

## **LEE BARNES**

4220 Neal Road  
Durham, NC 27705  
(919) 309-6722

*Email: mleebarjesjr@yahoo.com*

### **Experience**

2006 to present **M. M. Fowler, Inc., Family Fare, LLC, Durham, North Carolina**

#### **President / Director**

Presided over growth to exceed \$600 million in annual revenue and a top 75 ranking - largest convenience store companies in North America. Facilitated the continuing education program for Company Ambassadors through a partnership with Durham Technical Community College resulting in continuing education credit for thousands of Company Ambassadors.

1995 -2005 **M. M. Fowler, Inc., Durham, North Carolina**

#### **Senior Vice President / Director**

Responsible for all company Operations, Marketing, Human Resources, Finance, and Continuing Education. Oversaw the growth of the company from \$50 million to over \$250 million in annual revenue. Execute the day-to-day management of the company with the Vice President of Operations, a team of Account Executives and Financial Group. Instrumental in business plan development and implementation propelling the company to the highest volume independently owned BP Oil wholesale customer in the southeastern United States.

1990-1993 **Shell Oil Company, Marketing Division, Jericho, New York**

#### **Sales Development Representative**

Responsible for developing and implementing advertising campaigns and promotion and merchandising programs to increase profitability, product revenue and awareness. Division manager for event marketing, media planning and continuous improvement training.

- Accountable for Marketing Development Budget of \$250,000.
- Initiated and maintained competitive analysis for marketing management strategies.
- Project Manager for joint venture with major East Coast food marketing company.
- Developed and instituted job specific "management by expectations" program.
- Designed and implemented monthly recognition award for marketing teams.

#### **Territory Account Representative**

Accountable for operating business unit with over \$40M in annual revenue. Provided marketing counseling and business consulting to forty five separate operations in the unit with the objective of improving revenue and efficiency. Responsibilities also included recruiting, training, capital expenditure, account collection, and environmental compliance auditing.

### **Education**

2018 - **Post Doctoral Fellow, Institute for Social Innovation, Fielding Graduate University**

2012-2017 **Fielding Graduate University**  
PhD in Human and Organizational Systems, January 2017

2012-2014 **Fielding Graduate University**  
Master of Arts in Human Development, August 2014

1993-1995 **Fuqua School of Business, Duke University, Durham, North Carolina**  
Master of Business Administration, May 1995.  
Marketing Club. Entrepreneur Club. Community Involvement Club. Intramural Sports.

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1986-1990      **Appalachian State University**, Boone, North Carolina  
Bachelor of Science in Business Administration Degree, May 1990. Major: Management.  
Dean's List. American Marketing Association. Varsity Cheerleader-  
1989 Division I National Cheerleading Championship. Assistant Strength and Conditioning  
Coach for Varsity Athletics. Intramural Sports.

### Additional Information

**Member:**      The Isle Maligne Society, Fuqua School of Business, Duke University  
Fuqua Centurion. The Founders Society of Duke University  
Thomas F. Keller Leadership Society, Duke University  
Rex D. Adams Society, Duke University  
James B. Duke Society, Duke University  
North Carolina Central Univ. Business School Visitors Board (2001-2010)  
Sponsored the N.C.C.U. Professional Development Series (2005-2009)  
Mentor / Student Shadow Program while Board Member  
Appalachian State University Board of Trustees, 2013-2021  
    Elected Secretary of the Board of Trustees, 2014  
    Chairman, Student Development Committee, 2014-15  
    Chairman, Appeals Committee, 2015-2016  
    Chairman, Academy Affairs Committee, 2018-2021  
    Endowment Fund Board, Member, 2018-2021  
    Board Representative to Appalachian Academy at Middle Fork  
    Elementary State-Mandated Lab School, 2019-2021  
Durham Academy Board of Trustees 2018-2021  
    Finance Committee, Building and Grounds Committee  
Institute of Certified Franchise Executives  
Society for Human Resource Management (SHRM) Senior Certified  
Professional

Junior Achievement Volunteer in Nassau County Schools, New York (1991 – 1992)

Sales and Marketing Executives of Durham: (Board Director 1996 – 2005). President (2003-04).

Member, Downtown Durham Rotary Club, Previously Durham Jaycees Member

Durham Exchange Club Industries, Inc. Board Member: (2000-2003)

Anheuser-Busch Dimensions of Excellence Award 2003

- Awarded as top retailer in a six-state area for channel top performance

St. Luke's Episcopal Church: Vestry Member, Stewardship Campaign Chair and Co-Chair,  
Finance Committee, Assistant Treasurer.

Duke University Fuqua School of Business Alumni Council (1997-2002)

Certificate of Appreciation from all M. M. Fowler, Inc. employees

- September 7, 2005 In Recognition of Dedication to Continuing Education

Sales and Marketing Executives of Durham: Outstanding Contributions to the High School  
Distributed Education Clubs of America Scholarship Program 2005

PT Faculty Member: Durham Technical Community College. Business 192 Instructor (2006)

Durham Jaycees Distinguished Service Award 2007

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### **Papers, Presentations, Conferences, Councils and Committees**

Barnes, M. L. & Zemanek, J. E., (1997) "Town and Country" working paper for Case Study at East Carolina University.

Barnes, M. L., Zemanek, J. E., Williams, M. R., Cooper, N. (1997). Graduate Business Classes at East Carolina University presented analysis of working paper provided as assignment by Dr. Zemanek. Panel of Barnes, Zemanek, Williams and Cooper fielded and posed questions to ECU MBA students.

Franchisee Satisfaction Presentation to Manning Fulton Emerging Franchise Conference (October, 2016)

Impact of Potential Joint Employer Relationships in the Franchise Sector, Presentation to the International Franchise Association (February 2017).

Building a Values-Based Franchise Culture Presentation to the Manning Fulton Emerging Franchise Conference (October, 2018).

Appalachian State University Institutional Research, Assessment and Planning Office: University Planning and Priorities Council (2018 – 2021).

Barnes, Lee & DeMarco, Molly (October 15, 2019) Presentation to the Robert Wood Johnson Foundation Healthy Food Retailer Working Group. "Being Part of the Solution: A Collaboration Between a Retailer and Researcher to Encourage Healthy Food Purchases through Behavioral Economic Nudges."



**STATE ETHICS COMMISSION**  
**2021 STATEMENT OF ECONOMIC**  
**INTEREST**

**ELECTRONIC FILING**

**This entire form must be completed to fulfill  
your ethics filing obligation.**

Filer's Name (First, Middle, Last)				
<b>Prefix</b>	<b>First Name</b>	<b>Middle Name</b>	<b>Last Name</b>	<b>Suffix</b>
Dr.	Marvin	Lee	Barnes	JR
Current Employer			Job Title	
M. M. Fowler, Inc.			President	
Nature or Type of Business				
Corporate Executive Commercial Real Estate Retail				
Reason For Filing (Complete all that apply.)				
State Government Job (Specify agency and position.)			Board/Commission (List complete names of all State boards on which you are serving or are being considered.)	
			Appalachian State University Trustees	
Judicial Officer (Specify office.)			Legislator (Specify House or Senate.)	
<b>A. Do other immediate family members reside in your household?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No On this form, "immediate family" includes your spouse (unless legally separated). It also includes members of your extended family (your and your spouse's children, grandchildren, parents, grandparents, and siblings, and the spouses of each of those persons) <b>who reside in your household.</b>				
List the full name of <b>all adults</b> and <b>emancipated minors</b> in your household. Minors are children under 18. They are emancipated by marriage, enlistment in the US military, or court order for emancipation.				
<b>Full names of Adults and Emancipated Minors</b>	<b>Relationship</b>	<b>Employer</b>	<b>Job Title</b>	<b>Nature of Business</b>
Christy Lynn Barnes	Spouse			
Matthew Atwell Barnes	Child			
Michael Luke Barnes	Child			
Marvin Lee Barnes III	Child			

**B.** List **only the initials** of all unemancipated minors in your household below. A minor is a child under 18 years old.

List the full name of each minor child on the Confidential Form at the end.

Initials of Unemancipated Minors	Relationship	Employer	Job Title	Nature of Business

### Property Interests

1. As of December 31, 2020, did you or any members of your immediate family:

A. have an ownership interest in North Carolina real estate (including your residence) with a market value of \$10,000 or more?

☒ Yes ☐ No

Owner of Real Estate	% Ownership Interest	Location by City	Location by County
(Self plus Spouse)	100.00%	Durham	Durham

B. lease or rent real estate or personal property to or from the State of North Carolina with a market value of \$10,000 or more?

☐ Yes ☒ No

Name of Lessor	Name of Lessee (Renter)	If Real Estate, Location by City & County	If Personal Property, Describe

2. At any time during 2019 or 2020, did you or any members of your immediate family sell to or buy from the State of North Carolina personal property worth \$10,000 or more?

☐ Yes ☒ No

Name of Purchaser	Name of Seller	Type of Property

**Financial Interests**

3. As of December 31, 2020, did you or any members of your immediate family own any of the following financial interests valued at \$10,000 or more? **List each company individually.**

A. Stock in a publicly owned company?

☒ Yes ☐ No

► Do not list interests in a widely held investment fund (including mutual funds, regulated investment companies, or pension or deferred compensation plans) if:

1. the fund is publicly traded or its assets are widely diversified; and
2. neither you nor an immediate family member are able to control the underlying assets.

Owner of Interest	Full Name of Company or ticker symbol
See Attachment(s)	

B. Stock options in a company or business?

☐ Yes ☒ No

Owner of Stock Option	Full Name of Company (Do not use a ticker symbol)

C. Interests in a non-publicly owned company or business entity? These include interests in sole proprietorships, partnerships, limited partnerships, joint ventures, limited liability companies, limited liability partnerships, and closely held corporations.

☒ Yes ☐ No - If "No," proceed to question 4.

Owner of Interest	Name of Company or Business Entity
Marvin Lee Barnes JR (Self)	M. M. Fowler, Inc.
Marvin Lee Barnes JR (Self)	BFP, LLC
Marvin Lee Barnes JR (Self)	Forest Hills Shopping Center, LLC
Marvin Lee Barnes JR (Self)	Cardinal Properties of NC, LLC

C (1). For each company or business entity identified in question 3.C. (the "Primary Company"), please list the names of *any other* companies or business entities in which the Primary Company owns securities or equity interests valued at over \$10,000, if known.

Non-Publicly Owned Company or Business Entity (the Primary Company)	Other Companies in which the Primary Company Owns Security or Equity Interests
M. M. Fowler, Inc.	Winston Jacksonville Fund, LLC

C (2). If you know that any entity listed in 3.C or 3.C(1) above has any material business dealings or business contracts with the State of North Carolina, or is regulated by the State, briefly describe that business activity.

Name of Company or Business Entity	Description of Business Activity with the State
M. M. Fowler, Inc.	Regulated by NCDEQ

4. As of December 31, 2020, were you or any members of your immediate family the beneficiaries of a vested trust with a value of \$10,000 or more that you created, established, or controlled?

Do not list assets held in blind trusts. See 2021 SEI Helpful Tips for the definition of "Vested Trust" and "Blind Trust." <https://ethics.nc.gov>

☐ Yes ☒ No

Name and Address of Trustee	Description of the Trust	Your Relationship to the Trust
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5. As of December 31, 2020, did you any members of your immediate family have liabilities of \$10,000 or more, excluding the mortgage on your primary personal residence? Examples include credit card debts, auto loans, student loans, personal loans and intra-family debt.			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>Name of Debtor</b>	<b>Type of Creditor (commercial Bank, credit union, individual, etc.)</b>		
6. List each source of income ( <b>not</b> specific amounts) of more than \$5,000 received by you or any members of your immediate family during 2020. Include salary, wages, state/local government retirement income, professional fees, honoraria, interest, dividends, rental income, business income, and other types required to be reported on State and federal tax returns. <b>Please remember to disclose your receipt of salary or wages from any governmental or private entity.</b>			
Do <b>not</b> include income received from the following sources:			
<div style="display: flex; justify-content: space-between;"> <div> <p>▶ Capital gains</p> <p>▶ Military retirement</p> </div> <div> <p>▶ Federal government retirement</p> <p>▶ Social security income/SSDI</p> </div> </div>			
<b>Recipient of Income</b>	<b>Name of Source</b>	<b>Type of Business/Industry</b>	<b>Type of Income</b>
Marvin Lee Barnes JR (Self)	M. M. Fowler, Inc.	Retail / Real Estate	Dividends
Marvin Lee Barnes JR (Self)	BFP, LLC	Real Estate	Rental income
Marvin Lee Barnes JR (Self)	Forest Hills Shopping Center, LLC	Real Estate	Rental income
Marvin Lee Barnes JR (Self)	M. M. Fowler, Inc.	Retail and Real Estate	Salary

## Professional and Civic Relationships

7(a). During 2020, were you or any members of your immediate family a director, officer, governing board member, employee, independent contractor, or registered lobbyist of a nonprofit corporation or organization operating in North Carolina primarily for religious, charitable, scientific, literary, public health and safety, or educational purposes?

☐ Yes ☒ No - If "No," proceed to question 8.

► Do not list State boards or entities.

► Do not list organizations of which you are a mere member.

Name of Person	Position	Name of Nonprofit Corporation or Organization	Nature or Purpose of Organization

7(b). If the nonprofit corporations or organizations listed above do business with the State of North Carolina or receive State funds, briefly describe the nature of that business, if known or with due diligence could reasonably be known.

Name of Nonprofit Corporation or Organization	Describe State Business
None or Not Known	

8. During 2020, were you or any members of your immediate family a director, officer, or governing board member of any society, organization, or advocacy group with an interest in matters over which your agency or board may have jurisdiction?

☐ Yes ☒ No ☐ Legislator/Judicial Officer - You are not required to complete this question if you are filing because you are a legislator or judicial officer or you are filing as an appointee to one of those offices.

► Do not list organizations of which you are only a member and do not serve in a leadership role.

Name of Person	Name of Society, Organization, or Advocacy Group	Leadership Position (Director, Officer, Board Member)



9(a). List the name of each business with which you were associated where you or a member of your immediate family was an employee, director, officer, partner, proprietor, or member or manager as of December 31, 2020.

Name of Person	Relationship to Filer	Name of Company	Role of Person
Marvin Lee Barnes JR	Self	M. M. Fowler, Inc.	Employee
Marvin Lee Barnes JR	Self	M. M. Fowler, Inc	Director
Marvin Lee Barnes JR	Self	BFP, LLC	Manager
Marvin Lee Barnes JR	Self	Forest Hills Shopping Center LLC	Manager
Marvin Lee Barnes JR	Self	Cardinal Properties of NC, LLC	Manager

9(b). If you know that any entity listed in 9(a) above had any material business dealings or business contracts with the State of North Carolina or was regulated by the State as of December 31, 2020, briefly describe that activity.

Name of Company or Business Entity	Description of Business Activity with the State
BFP, LLC	None or Not Known
Cardinal Properties of NC, LLC	None or Not Known
Forest Hills Shopping Center LLC	None or Not Known
M. M. Fowler, Inc	Regulated by NCDEQ
M. M. Fowler, Inc.	Company is regulated by the North Carolina Division of Environmental Quality. NCDEQ, formerly NCDENR

10. Are you a practicing attorney?

☐ Yes ☒ No ☐ Judicial Officer/State Attorney

If "Yes", check each category of legal representation in which you or the law firm with which you are affiliated has earned legal fees of more than \$10,000 during 2020.

- |                                                                 |                                               |                                                    |                                   |
|-----------------------------------------------------------------|-----------------------------------------------|----------------------------------------------------|-----------------------------------|
| <input type="checkbox"/> Administrative                         | <input type="checkbox"/> Admiralty            | <input type="checkbox"/> Corporate                 | <input type="checkbox"/> Criminal |
| <input type="checkbox"/> Decedent's Estates                     | <input type="checkbox"/> Environmental        | <input type="checkbox"/> Insurance                 | <input type="checkbox"/> Labor    |
| <input type="checkbox"/> Local Government                       | <input type="checkbox"/> Real Property        | <input type="checkbox"/> Securities                | <input type="checkbox"/> Tax      |
| <input type="checkbox"/> Tort litigation (including negligence) | <input type="checkbox"/> Utilities Regulation | <input type="checkbox"/> Other category not listed |                                   |

11. During 2020, were you a licensed professional (other than an attorney) or did you provide consulting services individually or as a member of a professional association for which you charged or were paid over \$10,000?

☐ Yes ☒ No

Type of Business	Nature of Services Rendered

12. Are you or your employer, or any members of your immediate family, or their employers currently:

- licensed by the State board or agency with which you are or will be associated **or**
- regulated by the State board or agency with which you are or will be associated **or**
- in a business relationship with the State board or agency with which you are or will be associated?

☐ Yes ☒ No ☐ Legislator/Judicial Officer - You are not required to complete this question if you are filing because you are a legislator or a judicial officer or you are filing as an appointee to one of those offices.

Name of Person	Name of Employer (if applicable)	Type of Relationship (Licensing, Regulatory, Business)

13. Have you or a member of your immediate family been registered as a lobbyist or lobbyist principal within the 12 months preceding your filing of this form?

☐ Yes ☒ No

Name of Lobbyist	Lobbyist's Principal	Date of Registration	Registration Expiration

#### Other Disclosures

14. During 2020, after you were appointed, employed, or filed or were nominated as a candidate, did you

- receive any "gift(s)" exceeding \$200 per quarter from a person or group of persons acting together,
- when both you and those person(s) were outside North Carolina,
- under circumstances that would lead a reasonable person to conclude the gifts were given for lobbying?

To answer Yes, all three conditions must apply

☐ Yes ☒ No

► Do not report gifts given by members of your extended family.

► Do not report gifts you have previously reported on the "Expense Report for Exempted Persons."

Date Item Received	Name and Address of Donor(s)	Describe Item Received	Estimated Market Value

15. During 2020, after you were appointed, employed, or filed or were nominated as a candidate, did you
- accept a "scholarship" exceeding \$200 related to your public position from a person or group of persons acting together,
  - when those person(s) were outside North Carolina?

To answer Yes, both conditions must apply

**A "scholarship" is a grant-in-aid, either direct or indirect, to attend a conference, meeting, or similar event, including tuition, travel, lodging, meals, and other similar expenses.**

☐ Yes ☒ No ☐ Judicial Officer - You are not required to complete this question if you are a judicial officer or you are filing as a judicial officer appointee.

- ▶ Do not report gifts you have previously reported on the "Expense Report for Exempted Persons."
- ▶ Legislators are not required to report scholarships paid by a nonpartisan legislative organization of which the legislator or the General Assembly is a member, participant, or affiliate.

Date of Scholarship	Name and Address of Donor(s)	Describe Event	Estimated Market Value

16. Have you been appointed or considered for appointment to a covered board by the Governor or another Council of State member?

**Council of State members are:**

- ▶ Governor
- ▶ Lt. Governor
- ▶ Secretary of State
- ▶ State Auditor
- ▶ State Treasurer
- ▶ Superintendent of Public Instruction
- ▶ Attorney General
- ▶ Commissioner of Agriculture
- ▶ Commissioner of Labor
- ▶ Commissioner of Insurance

☐ Yes ☒ No

**If "Yes," list all contributions you made in 2020 with a cumulative total of more than \$1,000 to the Council of State member who appointed you. Do not include contributions from immediate family members.**

- ▶ Contributions are defined broadly in N.C.G.S. 163-278.6(6) and include "any advance, conveyance, deposit, distribution, transfer of funds, loan, payment, gift, pledge or subscription of money or anything of value whatsoever."

Date	Amount	Contributed to

17. Are you an appointee or prospective appointee as:			
a. the head of a principal state department (e.g., cabinet secretary) appointed by the Governor; or b. a North Carolina Supreme Court Justice, Court of Appeals, Superior or District Court Judge; or c. a member of any of the following boards: <ul style="list-style-type: none"> <li>• ABC Commission</li> <li>• Coastal Resources Commission</li> <li>• State Board of Education</li> <li>• State Board of Elections</li> <li>• Division of Employment Security</li> <li>• Environmental Management Commission</li> <li>• Industrial Commission</li> <li>• Human Resources Commission</li> <li>• Rules Review Commission</li> <li>• Board of Transportation</li> <li>• Utilities Commission</li> <li>• Wildlife Resources Commission</li> </ul>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "No," proceed to question 18.	
d. If so, were you appointed or are you being considered for appointment to that position by a Council of State member?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "No," proceed to question 18.	
e. If so, you must indicate whether during 2020 you engaged in any of the following activities with respect to or on behalf of the candidate or campaign committee of the Council of State member who appointed you:		<input type="checkbox"/> Yes <input type="checkbox"/> No	
i. Collected contributions from multiple contributors, took possession of such multiple contributions, and transferred or delivered those collected contributions to the candidate or committee?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
ii. Hosted a fundraiser at your residence or place of business?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
iii. Volunteered for campaign-related activities, including phone banks, event assistance, mailings, canvassing, surveying, or any other activity that advances the campaign of a candidate?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
18. Have you ever been convicted of a felony for which you have not received either: (i) a pardon; or (ii) an order of expungement?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>Offense</b>	<b>Date of Conviction</b>	<b>County of Conviction</b>	<b>State of Conviction</b>
19. Are you aware of any other information that <i>you believe</i> may assist the Ethics Commission in advising you concerning your compliance with the State Government Ethics Act?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, please provide that information below.			

## Affirmation

The information provided in this Statement of Economic Interest and any attachments are true, complete, and accurate to the best of my knowledge and belief.

I have not transferred, and will not transfer, any asset, interest, or property for the purpose of concealing it from disclosure while retaining an equitable interest.

I understand that my Statement of Economic Interest and any attachments except for the Confidential Form regarding Unemancipated Children are public records.

I have read and understand the following statutes:

N.C.G.S. § 138A-26. Concealing or failing to disclose material information.

A filing person who knowingly conceals or knowingly fails to disclose information that is required to be disclosed on a statement of economic interest . . . shall be guilty of a Class 1 misdemeanor and subject to disciplinary action under G.S. 138A-45.

N.C.G.S. § 138A-27. Penalty for false information.

A filing person who provides false information on a statement of economic interest . . . knowing that the information is false is guilty of a Class H felony and shall be subject to disciplinary action under G.S. 138A-45.

**I affirm under penalty of perjury that the foregoing is true and correct.**

Filed Electronically  
**Signature**

04/13/2021  
**Date**

Marvin Lee Barnes JR  
**Printed Name**