percent. He estimates out-of-state, online-only retailers, will sell more than \$900 million in merchandise to Alabamians during the holiday season without collecting the sales taxes owed. His estimation, if it proves true, pushes Alabama's 2014 holiday sales over \$10 billion.

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NANCY KING DENNIS

**ALABAMA RETAIL
ASSOCIATION**

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COMP**

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Western Supermarkets, Birmingham

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Cypress Resources, Birmingham

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BUD SKINNER

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Granville Interiors LLC, Montgomery

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Buffalo Phil's, Tuscaloosa

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Montgomery

FUND MANAGER:
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Montgomery

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FROM THE PRESIDENT
RICK BROWN



By the time you read this, 2014 will be done and 2015 will have begun.

NEW LEGISLATURE

2014 was a great year. Thanks to your efforts, we elected almost all of our endorsed candidates in the primary, runoff and General Election. The new Alabama Legislature will organize itself from Jan. 13 to 23, and then meet for its 2015 regular session between March 3 and June 15. Our 2015 legislative agenda will be developed early in the new year as we get a handle on what the new crop of lawmakers have planned for the session.

NEW WEBSITE

As an organization in 2014, we launched a new website to better serve you and to become THE resource for information about retail in Alabama. The Alabama Retail Association and Alabama Retail Comp, all live under the overall Alabama Retail brand now. Make sure you have alabamaretail.org bookmarked or as your home page. Look for more changes in 2015 in our look as we put our best face forward to represent retailers.

Coming to your website in the new year will be a portal where those Alabama Retail members who also take advantage of our workers' compensation coverage can log in to pay your bill, view and file claims and access other account information.

NEW OPPORTUNITY; OLD ISSUE

Congress left D.C. in December without addressing e-fairness. By far the biggest disappointment of 2014 was that we still don't have an equal playing field for retailers when it comes to sales tax collection. The government continues to pick winners and losers in determining who collects owed sales taxes and who doesn't. Proponents of marketplace fairness will come forward in 2015 with new legislation. Your association will help other groups pushing for this needed reform focus our efforts on the new U.S. House of Representatives. House Speaker John Boehner told e-fairness supporters that he would be more open to passing legislation in 2015. Our hope is that he will follow through.

Rick Brown: rbrown@alabamaretail.org

Doctor gives \$10,000 to children

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that took Birmingham by surprise in late January and brought much of the city to a standstill. When Hrynkiw couldn't get there by car, he walked more than six miles through the snow and ice from Brookwood Medical Center to Trinity Medical Center to perform emergency surgery for a traumatic brain injury.

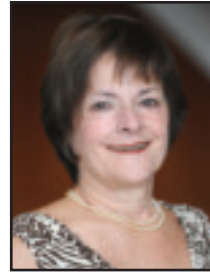
"It really wasn't that big of a deal," Hrynkiw told reporters the day after his hours-long trek in below 20-degree weather to save a patient.



OPERATION SMILE BENEFITS

Each Community All Star category winner is awarded \$10,000 in the form of a scholarship endowment or donation to a 501(c)(3) charity of his or her choice. Hrynkiw asked that the donation on his behalf go to Operation Smile, which performs cleft lip and cleft palate surgeries on children.

On behalf of Safety National, Alabama Retail Comp Fund Manager Mark Young presented the check for Operation Smile on Dec. 22 at the surgeon's Birmingham office. Alabama Retail Comp and the Alabama Retail Association commend Hrynkiw for taking extraordinary measures to serve his patients.



From left: George Wilder, Ricky Bromberg, Bob Akers, Jacob Shevin, Dianne Wammack and Alabama Retail President Rick Brown.

2015 officers and directors on the job

The **Alabama Retail Association** officers and board of directors begin their 2015 term Jan. 1.

The association's executive committee (pictured above), along with the directors listed below, make policy decisions for the association.

The 2015 officers are:

- ☛ Chairman George Wilder, owner, **The Locker Room**, Montgomery and Auburn;
- ☛ Vice Chairman Frederick W. "Ricky" Bromberg, president, **Bromberg & Co. Inc.**, Birmingham;
- ☛ Treasurer Bob Akers, vice president, **Davis Direct Inc.**, Montgomery;
- ☛ Immediate Past Chairman Dianne Wammack, retired, Vestavia Hills;
- ☛ Executive Committee Designee Jacob Shevin, president, **Standard Furniture**, Alabama and Tennessee.

The 2015 directors are:

- ☛ Wogan Badcock III, **W. S. Badcock Corp.**, Mulberry, Fla.;
- ☛ Chris Birdsong, **Premiere Entertainment LLC**, Montgomery;
- ☛ Monesia T. Brown, **Wal-Mart Stores Inc.**, Tallahassee, Fla.;
- ☛ Jan Clevenger, **Belk Inc.**, Birmingham;
- ☛ Raymond Cohen, **Cohens Electronics and Appliances Inc.**, Montgomery;
- ☛ Kealon Drake, **Moe's Southwest Grill**, Auburn/Birmingham/Homewood/Hoover/Opelika/Vestavia Hills;
- ☛ Howard Johnson, **Sneaky Pete's Hot Dogs**, Bessemer;
- ☛ Denise Knox, **Private Gallery Inc.**, Fairhope;
- ☛ David S. Marks III, **Marks Furniture Co.**, Spanish Fort;
- ☛ Lindsey Napier, **Publix Super Markets Inc.**, Marietta, Ga.;

- ☛ Todd Noden, **Books-A-Million**, Birmingham;
- ☛ Melissa Parker-Paul, **Yancy Parker Lifestyles Inc.**, Enterprise;
- ☛ Irvine Porter, **CVS Pharmacy**, Bessemer;
- ☛ Robert A. Robicheaux, **University of Alabama at Birmingham**, Birmingham;
- ☛ Tammy Rogers, **Beaumont Pharmacy & Gift Boutique**, Birmingham;
- ☛ Fred Roth, **Best Buy Co. Inc.**, Bessemer;
- ☛ Leo Shaia, **Shaia's of Homewood**, Homewood;
- ☛ John M. Wilson, **Big Bear of Luverne Inc.**, Luverne.

Past presidents and chairmen are:

- ☛ Rodney Barstein, **Retail Specialists Inc.**, Birmingham;
- ☛ Jerry Beasley, **Beasley Honda, Yamaha, Kawasaki**, Ozark;
- ☛ Darrell Bourne, **Ragland Bros. Retail Cos. Inc.**, Huntsville;
- ☛ Peter V. "Greg" Gregerson Jr., **Gregerson's Foods**, Gadsden;
- ☛ Ken Hubbard, **Western Supermarkets**, Birmingham;
- ☛ Mayor Claude "Bud" Kitchin IV, Lincoln;
- ☛ Jim Rotenstreich, **JHF Holdings Inc.**, Birmingham;
- ☛ Jimmy Smith, **Jimmy Smith Jewelers**, Decatur;
- ☛ Jimmy Ray Smith, **Jimmy Smith Jewelers**, Decatur.

The board adds two new members

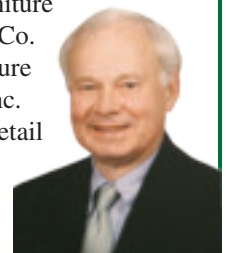
RAYMOND COHEN

☛ Raymond E. Cohen, owner and co-president of **Cohens Electronics and Appliances Inc.** in Montgomery, founded his business with his brother in 1956 as the Record Shop, selling records and tapes. The Cohen brothers learned the retail business from their father, Eli, who had owned a coin-operated music store. The record store evolved into an electronics and appliance store in 1977. Cohen now runs the business, which employs 25, with two of his three sons. Raymond, David and Michael Cohen were the 2008 Alabama Silver Retailer of the Year in the Annual Sales \$5 Million to \$20 Million category. Raymond Cohen is a graduate of the University of Alabama and Auburn University Montgomery. Cohens Electronics and Appliances Inc. has been an Alabama Retail member since 1983.



DAVID S. MARKS III

☛ David Marks, president of **Marks Furniture Co. Inc.** founded his business in 1986. The company, which has Alabama stores in Mobile and Spanish Fort, employs 48. The business, operating as La-Z-Boy Furniture Galleries of the Gulf Coast, also has a store in Pensacola, Fla. Marks Interiors also operates a furniture rental business in Alabama and Florida. Marks is a member of the Mobile Area Chamber of Commerce's board of advisors and a member of the National Home Furnishings Association. He formerly was an owner and vice president of Marks Fitzgerald Furniture Co. Marks Furniture Co. Inc. and Marks Furniture Co. of Spanish Fort Inc. have been Alabama Retail members since 2010.



ADA access lawsuits on the rise

By Whitney R. Brown, Esq.

According to al.com, 2014 saw a 288 percent increase in one type of lawsuit: Americans with Disabilities Act (ADA) access lawsuits. Retailers and restaurateurs



Whitney R. Brown

have been hit particularly hard by these lawsuits, in which disabled individuals claim to have been denied similar access and enjoyment in places of public accommodation

due to conditions that did not meet federal regulations for accessibility. The costs of repairs are generally minor, but getting rid of the lawsuit will generally require thousands of dollars in settlement costs and attorneys' fees. Barring a change in the law, we have every reason to believe that the number of these suits filed in 2015 will triple again.

VIRTUALLY NO GRANDFATHERING

One of the most common and most understandable misconceptions is that the ADA regulations on accessibility apply only to buildings constructed or renovated after 1992 (the year the ADA took effect). This is not true. With few exceptions, the ADA accessibility regulations apply to virtually every publically-accessible structure. There is no "grandfather" clause that exempts older buildings entirely from the ADA.

MAKE 'READILY ACHIEVABLE' CHANGES

Not only must businesses ensure that renovations lead to an ADA-compliant space, they must remove barriers, where such barrier removal is "readily achievable." *Readily achievable* means "easily accomplishable and able to be carried out without much difficulty or expense." In most cases, there will be some solution that is readily achievable.

PROBLEM AREAS: RESTROOMS, PARKING LOTS

Even the most conscientious business owner likely does not perfectly comply with ADA access regulations. The 2010 ADA Standards for Accessible Design

span 279 pages. These regulations are incredibly detailed, particularly when it comes to restroom facilities. To name a few: faucets must be easy to operate with one hand; there must be adequate knee and toe clearance under the sink; there is a height range for coat hooks; etc. It is worth mentioning that the Alabama State Building Code requires only the following private structures to provide public restrooms: hotels, motels, movie theaters, and private schools. Some municipalities and counties have their own building codes that should be investigated before bricking over public restrooms.

Parking lots are just as likely to be out of compliance, and often more costly to repair. Ramps between parking lots and sidewalks are also frequently out of compliance. Depending on the date of construction and the total vertical distance (rise) the ramp covers, the steepest slope permitted is between 1:8 and 1:12.

DEALING WITH CHANGING FLOOR PLANS

Retailers' floor plans are often much more complex and varied than the fixtures that appear on a blueprint. The ADA requires that all public areas of the store be accessible to the disabled. There are dozens of situational rules for the required space for turning, opening doors and other maneuvers. However, you can ensure that your floor space is mostly compliant with this simple trick: have an employee walk the floor while holding a yardstick horizontally.

'GOTCHA' LAWSUITS BROUGHT WITH NO NOTICE

Unlike the employment-side of the ADA, which requires employees to air their grievances first before the EEOC, the access-side of the ADA does not require any government pre-screening or other notice to the business. It is common to see a half-dozen lawsuits filed in the same day by the same plaintiff and the same law firm against neighboring businesses.

WHAT TO EXPECT IF SUED OR A SUIT IS THREATENED

First, take a deep breath. If lawsuits were dentist appointments, this one would be a routine cleaning. Second, call a lawyer. You'll need a lawyer to file the required

responsive answer. The lawyer can also help you determine if the business really has all the deficiencies alleged in the lawsuit. 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.

At least one law firm sends a demand letter first. Should you get such a letter, we again advise that you contact an attorney to help you negotiate a resolution. In our experience, this firm will have already taken photographs of the noncompliant conditions, so they will be able to sue even if the business immediately corrected the deficiencies.

HOW TO AVOID SUITS

There are experts who do nothing but preventive audits. The upside to these audits is that you have the benefit of an expert on your side, who can also suggest some of the cheapest, outside-the-box solutions. The downside is the expense and that the audits are limited to the conditions in your store on that day. Another downside is that the report could be discovered in a later lawsuit, which could be embarrassing or costly if the report recommended changing a condition that was the subject of a later suit (ADA access or slip-and-fall, for example). You can limit this risk if you have your lawyer hire the expert, so that certain legal privileges and protections might apply.

Examine the contracts related to your building, parking, and repair work. You may want to consider negotiating for guarantees of accessibility, indemnification or other protective measures.

As of Jan. 1, 2015, 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. As an Alabama Retail member, another **BENEFIT FROM THE VALUE** of your membership is access to the Employment Law hotline operated by LMV. To learn more, go to alabamaretail.org/resources/employment-law-hotline/

Localities have until Jan. 20 to join severe weather sales tax holiday

For more information, go to: alabamaretail.org/alabamasalestaxholidays/

Alabama's fourth severe weather sales tax holiday runs from **12:01 a.m. Friday, Feb. 20, until midnight, Sunday, Feb. 22.**

During that time, Alabama will waive sales taxes on certain items needed to prepare for severe weather emergencies. In mid-December, the Alabama Retail Association mailed documents to help its members prepare for this potentially revenue-boosting event, including:

• **a poster to help promote the three-day holiday.** Even businesses that do not sell the tax-free items can benefit. Stimulating sales and boosting the state-wide economy is what sales tax holiday weekends are all about. Place this poster in the front of your store or near the items that qualify for the tax exemptions. If you need more posters, you can download and print the pdf version



from the sales tax holidays page on the Alabama Retail Association's website.

• **a Quick Reference Sheet of Exempt Items for the tax holiday.**

This is a perfect piece to place beside your cash registers. You might also want to make copies to provide to your customers or post them throughout your store to help your customers understand what is and is not sales tax free.

During the February holiday weekend, shoppers don't pay the state's four percent sales or use tax on purchases of qualifying items: **common disaster supplies that cost less than \$60** that every home and business needs to prepare for an emergency; and **generators costing \$1,000 or less.** Alabama retailers must participate in the state's sales tax holidays and cannot charge any waived sales taxes on the items that are legally tax-exempt during the tax holiday.

Local governments can exempt their sales taxes as well, making the savings even greater and more enticing for the consumer. City councils and county commissions must approve the necessary ordinance or resolution by Tuesday, Jan. 20, to participate in the severe weather sales tax holiday.

Tornado season runs from March to August in Alabama and hurricane

February 20-22

NO SALES TAX!

THREE DAYS ONLY

Pay NO Sales Tax on:

a wide variety of emergency supplies, including:

- batteries; flashlights; tarps; plywood and other items for protecting windows in storms; ice chests and coolers; ice packs; first aid kits; and fire, smoke and carbon dioxide detectors (**\$60 or less per item**)
- portable generators and cords (**\$1,000 or less**)

OFFER GOOD ONLY IN ALABAMA

This information provided by THIS STORE and the **ALABAMA RETAIL ASSOCIATION**

For more information, go to www.alabamaretail.org/alabamasalestaxholidays/

season is from June to November. Having the tax holiday in February comes at an ideal time to stock up on emergency supplies.

Retailers worked hard for passage of Alabama's sales tax holiday laws. The popularity of tax holidays continues to grow. In the current economic climate, consumers still need savings and an incentive to spend. Alabama's sales tax holidays give them both. Alabama Retail hopes the severe weather sales tax holiday stimulates spending and, as the back-to-school sales tax holiday has shown (see story below), increases sales on taxed as well as untaxed items.

August sales grew twice as much as expected to 5.4 percent; most since 2011

Alabama rang up \$4.46 billion in total taxed sales in August, a healthy 5.4 percent growth over August 2013. That is all sales, all month, not just on back-to-school spending. Those are the best total sales numbers for August since the tax holiday began in 2006 and the best growth since 2011.

The state collected \$178 million in sales taxes even though many clothes, computers, books and school supplies were tax free over one weekend. A record 291 cities and counties joined the state in waiving their sales taxes.



10th annual sales tax holiday for school-related items

12:01 a.m. Friday, Aug. 7, 2015 to midnight Sunday Aug. 9, 2015

- clothing priced at \$100 or less
- supplies valued at \$50 or less
- books that cost \$30 or less; and
- computers and computer equipment with a selling price of \$750 or less.

GREAT TRACK RECORD

After nine years, Alabama's back-to-school sales tax holiday continues to encourage taxed as well as untaxed sales. Our state has only seen a decrease in tax revenue one out of the nine Augusts the state has had the back-to-school sales tax holiday. Alabama sales generally represent 1.5 percent of all retail sales nationally. Nationwide, \$74.9 billion was expected to be spent on back-to-school shopping, which means about \$1.12 billion was spent to equip and outfit students in our state this year.

13 retailers honored during 2014 Retail Day

More than 200 retailers, academics and students gathered Sept. 23, for the 33rd Annual Retail Day to celebrate all things retail. The Alabama Retail Association and the University of Alabama at Birmingham Collat School of Business recognized 13 of Alabama's top retail businesses with locations in 48 Alabama cities as Retailers of the Year. Together, these businesses employ more than 1,500 at 236 locations in our state and have been in business for an average of 35 years. Gov. Robert

Bentley, the keynote speaker for the event, declared Sept. 23 as Alabama Retail Day.

Retailers of the Year must operate or manage a retail business in Alabama and that business must collect state and local sales taxes. To be a Retailer of the Year, businesses must have been operating for at least five years to qualify. Gold Retailers of the Year can only be recognized once within a sales category. All other winners can be nominated in subsequent years. Once Alabama Retail receives

2014 ALABAMA RETAIL DAY

ANNUAL SALES MORE THAN \$20 MILLION



Dave Quinn, Joe Blaszczak, Ricky Brooks and Tracy and George Jones

☛ GOLD AWARD:

Tracy Shields Jones, president, and **George Jones**, general manager, of Century Automotive Group in Huntsville. "Thanks goes to my mother and father who founded our business," said Tracy Jones. "This award goes to 110 of the greatest employees in the state of Alabama. They take great care of our customers and our community every day."

☛ SILVER AWARD:

Dave Quinn and **Joe Blaszczak**, former and current managers of the **Publix Super Markets** store in Vestavia Hills. "We thank the associates who come in day in and day out to support our customers like kings and queens," said Blaszczak.

☛ BRONZE AWARD:

Ricky Brooks, president of Birmingham-based Express Oil Change and Tire Engineers with 216 locations in 13 states. "On behalf of our more than 1,700 employees who are serving about 2.5 million customers a year, we thank the communities that support the stores and ... (have) for over 30 years," said Brooks.

ANNUAL SALES \$5 MILLION TO \$20 MILLION



Ricky Bromberg, Betsy McAtee and Laura and David Darby

☛ GOLD AWARD:

Frederick W. "Ricky" Bromberg, president of **Bromberg & Co. Inc.** with stores in Birmingham and Mountain Brook. "The real winners of this award are our dedicated employees, many of whom have worked their entire adult lives with our company," Bromberg said.

☛ SILVER AWARD:

Betsy McAtee and the management team of Dreamland Holding Co. LLC with restaurants in Birmingham, Huntsville, Mobile, Northport and Tuscaloosa, Ala., as well as Norcross and Roswell, Ga. "We honor the work of everyone who has come before us. We have a great team. Most of all, we thank our guests who choose to come back, to visit our restaurants, to order our product online and to eat our products in concessions," said McAtee.

☛ BRONZE AWARD:

David and Laura Darby, owners of Darby's Village Pharmacy Inc. in Andalusia. "Special thanks to ... (the) people ... who had faith in me to get me started in this business. Thanks to all of the people who have worked with us for the last 17 years and all of the customers who have shopped with us," David Darby said.



Want to nominate a Retailer of the Year or Centennial Retailer?

Go to **Awards** at alabamaretail.org

Photos by Hal Yeager, Hal Yeager Photography, Birmingham

More photos from Retail Day can be found on Alabama Retail's facebook page under 2014 Alabama Retail Day

Mail Day; 2015 nominations due May 18

For each nomination, the nominee is sent a complete entry form to be used in the judging process. Nominations for the 2015 Retailer of the Year awards are due by Monday, May 18, 2015.

Since 2012, in memory of the late Alabama Retail board member and UAB professor Mickey Gee, the Gee Emerging Retailer of the Year Award has gone to an innovative and effective Alabama retailer who has been in business for at least two years, but less than five years.

Retailer 2014 OF THE YEAR



ALABAMA RETAIL
ASSOCIATION

UAB COLLAT
SCHOOL OF BUSINESS
Knowledge that will change your world

RETAILERS OF THE YEAR

ANNUAL SALES \$1 MILLION TO \$5 MILLION



Joe Richburg, Carole Griffin and Suzanne and Dink Taylor

☛ GOLD AWARD:

Carole Griffin, president and owner of **Continental Bakery** and **Chez Lulu** in Mountain Brook and Continental Bakery Downtown in Birmingham. "After 30 years of business and 70 employees, I would have a hard time thanking everyone who needs to be thanked," Griffin said.

☛ SILVER AWARD:

Joe Richburg, owner and president of **J.R.'s Lawnmower Shop** in Opp. "My father and I started out in the backyard with nothing, and now we have 16 employees," said Richburg of how far the shop has come in its more than 20 years in business.

☛ BRONZE AWARD:

Dink and Suzanne Taylor, owners of Fleet Feet Sports in Huntsville. "We are very lucky that we get to get up every morning and do what we love to do and help other people learn how to run and get healthy," said Suzanne Taylor.

ANNUAL SALES LESS THAN \$1 MILLION



Jan Jacks and her team, Marco and Elan Morosini and Carla Hamilton.

☛ GOLD AWARD:

Marco and Elan Morosini, owners of the Silvertron Café in Birmingham's Forest Park community. "Thank you to all of the staff who allow me to step out of the restaurant and work in the community," said Marco Morosini.

☛ SILVER AWARD:

Jan Jacks, owner of **Dreamcakes Bakery** in Birmingham. "I couldn't do it all without the greatest staff," said Jacks, whose son and daughter are part of that staff.

☛ BRONZE AWARD:

Carla Hamilton, chief executive officer of Four Corners Gallery in Birmingham. "We espouse the 'shop local' mindset, participate in American Express' annual "Small Business Saturday" campaign and are committed to our distinct community," said Hamilton.

EMERGING RETAILER OF THE YEAR

Mike LeCroix, owner of The Orchard Apple Specialist in Gulf Shores. "We consider it our company's mission to enrich people's lives through Apple's innovative products," said LeCroix.

Learn more about these retailers at alabamaretail.org/news/2014retailersoftheyear/



NEW MEMBERS

WELCOME TO
ALABAMARETAIL

02Neal Medical Inc.	Pelham	Mozaik Software LLC	Tuscaloosa	Sushi Cafe LLC	Montgomery
ALR Enterprises LLC	Monroeville	O'Brien's Gateway Solutions LLC	Madison	Sweet Thymes LLC	Athens
Arrowhead Pharmaceuticals Inc.	Hanceville	Pacific Health Services LLC	Birmingham	Taco Mama Huntsville LLC	Huntsville
Athens Pharmacy Inc.	Athens	Pathology Laboratory Associates	Mobile	Teng Da Corp.	Birmingham
B&S Sporting Goods LLC	Anniston	Plaza Brothers LLC	Arley	Tennessee Street Chevron Inc.	Florence
Barter & Associates Inc.	Mobile	Putnam Enterprises LLC	Daphne	The Golf Club	
Bayside Hotels LLC	Daphne	R. H. Smith & Associates PC	Tuscaloosa	at Woodland Forrest	Tuscaloosa
Bradco LLC	Boaz	Raji's Indian Cuisine LLC	Tuscaloosa	The Original Public House Inc.	Huntsville
BrandOwn LLC	Florence	Ralph Christopher	Guin	The Pants Barn Inc.	Meridianville
Bryan Pharmacy Inc.	Enterprise	Ramsay P. Nuwayhid, DMD	Huntsville	Tuscaloosa Orthopedic and Joint Institute	Northport
Burton Gooch, DDS LLC	Birmingham	Research Strategies Inc.	Mobile	U.S. Diagnostics Inc.	Huntsville
Butler's Grooming LLC	Vestavia	Rome Holdings Inc.	Birmingham	Valley Healthcare LLC	Russellville
China Bistro LLC	Hoover	Rose LLC	Ozark	Valley Subs Inc.	Huntsville
Climbing the Hill Inc.	Pike Road	SC Enterprises LLC	Anniston	Vapor Logic Inc.	Jasper
CMW Holdings LLC	Tuscaloosa	Shoals Relief Services Inc.	Tuscumbia	Vazquez LLC	Prattville
Cordova Grocery LLC	Cordova	Six Chicks LLC	Brewton	Vernon Finance Inc.	Vernon
COTWOPELIKA LLC	Opelika	Skate Center Carousel LLC	Huntsville	Volta Studios LLC	Mobile
David McBrayer	Andalusia	Steve and Gloria Horvat	Orange Beach	Wiley Smitherman	Clanton
Dynamic Dentistry of the Shoals	Muscle Shoals	Stoney's Bar-B-Que Restaurant	Saraland	WINCO LLC	Dothan
East Limestone Family Dental PC	Harvest	Suburban Radiology LLC	Mobile		
Edward L. Jones, DMD	Birmingham				
Express Oil Change, Jasper Inc.	Jasper				
Food Depot	Evergreen				
Gardendale Physician Associates	Gardendale				
Greenville Tire Co. LLC	Greenville				
Heritage Financial Inc.	Weaver				
Highland Dentistry Inc.	Birmingham				
Hospital Discount Apothecary Inc.	Vernon				
Ilam Inc.	Jasper				
J & S Hunter LLC	Jasper				
J and M Hotels LLC	Greenville				
Jacobs Nutrition LLC	Florence				
James L. Barton LLC	Andalusia				
Jason Hughes	Hoover				
Johnson Food Service LLC	Union Springs				
Kum Nyo Ellis	Huntsville				
Lew's Indian Oaks Country Club Inc.	Anniston				
Los Cabos Inc.	Montgomery				
Los Jalapenos Inc.	Montgomery				
Los Toros Mexican Restaurant	Prattville				
Luna/Vazquez LLC	Millbrook				
M & S Enterprises	Tuscaloosa				
Marshall A. Entelisano PC	Tuscaloosa				
Marvin Austin Boyd, DMD PC	Birmingham				
Michael E. Kellam, DMD PC	Saraland				
Middle Biscuit Cafe and Country Store	Red Level				
Ming's Buffet Inc.	Saraland				
MJW Wireless LLC	Opelika				
Mobile Bay Dental LLC	Mobile				
Montgomery Antiques & Interiors	Montgomery				

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Alabama Retail continues to benefit you, your business and your bank account. To get the full value of belonging, check out these benefits and more at alabamaretail.org/benefits/

MEMBER NEWS

AWARDS/HONORS

Chicken Salad Chick Earns Alabama's 2014 Restaurateur of the Year

The Alabama Restaurant and Hospitality Alliance in October honored



Stacy and Kevin Brown accept Restaurateur of the Year award.

Kevin and Stacy Brown, operators of **Chicken Salad Chick**, as the 2014 Restaurateurs of the Year. The restaurant, which was founded in 2008 in Auburn, has sold more than 85 franchises since launching.

Chicken Salad Chick currently has a presence in Alabama, Georgia, Florida, Tennessee, North Carolina and South Carolina. Auburn-based Chick Salad Chick has been an Alabama Retail member since 2013.

WEBSITE: chickensaladchick.com



Peter and Janet Gregerson, left, who started the Gregerson's family grocery business, join Greg Gregerson and his wife, Marcy, as Greg Gregerson accepts the Spirit of America award.

Gregerson Receives Spirit of America Award

In October, the National Grocers Association presented Greg Gregerson, president and chief executive officer of **Gregerson's Foods and Pharmacy Inc.**, with its Spirit of America Award. The award recognizes individuals for

their dedication and service to the independent supermarket industry.

"Greg has been a steadfast industry leader who truly understands the importance of educating lawmakers on industry issues, and a mentor to many within the independent supermarket industry," said Greg Ferrara, NGA's vice president of public affairs.

Gregerson is an active Alabama Retail Association board member who served as the association's chairman for the 1998-1999 term. Gregerson's Foods, an Alabama Retail member since 1976, operates two grocery stores and a pharmacy: Gregerson's Foods in Piedmont, Cash Saver Foods in Gadsden and Gregerson's Pharmacy in Gadsden. Gregerson and his brother, David Gregerson, were the 2012 Gold Alabama Retailers of the Year Award in the Annual Sales \$5 Million to \$20 Million category.

SOURCE: NGA

COMMUNITY INVOLVEMENT/ PHILANTHROPY

Chicken Salad Chick gives \$10,000 to center

On Dec. 2, the Chicken Salad Chick Foundation gave \$10,000 to the East Alabama Medical Center Cancer Center in Opelika. The money was raised from the foundation's Teeing off for Cancer Golf Tournament fundraiser held in October. Auburn-based Chick Salad Chick has been an Alabama Retail member since 2013.

MILESTONES

Monograms Plus is 15

Margaret Hamm began **Monograms Plus** in Cullman in a workshop off her garage in 1999. Fifteen years later the business occupies a 9,000-square-foot building and employs more than 10. The business celebrated its 15th year anniversary on Oct. 6. Monograms Plus has been an Alabama Retail member since 1999.

WEBSITE: monogramsplusonline.com

Mossy Grove is 30

Mossy Grove Schoolhouse Restaurant in Troy celebrated its 30th year in business on Dec. 4. Current owner Katie Romero has operated the restaurant for six years in the building that originally housed Mossy Grove School, founded in 1856. Mossy Grove has been an Alabama Retail member since 2008.

Sew Sheri Designs is 20

Sew Sheri Designs celebrated its 20th year in business on Oct. 8. Sheri Corey started the fabric design store in 1991 in her home, but it was two years before she was able to quit her nursing job to devote full time to the Mountain Brook business. Dorm Suite Dorm, dba as Sew Sheri Designs, has been an Alabama Retail member since 2010.

WEBSITE: sewsheri.com

Tuscaloosa Locker Room marks 50th year

The Locker Room in Tuscaloosa celebrated its 50th year in business in 2014, culminating with a weeklong celebration in November. Owner Alex Gatewood opened the clothing store in 1964 when he was 23 years old. *Business Alabama* featured the store in its December edition. The Tuscaloosa store has been an Alabama Retail member since 1976.

SOURCES: *Tuscaloosa News*, *Business Alabama*

WEBSITE: locker-room.biz

TELL US YOUR NEWS

We'd like to know what's happening at your store or organization. Have you celebrated a major business anniversary? Opened, closed or moved a location? Changed ownership or promoted a key employee? Received an award? Performed a community service?

Let us know! We may use your news in *Alabama Retail Quarterly* or link to your story online. To submit your news, e-mail ndennis@alabamaretail.org

Revenue adds sales tax rate lookup to its website

Need a sales tax rate, go to alabamainteractive.org/ador_taxrate_lookup/welcome.action

On Nov. 14, the Alabama Department of Revenue posted an online sales tax rate database on its website. Retailers can put a delivery address in the online lookup and get the sales tax rate for the various jurisdictions that apply to that address.

Since the first day of 2014, a seller using its delivery trucks and its employees to deliver goods outside

of its physical location has been responsible for collecting and remitting the applicable local sales taxes. (To learn more, go to alabamaretail.org/news/new-local-nexus-rule-applies-starting-jan-1-2014/).

The Revenue Department had initially planned to make local sales tax rates readily available to retailers early in 2014 but ran into issues with

overlapping tax jurisdictions, especially in police jurisdictions, and the reliability of the resulting tax rate in the online database.

Legislation will be proposed in the 2015 regular session that will hold retailers harmless if the tax rate information provided by the Alabama Department of Revenue's or a local government's website database is wrong.

Gregerson represents retailers on Small Business Commission

In September, Gov. Robert Bentley created the Small Business Commission to advise him on policies related to small business. The goal is to remove obstacles to the progress of small business in the state.

The Alabama Retail Association has one appointment to the commission. Our appointee is Greg Gregerson, president and chief executive

officer of **Gregerson's Foods**, an Alabama Retail member since 1976.

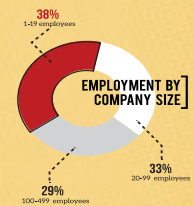
Several other members of the commission also are Alabama Retail members, including Jheovanny Gomez, co-owner of the **Jalapenos Mexican Grill** restaurants; Lee R. Henderson, owner of several Tuscaloosa businesses; Donna Matthews Kerr, owner of **Robbie's of Fayette**; and Sen. Paul Sanford, R-Huntsville, who with his wife, Danielle, operates **Little Paul's Barbecue** in downtown Huntsville.

Besides tackling centralization of business property tax filing (see story on this page), the commission has already launched a free online resource for those looking to start small businesses in Alabama. To learn more, go to AtlasAlabama.gov



Greg Gregerson

SMALL BUSINESS IS Big Business IN ALABAMA



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www.AtlasAlabama.gov

source: Alabama Small Business Profile published in 2014 by U.S. Small Business Administration, Office of Advocacy

Chart your course to small business success.

Controller serves on business property tax advisory panel

By Sept. 30, 2016, the state of Alabama plans to develop a centralized online business property tax filing system. The online system is to be available for use for tax periods beginning Oct. 1, 2016, and beyond. The online system will give business owners a one-stop-shop for submitting those taxes to each of Alabama's 67 counties.

Alabama Retail Controller Mandi Freeman sits on the advisory committee to develop that system.

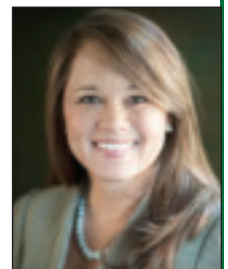
The advisory committee is to provide input into the development, implementation and functionality of the system, known as the Optional Personal Property Assessment Link, or OPPAL.

Please send your ideas for how the system should work along with any questions or concerns to Mandi Freeman at mandi@alabamaretail.org

Freeman has served as the controller for the Alabama Retail Association since 2011. She holds both a master's of business administration (2005) and a

bachelor's degree in accounting (2002) from Auburn University Montgomery. She attained certified public accountant status in 2006. She is also a member of the Montgomery chapter of the Alabama Society of Certified Public Accountants.

Under the same law that authorized the online system, as of Oct. 1 of this year, small businesses that have filed an itemized personal property tax return that included \$10,000 or less in total property acquisition costs in the previous tax year can use a new short tax form. If the short form is used, \$10,000 would be used by the local tax assessor as the market value when calculating taxes due, rather than an itemized return. The average tax liability would be less than \$100 for businesses in most localities.



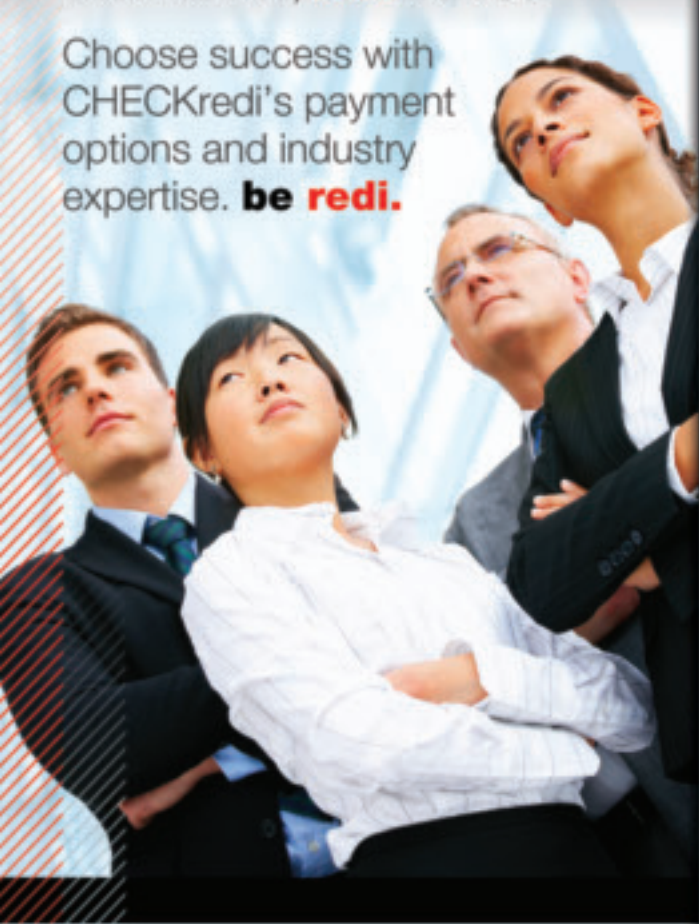
Mandi Freeman

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Electronic Check Guarantee

CHECKredi's Electronic Check Guarantee service is simple: Authorization = Deposit **GUARANTEED!!** Your money is deposited into your account within 48 hours just like a Visa/MasterCard transaction but at a much lower rate.

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CHECKredi's Guarantee service provides 100% face value reimbursement on all guaranteed checks every 15 days, regardless of whether or not the check is actually collected.

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CHECKredi's Check Verification service is very flexible. It may be used as a stand-alone, with our Check Guarantee, or with our Check Collection services.

Traditional Check Collections

CHECKredi's Check Collection service offers 100% face value reimbursement on all collected checks every 15 days. Our Check Collection service is Ready for YOU!

Returned Check Consolidation (RCC)

CHECKredi's Returned Check Consolidation (RCC) service will substantially reduce your bank fees while maintaining your existing banking account(s) and relationships.

school **program**

CHECKredi's School program offers guaranteed cash for bad checks, ACH processing, and online credit card approvals. Whether your school has one account or multiple accounts, our reporting and online services are customized to meet your needs to ensure easy reconciliation processing.

remote deposit services

Accounts Receivable Conversion (ARC)

CHECKredi's Accounts Receivable Conversion (ARC) service converts a paper check, received in the mail or at a payment location, into an electronic check. The check is then converted into an Electronic Funds Transfer. CHECKredi's ARC Service includes both Internet- and PC-Based Solutions.

Back Office Conversion (BOC)

CHECKredi's Back Office Conversion allows you to accept checks at the point-of-sale as normal but enables you to convert them into an electronic transaction for deposit in the comfort of your own office 24/7. Eliminate bank fees, unnecessary trips to the bank, and returned checks. This product is great for grocery stores, retail stores, or anyone who takes a high volume of checks and does not want to slow down their customers at the cash register.

Automated Recurring Payments

CHECKredi's Automated Recurring Payments service replaces the traditional method of billing and collection by offering you the ability to automatically debit the customer's account when it is time to pay. You can schedule payments one time, weekly, bi-weekly, monthly, quarterly, biannually, or annually. This product is great for rent-to-own companies, apartment complexes, gyms, and companies that sign contracts with their customers to pay a flat rate at a fixed time.

Take Checks Over the Phone

CHECKredi's Telephone Check service electronically debits your customer's bank account for your one-time billing instantly. No more waiting for checks in the mail. This is an Internet-based application that guides your employees step-by-step through the process of taking a check over the phone. Integration is as easy as opening a web-browser and accessing the CHECKredi website.

Take Checks Over the Internet

CHECKredi's Internet Check service integrates quickly and easily into any website. Customers are presented with a simple, secure "check like" interface that shows them how to find and input their bank account information. Your company is notified instantly when a check payment is received.

1-800-239-1222

customerservice@checkredi.com

check it out: www.checkredi.com

Please send address corrections to:

ALABAMARETAIL ASSOCIATION

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NEWS ABOUT STAFF MEMBERS



Alabama Retail VP is ACAE president

Alabama Retail Association Vice President **Alison Scott Wingate Hosp**, CAE, will serve as the 2015 program year president for the Alabama Council of Association Executives, a statewide organization representing more than 100 trade and professional associations operating in Alabama.

Contact Alison at 334.551.0694
or alison@alabamaretail.org

VP earns ACJRC Chairman's Award

On Dec. 11, Alabama Civil Justice Reform Committee Chairman Tom Dart presented his 2014 Chairman's Award to Alabama Retail Association Vice President **Alison Scott Wingate Hosp**. The award recognized her efforts to help



ACJRC Chairman Tom Dart honors Alabama Retail's Alison Hosp

pass a judicial recusal law that requires less paperwork and is based on receipt of large campaign contributions. The ACJRC legislation was the last bill passed in the Alabama Senate during the Alabama Legislatures' 2014 regular session. Hosp also received the award in 2011 for her tort reform efforts.

Congratulate Alison at 334.551.0694
or alison@alabamaretail.org

Kindreds welcome a baby boy

On Dec. 4, **Gillian Golden Kindred** of Alabama Retail Comp's underwriting department and her husband, Josh, welcomed a son, Golden Pratt Kindred. Golden weighed 8 pounds and 15 ounces and was 19.75 inches long at birth. Kindred will return from maternity leave in February.

Congratulate Gillian at 334.481.0096
or gillian@alabamaretail.org

