

**WAKE COUNTY BOARD OF COMMISSIONERS**

**June 15, 2009**

**Regular Meeting**

**2:00 p.m.**

**Wake County Courthouse, Room 700**

Members present were: Harold H. Webb, Chairman, Lindy Brown, Vice Chair, Joe Bryan, Paul Coble, Tony Gurley, Stan Norwalk, and Betty Lou Ward.

Others attending were: David Cooke, County Manager, Scott Warren, County Attorney, Susan J. Banks, Clerk to the Board.

**Meeting Called to Order: Chairman Harold Webb**

**Pledge of Allegiance**

**Invocation: Commissioner Stan Norwalk**

**Items of Business**

**Approval of Agenda**

Betty Lou Ward motioned, seconded by Lindy Brown, Vice Chair, to approve the agenda with the following requested amendments:

- 1) Commissioner Norwalk asked to remove item #8 from the consent agenda and address it separately.
- 2) Commissioner Bryan asked to amend the agenda to include the approval of the June 8th work session minutes.

The motion passed unanimously.

**Approval of the Minutes of the Commissioners' Meetings of June 1, 2009**

Joe Bryan motioned, seconded by Tony Gurley, to approve the minutes of June 1, 2009.

The motion passed unanimously.

Betty Lou Ward motioned to approve the June 8<sup>th</sup> minutes, but due to no second, the motion failed.

Commissioner Gurley requested a change to the minutes stating that Commissioner Ward seconded the motion to reduce the funding for the African American Cultural Festival from \$185,000 to \$75,000, not himself. Commissioner Brown noted her vote on Affordable Housing had already been corrected on the final draft minutes reflecting her support for the continued Affordable Housing program. Commissioner Bryan noted a correction to his amendment offered to Commissioner Norwalk's motion. He stated that it should read, "Motion to give Human Services \$20 million and Wake County Public Schools System \$50 million. Commissioner Bryan asked that the statement he made referencing a statement made by Mr. Chuck Dulaney capital funds being more important than funding for teacher salaries, needed to be further clarified showing the comments were Mr. Dulaney's remarks that Commissioner Bryan was referring to for the board's information.

Lindy Brown, Vice Chair motioned, seconded by Tony Gurley, to approve the minutes of June 8th as edited.

The motion passed unanimously.

### Caring, Serving, Respecting, Customer Award

Mr. Cooke recognized Angelica Rose is a Nursing Assistant from Eastern Regional Center and was nominated by a co-worker for the Caring, Serving, Respecting, Customer Service award. He provided an explanation as provided by her co-worker stating why she deserves this prestigious award.

### Recognition of the Partnership Between the City of Raleigh Fair Housing Hearing Board and the Wake County Library System

Ms. Octavia Raney, Chair of the City of Raleigh Fair Housing Board, introduced board members and staff present with her. She explained the partnership between the Fair Housing Board and the Wake County Libraries. The libraries have assisted them in their educational outreach to the public. She presented a copy of the Fair Housing Handbook to Dale Cousins, Cameron Village Library Director, and stated that they are in the process of having the Fair Housing Handbook printed in 150 languages in order to educate the public in Wake County about Tenants Rights to Fair Housing. She stated the Federal Housing Urban and Development Department is interested in a partnership with Wake County libraries. The book is also available at the Wake County Courthouse. The handbook will be available on the computer. She thanked AT&T for their sponsorship. Chairman Webb thanked the Fair Housing Board for their work.

### Retiree Recognition

Mr. Cooke introduced the retirees scheduled for July 1, 2009 as follows:

Claire Griggs, from Human Services, served Wake County from 1983 through July 2009.

Ms. Debra Vick, Human Services Transportation Coordinator, served Wake County from June 1979 through July 1, 2009.

Ms. Jinnean Evans, Administrative Assistant in Human Services with thirty years of service retires July 1, 2009.

Mr. Douglas Wooten, Sr., Master Deputy Sheriff, hired as Wake County EMS Technician in 1980 then transferred to Sheriff's Office, retires with twenty-eight years of service on July 1, 2009.

Mr. Thomas Moore, Wake County Public Libraries Director, came to Wake County in 1981 and in 1982 spearheaded regional libraries making it easier for citizens to obtain books. Through this program libraries became more accessible. Mr. Moore promoted the love of reading. Mr. Cooke reported a few milestones from Mr. Moore's 27-year tenure with Wake County including four different bond referendums and \$95 million for libraries in underserved areas of the county. Last year the libraries serviced over 10 million books. Mr. Moore's achievements as Library Director were reviewed. Mr. Moore will retire July 1 with twenty-seven years of service.

Mr. Moore expressed his pleasure from having worked with the commissioners in establishing the library system throughout the county. He appreciated their support and thanked the staff that has worked in the libraries every day.

### **Consent Agenda**

Paul Coble motioned, seconded by Stan Norwalk, to approve items on the consent agenda with exception of item 8.

The motion passed unanimously.

### **Approval of Three-Year Agreement with AT&T Business Network to Provide Switched and Dedicated Long Distance Service for a Subset of**

**County Office Telephones not Located in Primary Service Areas for  
\$21,000**

Paul Coble motioned, seconded by Stan Norwalk, to authorize the County Manager to execute a three-year agreement with AT&T to provide long distance service for the County office telephones located in buildings not served by Morgan, Sunnybrook and New Hope central offices.

The motion passed unanimously.

**Request from Tri-Star Medical Transport, Inc. for Renewal of a Non-Emergency Ambulance Franchise (Second Reading)**

Paul Coble motioned, seconded by Stan Norwalk, to approval the renewal of Tri-Star Medical Transport, Inc.'s non-emergency ambulance franchise for medical transportation service.

The motion passed unanimously.

ORDINANCE RENEWING FRANCHISE TO  
TRI-STAR MEDICAL TRANSPORT, INC. (TRI-STAR)  
FOR OPERATION OF A  
CONVALESCENT TRANSPORT AMBULANCE SERVICE

WHEREAS, the Tri-Star Medical Transport, Inc. (Tri-Star), located in Raleigh, North Carolina, has applied for renewal of its franchise for operation of a convalescent ambulance service in Wake County; and

WHEREAS, Chapter 2-7, Article III of the Wake County Code of Ordinances authorizes the renewal of such a franchise by the Wake County Board of Commissioners; and

WHEREAS, Tri-Star's franchise renewal request has been reviewed and given preliminary approval by the Director of the Department of Emergency Medical Services; and

WHEREAS, issuance of the requested franchise renewal will take place only upon recommendation of such issuance by the Director of the Department of Emergency Medical Services to the County Manager;

NOW, THEREFORE, BE IT ORDAINED THAT Tri-Star Medical Transport, Inc. be granted a renewal of its franchise of five years' duration for the continued delivery of convalescent ambulance service in Wake County, North Carolina, subject to the following provisions:

1. That such franchise renewal shall be issued by the County Manager only subsequent to a finding of compliance by the Director of the Department of Emergency Medical Services with the provisions of Chapter 2-7, Article III of the Wake County Code of Ordinances and all other applicable State statutes and regulations governing such ambulance services, a copy of which finding shall be maintained in the permanent files of the Clerk to the Board.
2. That if Tri-Star Medical Transport, Inc. discontinues the service authorized by this Ordinance during the life of the franchise, or fails to comply with the conditions of this ordinance, then upon thirty (30) days' notice by Wake County, the franchise authorized here shall be declared null and void.

**Renewal of Community Development Block Grant (CDBG) and HOME  
Cooperation Agreements**

Paul Coble motioned, seconded by Stan Norwalk, to authorize the renewal of the existing three-year Cooperation Agreements with the towns in Wake County

entitlement effective through June 30, 2013, subject to terms and conditions acceptable to the County Attorney.

The motion passed unanimously.

Wake County was designated an "Urban County" by the U.S. Department of Housing and Urban Development (HUD) in 1992 when the population outside the corporate limits of Raleigh reached 200,000. This designation enables Wake County to receive the following four entitlement grants annually from HUD: Community Development Block Grant (CDBG) funds for housing and community development activities that benefit low-income families and neighborhoods HOME funds for affordable housing development activities Housing Opportunities for Persons with AIDS (HOPWA) funds for housing and related services for persons with HIV/AIDS and their families Emergency Shelter Grant (ESG) funds for services for people who are homeless.

**Approval of a Three-Year Agreement with Laboratory Corporation of America for \$2,815,000 to Provide Laboratory Services for Programs in the Wake County Human Services Department and Wake County Sheriff's Office**

Paul Coble motioned, seconded by Stan Norwalk, to approve a three-year agreement with Laboratory Corporation of America for \$2,815,000 to provide laboratory services for programs in the Wake County Human Services Department and Wake County Sheriff's Office.

The motion passed unanimously.

**Acceptance of Property Donation from Flora Development LLC at Site 23 of the Crabtree Creek Watershed Project (Lake Crabtree)**

Paul Coble motioned, seconded by Stan Norwalk, to accept the donation of three parcels of land identified as Tax ID #0223876, #0178570 and #0178573 from Flora Development LLC at Site 23 of the Crabtree Creek Watershed Project (Lake Crabtree).

The motion passed unanimously.

**Approval of Three Multi-Year Contracts for Solid Waste Facility Services of Used Oil Filters, Lead-acid Battery Recycling, and Portable Sanitation Services**

Paul Coble motioned, seconded by Stan Norwalk, to :  
Approve three-year agreements with:  
-FCC Environmental for used oil, oil filters and antifreeze recycling,  
-Batteries of NC, LLC for lead-acid battery recycling, and  
-Readlite and Barricade, Inc. to provide portable sanitation services; and,  
further, to authorize the County Manager to execute contracts on behalf of Wake County for these services, subject to terms and conditions acceptable to the County Attorney.

The motion passed unanimously.

**Regular Agenda**

**Approval of the Home and Community Care Block Grant Program from the Division of Aging for Funding to Meals on Wheels and Resources for Seniors**

This item was removed from the consent agenda at Commissioner Norwalk's request.

Mr. Bob Sorrels reported these funds are used to purchase services such as home-delivered and congregate meals, transportation, case assistance, respite care, adult day care, housing counseling, and senior centers.

Meals on Wheels - \$878,088 (HCCBG); \$97,565 (County Match)  
Resources for Seniors - \$1,689,094 (HCCBG); \$187,677 (County Match)

\*County Match is in FY 2010 Budget.

Commissioner Norwalk spoke of his wife, Marsha's work with Meals on Wheels in the past. He commended Meals on Wheels and Resources for Seniors programs and encouraged people to volunteer to help with these services. Commissioner Ward spoke of her and her husband's volunteer service on these programs and also encouraged citizens to volunteer.

Paul Coble motioned, seconded by Tony Gurley, to approve the plans submitted by Wake County Human Services, Meals on Wheels and Resources for Seniors and affixes required signatures.

The motion passed unanimously.

**Public Hearing on Financing the Hammond Road Detention Center and  
Resolution Approving the Financing in an Amount Not to Exceed  
\$165,000,000 Limited Obligation Bonds**

Ms. Cheryl Spivey, Wake County Debt Manager, spoke to the limited obligation bonds for the Hammond Road Detention Center project. She recognized Mr. Tom Lee, bond counsel, who was also present. She stated the original estimate for this project was \$186.8 million. The estimate now is \$176.5 million of which \$163 million is expected to be debt financed.

The LOBs will be issued pursuant to Section 160A-20 of the General Statutes of North Carolina, which allows the County to finance the construction of fixtures or improvements on real property by contracts that create a security interest in the property to secure repayment of the funds. Contracts entered into under G.S. 160A-20 require a public hearing, published at least 10 days before the date fixed for the hearing. The notice was published in The News and Observer on Wednesday, June 3, 2009. The County would enter into a trust agreement and supplemental trust agreement with US Bank as trustee, pursuant to which the County would issue its limited obligation bonds. The County would be obligated to pay debt service on the bonds in a principal amount not to exceed \$165,000,000. The financing would be secured by a deed of trust on the Hammond Road Detention Center. The bonds would initially be sold to Merrill Lynch and Citi, as underwriters, under the terms of a bond purchase agreement. There will be a preliminary official statement in connection with the sale of the bonds by the underwriters. Drafts of the trust agreement, first supplemental trust agreement, deed of trust, bond purchase agreement, and preliminary official statement are attached. Today the Board is asked to:

- Hold the public hearing on the proposed financing for the Hammond Road Detention Center; and
- Approve the resolution approving and authorizing the financing through the issuance of limited obligation bonds and the execution and delivery of a trust agreement, a first supplemental trust agreement, and related documents.

The next steps in the process of issuing LOBs to finance the Hammond Road Detention Center include:

June 18th	Conference calls with rating agencies
July 7th	LGC approval
July 7th	Receive bond ratings
July 22nd	Price bonds
July 23rd	County and underwriters execute Bond Purchase Agreement
August 17th	Pre-Closing, sign all other bond documents

August 18th Closing, receive bond proceeds

Note: The actual amount of bonds to be issued will be more or less than \$163 million, depending on whether the bonds are sold at a premium or discount, but will not exceed \$165 million.

Chairman Webb opened the public hearing. No one came forward to speak. Chairman Webb closed the hearing.

Joe Bryan motioned, seconded by Lindy Brown, Vice Chair, to approve the Resolution authorizing an installment contract financing by the County through the issuance of not exceeding \$165,000,000 Limited Obligation Bonds (Hammond Road Detention Center Project) and the execution and delivery of a trust agreement, a first supplemental trust agreement, and related documents in connection therewith.

The motion passed unanimously.

The Board of Commissioners for the County of Wake, North Carolina, met in regular session in the Commissioners' Meeting Room in the Wake County Courthouse in Raleigh, North Carolina, the regular place of meeting, at 2:00 p.m., on June 15, 2009, with Harold H. Webb, Chairman, presiding. The following Commissioners were:

PRESENT: Lindy Brown, Joe Bryan, Paul Coble, Tony Gurley, Stan Norwalk, Betty Lou Ward.

ABSENT: N/A

ALSO PRESENT: David Cooke, County Manager, Scott Warren, County Attorney, Susan J. Banks,

Clerk to the Board, and Cheryl Spivey, Wake County Debt Manager.

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The Chairman announced that this was the hour and day of the public hearing on a proposed installment contract financing pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended (the "Act"), to finance all or a portion of the cost of acquiring, constructing and equipping the Hammond Road Detention Center to be used by the County to carry out its law enforcement responsibilities (the "Project"). The County would enter into a Trust Agreement (the "Trust Agreement"), pursuant to which the County would issue its limited obligation bonds (the "Bonds") to carry out the installment contract financing. The County would be obligated to pay debt service on the Bonds in a principal amount not to exceed \$165,000,000. Such financing would be secured by a deed of trust on all or a portion of the site where the Project will be located, together with all improvements and fixtures located and to be located thereon.

The Chairman acknowledged due publication of the notice of public hearing in a newspaper with a general circulation in said County as required by Section 160A-20(g) of the Act and directed the Clerk to the Board of Commissioners for the County to attach the affidavit showing publication in said paper on a date at least ten days prior to the date hereof as Exhibit A hereto.

The Chairman then announced that the Board of Commissioners would immediately hear anyone who might wish to be heard on advisability of the proposed Project or financing as so described.

No person appeared to be heard by the Board of Commissioners, the Chairman then announced the public hearing closed.

Thereupon, Cheryl Spivey, Wake County Debt Manager, introduced the following resolution, the title of which was read and copies of which had been previously distributed to each Commissioner:

**RESOLUTION APPROVING AND AUTHORIZING AN INSTALLMENT CONTRACT  
FINANCING BY THE COUNTY THROUGH THE ISSUANCE OF NOT EXCEEDING  
\$165,000,000 LIMITED OBLIGATION BONDS (HAMMOND ROAD DETENTION CENTER  
PROJECT), SERIES 2009 AND THE EXECUTION AND DELIVERY OF A TRUST AGREEMENT,  
A FIRST SUPPLEMENTAL TRUST AGREEMENT AND RELATED DOCUMENTS IN  
CONNECTION THEREWITH**

BE IT RESOLVED by the Board of Commissioners (the "Board") for the County of Wake, North Carolina (the "County"):

Section 1. The Board does hereby find and determine as follows:

(a) The County desires to acquire, construct and equip the Hammond Road Detention Center to be used by the County to carry out its law enforcement responsibilities (the "Project").

(b) After a public hearing and due consideration, the County has determined that the best manner of financing the Project will be through an installment contract financing arrangement pursuant to the provisions of North Carolina General Statute 160A-20, such arrangement to be carried out through the issuance by the County of its Limited Obligation Bonds (Hammond Road Detention Center), Series 2009 (the "Bonds") in a principal amount of not to exceed \$165,000,000. The Bonds will be issued under a Trust Agreement, to be dated as of August 1, 2009 (the "Trust Agreement"), between the County and U.S. Bank National Association, as trustee (the "Trustee"), as supplemented by a First Supplemental Trust Agreement, to be dated as of August 1, 2009 (the "First Supplemental Trust Agreement"), between the County and the Trustee.

(c) In order to secure the performance of its obligations with respect to the Bonds under the Trust Agreement, the County will execute and deliver a Deed of Trust, to be dated as of August 1, 2009 (the "Deed of Trust"), granting a lien of record on all or a portion of the site where the Project will be located, together with all improvements and fixtures located and to be located thereon.

(d) The Bonds will initially be sold to Merrill Lynch, Pierce, Fenner & Smith Incorporated and Citigroup Global Markets Inc. (the "Underwriters") pursuant to the terms of a Bond Purchase Agreement, to be dated the date of delivery thereof (the "Bond Purchase Agreement"), among the County and the Underwriters.

(e) In connection with the offering and sale of the Bonds by the Underwriters, there will be prepared and distributed to potential investors a Preliminary Official Statement, to be dated as of the date of delivery thereof (the "Preliminary Official Statement"), relating to the offering and sale of the Bonds, and the Official Statement (hereinafter defined).

(f) There have been presented to the Board drafts of the following documents relating to the transaction hereinabove described:

(1) the Trust Agreement;

(2) the First Supplemental Trust Agreement, including a form of the Bonds attached as Exhibit B thereto;

(3) the Deed of Trust;

(4) the Bond Purchase Agreement; and

(5) the Preliminary Official Statement.

Section 2. In order to provide for the financing of the Project, the County is hereby authorized to enter into the Trust Agreement and the First Supplemental Trust Agreement and to issue the Bonds thereunder in a principal amount not to exceed \$165,000,000. The Bonds shall mature, shall bear interest at such rates, and shall be subject to optional and mandatory redemption as set forth in the Trust Agreement and the First Supplemental Trust Agreement. The Bonds shall bear interest at such interest rates or yields that, together with the sale prices to that County described in Section 3, shall result in a true interest cost to the County of not to exceed six percent (6%). The final maturity of the Bonds shall not be later than December 31, 2036.

Section 3. The Bonds shall be sold to the Underwriters pursuant to the Bond Purchase Agreement. The Bonds may be sold to the Underwriters at a discount below the amount of the principal amount of the Bonds, such discount not to exceed one percent (1%) of the principal amount of the Bonds; provided, however, that if all or any of the Bonds are to be sold to the public by the Underwriters at original issue discount (resulting in lower interest costs of the interest component of the debt service payments on the Bonds), then the Bonds may be sold at a further discount in the amount necessary to cover such original issue discount.

Section 4. The Board hereby approves the forms of the Trust Agreement, the First Supplemental Trust Agreement, the Deed of Trust, the Bond Purchase Agreement and the Bonds in substantially the forms presented at this meeting. The Chairman of the Board, the County Manager, the Interim Finance Director and the Debt Manager are each hereby authorized to execute and deliver the Trust Agreement, the First Supplemental Trust Agreement, the Deed of Trust, the Bond Purchase Agreement and the Bonds on behalf of the County in substantially the forms presented at this meeting, containing such insertions, deletions and filling in of blanks as the person executing such documents shall approve, such execution to be conclusive evidence of approval by the Board of any such changes. The Clerk to the Board or any assistant or deputy Clerk to the Board is hereby authorized to affix the official seal of the County to said documents and to attest the same to the extent required.

Section 5. No deficiency judgment may be rendered against the County in any action for breach of any contractual obligation with respect to the Bonds or under the Trust Agreement and the First Supplemental Trust Agreement, and the taxing power of the County is not and may not be pledged directly or indirectly to secure any moneys due with respect to the Bonds or under the Trust Agreement.

Section 6. The Board hereby approves the Preliminary Official Statement in substantially the form presented at this meeting and hereby approves the distribution thereof by the Underwriters in connection with the offering and sale of the Bonds. Upon the sale of the Bonds to the Underwriters, a final Official Statement, to be dated as of the date of the Bond Purchase Agreement (the "Official Statement"), will be prepared substantially in the form of the Preliminary Official Statement and will contain such information relating to the pricing terms of the Bonds and such additional information as may be necessary. The Board hereby approves the execution and delivery of the Official Statement on behalf of the County by the Chairman of the Board, the County Manager, the Interim Finance Director or the Debt Manager and the distribution thereof by the Underwriters in connection with the offering and sale of the Bonds.

Section 7. The Chairman of the Board, the County Manager, the Interim Finance Director, the Debt Manager and the Clerk to the Board, and any other officers, agents and employees of the County, are hereby authorized and directed to deliver such certificates, opinions and other items of evidence as shall be deemed necessary to consummate the transactions described above.

Section 8. The County Manager, the Interim Finance Director and the Debt Manager are hereby authorized to cooperate with the Underwriters in preparing and filing such filings under state securities or "blue sky" laws as the Underwriters may request; provided, however, that the City shall not be required to consent to the jurisdiction of any state in which it is not now subject unless the County Attorney shall determine that such consent is in the best interest of the County.

Section 9. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Joe Bryan, seconded by Commissioner Lindy Brown, the foregoing resolution entitled "RESOLUTION APPROVING AND AUTHORIZING AN INSTALLMENT CONTRACT FINANCING BY THE COUNTY THE ISSUANCE OF NOT EXCEEDING \$165,000,000 LIMITED OBLIGATION BONDS (HAMMOND ROAD DETENTION CENTER PROJECT), SERIES 2009 AND THE EXECUTION AND DELIVERY OF A TRUST AGREEMENT, A FIRST SUPPLEMENTAL TRUST AGREEMENT AND RELATED DOCUMENTS IN CONNECTION THEREWITH" was passed by the following vote:

Ayes: Lindy Brown, Joe Bryan, Paul Coble, Tony Gurley, Stan Norwalk, Betty Lou Ward, and Harold H. Webb.

Noes: N/A

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I, Susan J. Banks, Clerk to the Board of Commissioners for the County of Wake, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board of Commissioners for said County at a regular meeting held on June 15, 2009, as it relates in any way to holding of a public hearing and the passage of the foregoing resolution and that said proceedings are recorded in the minutes of said Board of Commissioners.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said County this 15<sup>th</sup> day June, 2009.

[SEAL]

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Clerk to the Board

### **Adoption of the Fiscal Year 2010 Budget and Project Ordinances and the Personnel Authorization Ordinance**

Chairman Webb announced the item Adoption of the Fiscal Year 2010 Budget, Project Ordinances and Personnel Authorization Ordinance. He recognized Commissioner Norwalk to make a motion.

Commissioner Norwalk motioned to amend the County Manager's proposed 2010 operating and capital budgets by reducing operating and capital expenses by \$8.92 million and increased operating revenues. Further amendments will be used to establish a temporary reserve.

These amendments shall be selected by the County Manager from the list specified below. These amendments will be used to increase the budgets for WCPSS, Human Services and libraries as noted below. Additions to the temporary reserve, whose magnitude will be determined no later than the last day of June, shall be established. This reserve will be reallocated by the Board of Commissioners in 2010 after the State completes its budget and the impact on the County, Wake Tech and WCPSS is determined. The following pay-as-you-go funds (PAYGO) in the CIP and transfers from the General Fund shall be considered for reductions by the County Manager:

Potential Reductions from the CIP:

- up to a 20% reduction in Automation (\$724K);
- delaying the reclaimed water project (\$700K);
- the County Manager will consult with the Superintendent of WCPSS and determine if one or more schools can be delayed (projected savings of \$14 million in PAYGO funds);
- minor building projects shall be cut up to 20% (\$240K);
- major building renovations shall be reduced up to 20% (\$392K);
- "other" in detention facilities shall be eliminated (\$3 million);
- The Northeast Regional Library shall be delayed by up to one year (\$3,659 million in authorized, unissued debt and \$378,000 in operating costs);
- up to 20% of existing park improvements shall be reduced (\$50,000);
- the Randleigh Farm master plan shall be delayed one year (\$300K);
- transfers from the general fund portion of the financing for Wake Tech Public Safety Center shall be delayed one year- leaving \$10.3 million to initiate the project (\$2,615 million);
- the transfer from the general fund for Phase II of Wake Tech's Health Sciences building shall be delayed for one year leaving over \$18 million to initiate the project (\$5,147 million);

- multi-material drop off convenient centers shall be delayed one year (\$800K from fund balances);
- Other proposed amendments by the county manager.

#### Potential Amendments to the Operating Budget

- Eliminate up to 50 unfilled positions (ex human services) in the proposed 2010 budget. (\$1 million)
- Delay opening of the Leesville Library until Oct.1, 2010 (\$156K);
- Initiate a “Keep Our Libraries Strong” voluntary donation program (targeted contributions of \$200K from 380,000 active card holders);
- Delay the revision of the Transportation Plan and associated consulting fees (\$200K);
- Delay opening of the animal shelter for one month (\$27K);
- Reduce parks and recreation budget by one FTE (\$50K);
- Eliminate the Budget Reserve in General Services (\$3 million);
- Raise landfill tipping fees up to 10%; (\$700K to be shared by SW Landfill Partners);
- Other proposed amendments by the county manager.

The County Manager will present his proposed amendments to the BOC in rank priority order. The BOC will determine the amount to be used to fund the temporary reserve by the last day of June, 2009.

If an agreement on a balanced budget is not reached by the end of June, the County Manager will produce an interim operating budget with a 2% across the board reduction from the current proposal (ex Human Services and Education) - but no less than the amount needed to cover payroll and debt service.

The BOC will select funds from the ~\$25 million of amendments that shall be used as follows:

- \$5.6 million added to the Human Services budget to match last years spending level and reacting to higher demands for services;
- \$3.3. million to WCPSS for teachers, matching their restrained request that did not allow for growth or inflation;
- \$212 thousand dollars to keep Athens Drive Public Library open.
- An amount, no greater than \$16 million, to be used as a temporary reserve. This reserve will be reallocated for the 2009-10 operating and CIP budgets no later than eight weeks after the State budget is signed

In these difficult financial times, we must set priorities. With an increasing demand on human services, and the importance of education to Wake County’s future, this amendment is the least we should do. Also, Athens Drive Library serves students, job seekers and other citizens in one combined facility. Rather than shut it down, it should be a model for future joint-use libraries. To do so because it is as easy as cancelling a contract with the school system is irresponsible.

The 2009-10 Budget is being set in the midst of the most uncertain economic times this County has faced in decades. As noted by the County Manager, the biggest uncertainty is what the state will do to impact our

budget. Accordingly a temporary delay in fully allocating available revenues is part of this proposal.

In passing this motion, the BOC recognizes that deferring the construction of needed facilities to serve critical needs involving hunger, public health, jobs and the education of Wake's children has implications. Namely, the County will need added revenues in future years.

Now more than ever, it is important we lead, not political grandstand. This amendment represents that, and I pray my fellow commissioners will join me.

Moved by Stan Norwalk, seconded by Betty Lou Ward.

Mr. Coble asked for clarification on some of the budget reductions proposed such as on minor and major building projects, Detention facilities and others. He expressed it would have been helpful to have this proposed amendments to the budget for consideration prior to the meeting.

Commissioner Norwalk said his proposal was for the County Manager to make a recommendation on what funds should be used to fund the proposed budget increases. He said the areas in the budget titled "other" seemed vague and did not provide what was included. He said he anticipated the budget would not be adopted at this meeting and there would be additional discussion. He stated there was time for additional Monday meetings prior to the June 30th budget adoption deadline. Commissioner Coble requested the Manager's review of this recommendation.

Commissioner Brown questioned the additional funds and asked if the additional funding would cause for a future tax increase. Commissioner Norwalk stated he did not know if a tax increase was needed because if the economy picked up it may not, but should the economy not improve, then a tax increase may be needed. The proposed motion was based on the Manager's budget forecast. Commissioner Norwalk said there are options such as imposing a public facilities ordinance or an impact fee, or an increase in property taxes to raise funds. He said it would put the pressure on an increase in taxes.

Commissioner Brown asked the Manager to address the impact this proposal would have on contractual agreements that are in place.

Mr. Cooke said he could go thru each category where there are obligations to other local governments. He said the specifics of where the funds for contractual agreements are explained are on page 298 in the budget document. He said this may mean eliminating one of the projects. The funds titled "other" was for \$3.0 million in stimulus money for Detention Center project which was to offset county money in the project thereby freeing up county money for other uses. If the county does not receive the \$3.0 million in stimulus funds, those funds will have to be provided from other sources or the project not be done. Minor building renovations on existing facilities are projects that do not qualify as major renovations. Mr. Cooke stated Mr. Dave Goodwin, General Services Administration Director, would have to identify those projects.

Commissioner Brown asked if this reshuffling or reduction of funds would require additional job losses. Mr. Cooke stated that may be the case if permanent reductions were being made in the operating budget. He understood the motion as an increase in the county operating budget by \$9.0 million. He said he would not recommend using one-time money to balance the budget unless there was a subsequent plan on how to address it in the future. This motion, should it be approved, means the county would start the next budget year \$13 million out of balance and would require permanent reductions. He stated if the areas that were removed from consideration for budget reductions from Monday's work session were maintained as such, there

would be a need to keep off the table the items from Monday, they would be trying to make up another \$9 million (in addition to \$4 million) and would result in permanent staff reductions by a reduction-in-force implementation.

Commissioner Gurley said these discussions should have occurred during the work session last Monday. At the work session, the Board of Commissioners received a motion from Commissioner Norwalk to add \$28.5 million to the budget, similar to this proposal. The board looked at each item and gave the Manager instructions on whether he could touch those items to use to fund the \$28.5 million in Commissioner Norwalk's motion. Of the \$28.5 million needed to fund the motion, this board found about \$770,000 in cuts that could be used to fund the \$28.5 million. The original \$20 million proposed for an escrow account has been lower but this motion still increases the budget \$8.5 million to \$9.0 million with no proposal for sustainable funding. The escrow account is still proposed to have on hand for after the state adopts its budget. Commissioner Gurley expressed that the board had already spent a day on such a proposal and now additional meetings are suggested after having wasted the day that was set aside for budget deliberations. He did not feel this was a responsible way to address the budget.

Commissioner Bryan stated the Board of Commissioners spent over 3.5 hours on a similar proposal. The \$700,000 was to be delayed not eliminated and it would only provide \$28,000 from the delay of the project. There was \$105,000 saved from the African American Cultural Festival for a total of \$133,000 was all this board could come up with out of the County Manager's recommended \$954 million budget that preserved education, public safety, human services and did it within the board's goal not go to public with a tax increase. He said this proposed motion would result in a future tax increase because one-time money cannot be used to solve long term issues. He said he hoped the board would vote this motion down because each of the items have already been reviewed and voted on.

Motion to divide the complex motion made by Commissioner Norwalk into segments in order to have the ability to discuss the motion in its entirety.  
Moved by Joe Bryan, seconded by Tony Gurley.

Chairman Webb called Commissioner Bryan's motion out of order because Commissioner Norwalk had a motion on the floor. He asked for the County Attorney to explain the matter. Mr. Scott Warren said the motion to divide and consider is a privileged motion, which can interrupt and have privilege over the original motion. He stated if Commissioner Bryan's motion is approved, it would have to be implemented prior to voting on Commissioner Norwalk's original motion. He instructed that the Chair needed to call for a vote on Commissioner Bryan's motion before moving forward on Commissioner Norwalk's motion. He said this motion is not debatable.

Mr. Warren advised that the motion could be taken by item or by certain points or sections. Once discussion has been concluded, then the vote on the original motion made by Commissioner Norwalk can be taken. Commissioner Bryan's motion is not debatable and must be voted on before voting on Commissioner Norwalk's motion.

Chairman Webb questioned the process and said at the last work session the board considered a motion, then voted to reconsider that motion but did not come to a conclusion. He said today was the time set up to approve the budget but if not, then the board will need to set up a meeting time for further discussion and approval of the budget. Mr. Warren agreed with Chairman Webb's assessment of the situation but stated the motion by Commissioner Bryan to divide Commissioner Norwalk's motion into items or sections takes precedence, is not debatable, and should be the next voting action taken. Chairman Webb called for a vote on Commissioner Bryan's motion to divide Commissioner Norwalk's complex motion for consideration.

Joe Bryan motioned, seconded by Tony Gurley, to divide the complex motion, made by Commissioner Norwalk, into segments in order to have the ability to discuss the motion in its entirety.

The motion approved with vote 4 - 3.

AYES: Lindy Brown, Vice Chair, Joe Bryan, Paul Coble, Tony Gurley  
NOES: Harold H. Webb, Chairman, Stan Norwalk, Betty Lou Ward

Chairman Webb asked Mr. Warren how the motion should be divided for consideration. Mr. Warren responded that it should be at the board's preference or he could make suggestions. Commissioner Norwalk said the motion was to initiate a process by which the County Manager would bring a list back to board with a list of additional revenue or costs. He stated the County Manager provided his first budget proposal and no other proposals. He wanted to amend the proposed budget, from a list of proposed cuts or additional revenues provided by the Manager, such as the same way the Manager asked of the department heads.

Commissioner Norwalk said Commissioner Gurley's comments were misleading when saying he had added \$28 million back to the budget. The intention was for the \$20 million to be placed in a reserve account which would be put back in the budget once the state takes action on its budget.

Chairman Webb called for a ten minutes recess. He stated public comments would be held after the budget item was completed.

Motion to take the two paragraphs on the first page as stated: "Accordingly, I move that the proposed operating and capital budgets be amended by \$8.92 million in reduced operating and capital expenses and increased operating revenues. Further amendments will be used to establish a temporary reserve. These amendments shall be selected by the County Manager from the list specified below.

Moved by Stan Norwalk, seconded by Betty Lou Ward.

These amendments will be used to increase the budgets for Wake County Public Schools System, Human Services and libraries as noted below. Additions to the temporary reserve, whose magnitude will be determined no later than the last day of June, shall be established. This reserve will be reallocated by the Board of Commissioners in 2010 after the state completes its budget and the impact on the County, Wake Tech and Wake County Public School System is determined." and the paragraph that reads, "The County Manager will present his proposed amendments to the Board of Commissioners in rank priority order. The Board of Commissioners will determine the amount to be used to fund the temporary reserve by Monday, June 22."

Chairman Webb called the meeting back to order. He said reported he had spoken with the County Attorney about how to proceed on this motion and then recognized Commissioner Norwalk who wished to make an amendment to the motion.

Commissioner Coble asked if this was an amendment to Commissioner Bryan's motion which Chairman Webb agreed that was the intention of the amendment. Commissioner Coble asked Commissioner Bryan if he accepted this amendment to his motion. Commissioner Bryan did not accept the amendment to his motion. He said he wanted to discuss the whole two and a half pages of motion and hoped that this amendment was not an attempt to limit public debate.

Commissioner Coble stated the amendment to the motion is not appropriate so voting on it is inappropriate. He added that the amendment was contrary to the original motion and the amendment was not accepted by Commissioner Bryan as an amendment to his motion so it should not be voted on as stated. Mr. Warren said his opinion was that the original motion (Commissioner Norwalk's motion) was so complex that Commissioner Norwalk, the originator,

was putting forth a simpler version of the original motion which would take away the need for Commissioner Bryan's motion to divide the complex motion for discussion.

Commissioner Ward stated this was a tough year for services and those seeking services. She said Commissioner Norwalk had brought forth something for the board to consider but to redo what the board had already done last week makes it worse. She agreed that the public has a right to see and hear the discussion but she suggested the board consider what was needed to move things along so they can adopt a budget. She said she was available to meet next Monday. Commissioner Gurley discussed the commissioners had not received the proposed motion prior to it being read in the meeting and there was not enough time to review the motion prior to its consideration.

Chairman Webb spoke of how commissioners receive motions in the meetings frequently. Commissioner Gurley read the first paragraph stating that the "amendments to the budget were to be selected from the specified list below" however the list below is not part of the motion. Then on the second paragraph it reads "These amendments will be used to increase the budgets for WCPSS, Human Services and libraries as noted below." but the motion does not include the items noted below. He continued stating that the second paragraph of the motion reading "Additions to the temporary reserve, whose magnitude will be determined no later than the last day of June 20th (referring to the \$20 million reserved proposed in the work session on June 8th), shall be established. This reserve will be reallocated in 2010 (which is six months from this date) after the state completes its budget and the impact on the County, Wake Tech and WCPSS is determined." Commissioner Gurley expressed great concern of the wording of the motion as it was written to fund the county for the next month.

Commissioner Norwalk clarified the timeframe he referred to in the motion was intended to be Fiscal Year 2010 which begins July 1, 2009. Commissioner Gurley said the motion refers to "lists below" but the actual lists were not included in the motion for consideration. Commissioner Norwalk stated the motion was intended to instruct the County Manager to bring a list of his recommendations back to the commissioners for consideration for funding the increases. Commissioner Gurley questioned the legality of the motion.

Commissioner Bryan asked the County Attorney if this motion was a legal motion. Mr. Warren said as the motion is stated it needs to be amended or items listed should be incorporated into the motion or amendment. He stated the language referring to the list should be removed or the lists should be incorporated into the motion. He stated the motion as currently stated was not a legal motion.

Motion to amend the motion to incorporate the two lists, referring to Potential Reductions from the CIP and Potential Amendments to the Operating Budget, in order for the motion to be a legal motion for consideration. Moved by Betty Lou Ward. Commissioner Bryan offered a second to the motion offered by Commissioner Ward stating that would include the original motion in its entirety.

Commissioner Norwalk said the lists include "other proposed amendments by the County Manager" and it was not his intention to restrain the Manager in any way but to have him bring a list of revenue areas or cuts in revenue from the capital budget. He said he just wanted to see a list from the County Manager for the Board to debate.

Chairman Webb asked for the County Attorney's opinion on this motion. Mr. Warren said Commissioner Ward's motion would take the action back to the original motion to discuss the whole motion.

Commissioner Norwalk asked the Manager to define the language "other" in the budget.

Commissioner Bryan said the county has a professional county manager who spent a significant amount of time meeting with department heads, deliberating and making efforts to create and provide a compassionate very well-balanced budget and is waiting to move forward with direction from this board which he hoped would start today.

Vote on Betty Lou Ward's motion to amend the motion to incorporate the two lists, referring to Potential Reductions from the CIP and Potential Amendments to the Operating Budget, in order for the motion to be a legal motion for consideration was approved with a vote of 5 - 2.

AYES: Lindy Brown, Vice Chair, Joe Bryan, Paul Coble, Tony Gurley,  
Betty Lou Ward  
NOES: Harold H. Webb, Chairman, Stan Norwalk

Chairman Webb identified the paragraphs in the motion for purpose of discussion as follows:

**PARAGRAPH #1**

Accordingly, I move that the proposed operating and capital budgets be amended by \$8.92 million in reduced operating and capital expenses and increased operating revenues. Further amendments will be used to establish a temporary reserve. These amendments shall be selected by the County Manager from the list specified below.

**PARAGRAPH #2**

These amendments will be used to increase the budgets for WCPSS, Human Services and libraries as noted below. Additions to the temporary reserve, whose magnitude will be determined no later than the last day of June, shall be established. This reserve will be reallocated by the Board of Commissioners in 2010 after the State completes its budget and the impact on the County, Wake Tech and WCPSS is determined.

The following pay-as-you-go funds (PAYGO) in the CIP and transfers from the General Fund shall be considered for reductions by the County Manager:

**PARAGRAPH #3**

Potential Reductions from the CIP:

- up to a 20% reduction in Automation (\$724K);
- delaying the reclaimed water project (\$700K);
- the County Manager will consult with the Superintendent of WCPSS and determine if one or more schools can be delayed (projected savings of \$14 million in PAYGO funds);
- minor building projects shall be cut up to 20% (\$240K);
- major building renovations shall be reduced up to 20% (\$392K);
- "other" in detention facilities shall be eliminated (\$3 million);
- The Northeast Regional Library shall be delayed by up to one year (\$3,659 million in authorized, unissued debt and \$378,000 in operating costs);
- up to 20% of existing park improvements shall be reduced (\$50,000); the Randleigh Farm master plan shall be delayed one year (\$300K);
- transfers from the general fund portion of the financing for Wake Tech Public Safety Center shall be delayed one year- leaving \$10.3 million to initiate the project (\$2,615 million);
- the transfer from the general fund for Phase II of Wake Tech's Health Sciences building shall be delayed for one year leaving over \$18 million to initiate the project (\$5,147 million);
- Multi-material drop off convenient centers shall be delayed one year (\$800K from fund balances);
- Other proposed amendments by the county manager.

#### **PARAGRAPH #4**

##### Potential Amendments to the Operating Budget

- Eliminate up to 50 unfilled positions (ex human services) in the proposed 2010 budget. (\$1 million)
- Delay opening of the Leesville Library until Oct.1, 2010 (\$156K);
- Initiate a “Keep Our Libraries Strong” voluntary donation program (targeted contributions of \$200K from 380,000 active card holders);
- Delay the revision of the Transportation Plan and associated consulting fees (\$200K);
- Delay opening of the animal shelter for one month (\$27K);
- Reduce parks and recreation budget by one FTE (\$50K);
- Eliminate the Budget Reserve in General Services (\$3 million);
- Raise landfill tipping fees up to 10%; (\$700K to be shared by SW Landfill Partners);
- Other proposed amendments by the county manager.

#### **PARAGRAPH #5**

The County Manager will present his proposed amendments to the BOC in rank priority order. The BOC will determine the amount to be used to fund the temporary reserve by the last day of June, 2009. If an agreement on a balanced budget is not reached by the end of June, the County Manager will produce an interim operating budget with a 2% across the board reduction from the current proposal (ex Human Services and Education) - but no less than the amount needed to cover payroll and debt service.

#### **PARAGRAPH #6**

The BOC will select funds from the ~\$25 million of amendments that shall be used as follows:

- \$5.6 million added to the Human Services budget to match last year’s spending level and reacting to higher demands for services;
- \$3.3 million to WCPSS for teachers, matching their restrained request that did not allow for growth or inflation;
- \$212,000 to keep Athens Drive Public Library open.
- An amount, no greater than \$16 million, to be used as a temporary reserve.

This reserve will be reallocated for the 2009-10 operating and CIP budgets no later than eight weeks after the State budget is signed. In these difficult financial times, we must set priorities. With an increasing demand on human services, and the importance of education to Wake County’s future, this amendment is the least we should do. Also, Athens Drive Library serves students, job seekers and other citizens in one combined facility. Rather than shut it down, it should be a model for future joint-use libraries. To do so because it is as easy as cancelling a contract with the school system is irresponsible. The 2009-10 Budget is being set in the midst of the most uncertain economic times this County has faced in decades. As noted by the County Manager, the biggest uncertainty is what the state will do to impact our budget. Accordingly a temporary delay in fully allocating available revenues is part of this proposal. In passing this motion, the BOC recognizes that deferring the construction of needed facilities to serve critical needs involving hunger, public health, jobs and the education of Wake’s children has implications. Namely, the County will need added revenues in future years. Now more than ever, it is important we lead, not political grandstand. This amendment represents that, and I pray my fellow commissioners will join me.

Chairman Webb apologized to people waiting to speak for this time consuming process. Commissioner Norwalk suggested the agenda be amended to allow citizens to speak.

Commissioner Coble stated several items on the agenda cannot be addressed by the board until the FY 2010 budget is adopted. He stated the board needed to deal with the budget or adjourn the meeting.

Chairman Webb stated there would be a temporary delay in the budget deliberations to allow for public comments by the citizens who signed up to speak.

### **Public Comments:**

Mr. George Edwards Jones, 1304 Hedgelawn Way, Raleigh, said government should be limited and taxes should be low. He spoke of the citizens' constitutional right which is being violated everyday by county and state politicians by not spending tax money wisely. He spoke of elected officials are supposed to provide basic services; government has grown to scheme, organize, lobby and scam money from taxpayers; mess at NCSU; Democrats urge new taxes; and the \$800 million shortfall that state wants to put back on the citizens. He commended the County Manager for the reduction of the Wake County Planning Manager's position thereby saving \$123,000 in salary. He said to dig deeper, cut more jobs, give taxpayers back the fruits of their labor.

Mr. Russell Capps, 7204 Halstead Lane, Raleigh, representing the Wake County Taxpayers Association, said he came to commend the County Manager on the job on the budget. He said if there are people who would like to pay more taxes, give them an opportunity but there are so many people who do not a job and cannot pay taxes. He suggested the board stick with Manager's budget proposal and turn down any amendments to increase taxes or cut services.

Commissioner Gurley said he signed up on the public comments because he wanted to assure he had a chance to speak. He asked to reserve his three minutes for later. Chairman Webb said he would be allowed to speak later.

Commissioner Coble said since Commissioner Bryan's motion is back on the table for consideration he would hold his comments for later.

Commissioner Ward suggested commissioners who sign up to speak under public comments should go to the podium and speak at the microphone. She asked for the County Attorney's ruling on the commissioners speaking during public comments.

Mr. Warren stated the Chairman is the parliamentarian for the board and he deferred to Chairman Webb. Chairman Webb ruled that Commissioner Gurley and Commissioner Coble should use their three minutes to speak at this time during public comments.

Commissioner Gurley said Commissioner Norwalk's proposal is a waste of time and if the majority of this board wants to raise taxes, which is what the board is doing by spending money the county does not have, then make a motion to raise taxes. He said there is plenty of wasteful spending in the budget as well that can be cut. Spending \$75,000 on an African American Cultural Festival which was voted on during the work session is a waste of money. There are plenty of opportunities to meet the needs with Manager's budget. He urged adoption of the Manager's budget and quit pretending the county can print money like the federal government. The money has to come from somewhere and if increasing the budget then there will have to be an increase in taxes.

Chairman Webb said he disagreed with some of Commissioner Gurley's comments.

Commissioner Coble declined to speak his time. The reason he signed up was he anticipated that there would be a pre-determined motion wanted time to

discuss it. In light of Commissioner Bryan's motion, he assumed he would be given a chance to speak.

Discussion continued between Commissioners Coble and Ward about the process for the motion that was proposed, the process for adopting the budget and the need for public visibility around the discussion of this budget.

Commissioner Norwalk suggested there was plenty of time to have additional meetings with full television access. It was never his attempt to push through a budget without public debate.

Ms. Octavia Rainey said she was disappointed that an amendment to the budget has been presented. The Manager presented a good budget. The budget is fair and Board of Commissioners should be able to adopt it. She stated that as a taxpayer have not seen this amendment. She spoke of her niece who lost her job and the family is pitching in to help her. They do not want to pay more property tax. The Manager's budget was based on fair cuts and the taxpayers were given an opportunity for input into the process. She hoped the board would move not forward on amendment that people have not seen and placing a burden on the citizens. They should be worrying about Fiscal Year 2011.

Ms. Alissa Buma, Upper Neuse Riverkeeper, asked the board to consider leaving in the two positions at Soil and Water that are scheduled for reduction. They are people that take care of investments already made in this county and they take tax burden off of the citizens by providing environmental responsibility. She said they pay for themselves. Water has been an issue here and these two positions are invested in making sure citizens have access to water. She said the county cannot afford to have water quality and natural resources cut now.

#### **CONTINUED BUDGET DELIBERATIONS**

Commissioner Gurley asked if the Manager was bound by the votes in the work session. If votes are rescinded from last week, the outcome it may be different. Mr. Warren stated that by the first motion in the work session being reconsidered, by the second motion, the Manager would not be bound by what occurred in the work session. Chairman Webb said he disagreed with this decision.

Mr. Cooke said in moving forward staff will need direction because the motion indicates a need for additional revenue but with no tax increase. He asked for parameters for working with staff to bring back a budget that would be approved by the majority of the board. In addressing the motion, he would first separate the reserve from the permanent increases in the operating budget.

Mr. Cooke's commented on establishment of a reserve fund as follows:

- State is a wild card. - may need money to react to actions taken by the state. There is \$22.5 million in the county's cash capital program: \$15 million for school system and \$10.7 million for Wake Technical Community College. If creating a reserve, create if from cash capital projects by stopping or postponing projects as discussed in the June 8th work session.

-The capital budget already stands as the reserve because not all capital projects will be awarded within the first three months but all three categories are budgeted for the full year. Not all those funds will be used.

-If the board wants to be in a position to react to an emergency from the State on funding, he would put a freeze on the capital program as was done last year in quick response to the slowing of the economy. He said the county would work with the schools and Wake Tech to further restrain their capital

programs. The question is whether to have those discussions now or wait until the state adopts a budget.

If a reserve is created from the cash capital projects, it is different when those funds are used.

Mr. Cooke spoke to each item on the Potential Reductions from the CIP. He described each area and what was included in those funds.

Automation - (\$724K) - technology infrastructure delayed or delay purchases (large systems, enterprise infrastructure, computer equipment reduced, aerial photography done on 5-year cycle, and business applications) - contracts will not be appropriated within first 3 months or may decide not to appropriate the funds.

Already delayed Reclaimed Water Project- (\$700K)

WCPSS capital program is already restrained and been discussed with Superintendent Burns. January to March time frame some could allow some funds to be put on reserve. The Board of Education has approved a delay in the capital program. Wake Forest Rolesville High School would be the logical program to delay. (\$15 million)

Minor Building Renovations (20% reduction: \$240K) are done based on life cycle, and not all contracts will be let in first three months. He would have to provide a list from General Services on the minor building renovations.

Mr. Cooke said he was assuming these projects are delays and the money would be put back into those programs at a later date, such as reclaimed water has a payback. This project should be done eventually.

Commissioner Bryan asked Mr. Cooke to explain if these are one-time delays and the project would be done at some time or are they permanent cuts.

Commissioner Norwalk asked for a list of the projects that could be delayed or part of the decision once the state adopts their budget. Mr. Cooke stated that projects that have the best returns should be used. He stated the reclaimed water project at Sunnybrook may have a payback. He said the project may be delayed but it needs to be done. He stated on the technology projects, if delayed the county will have to catch up. Commissioner Bryan said the savings from the delay of the reclaimed water project would be not \$700,000 as budgeted but the 4% or \$28,000 in interest or cost savings.

Commissioner Norwalk said the projects with the quickest paybacks should be the ones the county does and set aside the projects with long paybacks. He said the Manager stated his support of the automation projects and the reclaimed water which would have to be invested in eventually. He stated he disagreed with Commissioner Norwalk's statement.

Mr. Cooke said all of these capital funds are appropriate for a reserve but if these funds are used for a different purpose, then the board would have to find the funds to replace them.

Mr. Cooke continued with the potential reductions from the CIP:.

Major Building Renovations (20% reduction, \$392K) included: Wake County Office Building Domestic Water Riser replacement system, installation of controllers at the Public Safety Center, life cycle replacement of central plant equipment at Swinburne, partial funding of renovations at Swinburne, fire alarm and electrical system upgrades at the Health and Youth Services Center, and design funds for exterior wall restoration at the Wake County Office Building.

Other Detention Facilities (\$3 Million) - Funded by Federal Stimulus Funds for energy conservation

Northeast Regional Library be delayed by up to one year, \$3,659,000 in authorized, unissued debt and \$378,000 in operating costs. Mr. Cooke stated libraries have been delayed, bond funds have already been issued and the additional operating expenses could be delayed.

Park improvements 20% - (\$50,000) a list of how those funds are used each year would need to be provided.

Randleigh Farm - would have to go to City of Raleigh since it is a partnership.

Delay Wake Tech Public Safety Center - leaving \$10.3 million to initiate the project (\$2,615,000) and transfer from general fund Phase II of Wake Tech's Health Sciences building be delayed for one year leaving over \$18 million to initiate the project (\$5,147 million) - Mr. Cooke had not had a chance to talk with Dr. Scott about the impact of these changes such as the parking deck that is already under construction.

Solid Waste funds - multi-material drop off convenience centers shall be delayed one year (\$800K from fund balance). Mr. Cooke reported the Board of Commissioners made a decision not to put solid waste funds into the general fund, so that would be a policy decision for the board. There are two funds: a partnership fund for the co-management of the South Wake Landfill and the transfer station and the other solid waste fund for the closure of the North Wake Landfill Center and is used for convenience centers, hazardous waste material collection, and the primary revenue source is the \$20 per household fee. The one with an existing fund balance is the old solid waste fund and there are strategies for moving multi-material programs forward in the future.

Mr. Cooke said the decision is whether to create a reserve fund and wait to see what the state does with its budget or appropriate funds to the capital program and re-visit those projects if the funds are needed. He said if the county uses one-time monies for one time purposes that will work but if using one-time funds for permanent programs, then there needs to be a strategy for how to generate the funds in the next fiscal year.

Mr. Cooke said the motion to add \$9 million to the budget including \$5.6 million to Human Services, \$3.3 million to WCPSS and \$212,000 to Athens Drive Library is why he needs to know what funds are available for him to use to balance the budget.

Mr. Cooke said from the work session on Monday, the areas that can have no further reductions include: Operating funds for WCPSS and Wake Technical Community College, Human Services, Public Safety, and Libraries. Other areas that cannot be cut are debt service, risk management - cost of claims, transfer from General Fund to Revaluation Reserve and Medical Examiner which totaled \$822,544,490 or almost 87% of all the money the county spends.

Mr. Cooke then reviewed further reductions which is one-time cash in the capital program in a total of \$48,190,000. All other county departments leave \$82,865,510 (\$105,000 identified 6/8/09) for a total available of \$131,055,510. The remaining departments are the only source for more reductions. He shared the chart of reductions that had already been made in each of the remained departments which totaled 9.1% of \$82,865,510 budgeted to provide the funds for the increased funding proposed for WCPSS, Human Services and Athens Drive Library. This area of reductions includes personnel and non-departmental areas.

Mr. Cooke said there could be an elimination of more positions but Public Safety has been taken out of consideration for reductions. There could be some reductions in the non-departmental area of the budget. The budget does include 11 new positions for animal shelter expansion. The opening of

Leesville library could be delayed as well as hiring of staff. Commissioner Coble asked if this would not put the citizens in the his district without a library because of the closing of Duraleigh Library and the delay of opening Leesville Library or Duraleigh would need to continue to stay open. Mr. Cooke said the county would not close Duraleigh Library until Leesville Library was open.

Mr. Cooke said there is an organization "Friends of the Libraries" which raises funds for the libraries. Commissioner Norwalk spoke of the need for new stronger programs and voluntary contributions for the libraries.

Mr. Cooke reported the Transportation Plan is not funded in the budget. The other associated consulting is \$200,000 for the health insurance consultant and professional studies. There could be a delay in opening the animal shelter, but there is an agreement with Raleigh to start accepting their dogs July 1. Mr. Cooke said he could not address the impact of reducing parks and recreation budget by one fulltime position. He would have to get back with the board on this one.

Mr. Cooke reported that raise landfill tipping fees would have to be approved with the other partners. The county jointly operates the landfill with municipal partners. If the tipping fees are raised, people may take their trash to other landfills. Commissioner Gurley said Wake County competes with other landfills and if fees go up, they may take trash to other landfills so revenue could actually go down. Mr. Cooke stated the county also competes with private transfer stations within the county. They will look at tipping fees versus transportation.

Mr. Cooke said there is \$3.0 million in the General Services Administration for the fleet budget, which are charged back to departments with vehicles.

Commissioner Bryan asked Mr. Cooke if the next to last paragraph of Commissioner Norwalk's motion, "In passing this motion, the Board of Commissioners recognizes that deferring the construction of needed facilities to serve critical needs involving hunger, public health, jobs and the education of Wake's children has implications. Namely, the county will need added revenues in future years." sets in place a tax increase? Commissioner Ward said she believed it was a given. Mr. Cooke said if the board increases funding to Athens Drive Library, Human Services and Schools that are permanent, then the county would be using one-time funding for serves. The only increasing revenue now is the property tax and only tax this board can increase the property tax.

Commissioner Norwalk said by this time next year, the county could have a quarter cent sales tax referendum or Mr. Cooke's forecast could be wrong.

Chairman Webb said there are "other items" in each category. He asked the Manager if there are areas not listed on the sheet. The Chairman said what was in the work session was not final but the Manager also said these items could not be included in proposed reductions. Mr. Cooke said all funds were available for reduction if that is the board's direction. Commissioner Norwalk said a lot of the money would have to come from the cash reserve from deferred capital projects. He asked the Manager to provide a list in priority order of construction or capital projects that can be deferred for three months. He said the reserve could then be set aside until the General Assembly adopts the state budget and the board could just address the increases for Libraries, Human Services and Wake County Public Schools.

Commissioner Bryan had some questions and then stated he wanted to make a motion. The Chairman also noted Commissioners Brown and Gurley had indicated they wanted to speak. Commissioner Bryan asked the attorney if a motion on the budget was allowed at this time. Mr. Warren said a motion would be in order once everyone has had an opportunity to speak at least once, a motion would be in order. Commissioner Bryan said once everyone had

spoken, he would like to make a motion. Chairman Webb recognized Commissioner Brown who said she was ready to make a motion. She said she had only spoken one time during the deliberations. Chairman Webb said he had seen another commissioner's hand raised to speak but would not rule her motion out of order. He said she could make her motion at the right time, which she questioned if this was not the right time. Chairman Webb said he had recognized Commissioner Gurley's request to speak and wanted to give him an opportunity to speak. Commissioner Gurley stated his comment may help clarify a motion.

Commissioner Gurley said since Commissioner Norwalk wished to set the reserve aside so the board could deliberate the other portion of the motion, the board could lay aside the reserve, by what Mr. Cooke said about the capital plan. Commissioner Gurley noted that Mr. Cooke said all the money that is budgeted in the capital program is not spent because there is a three month timeframe where money is not spent. He said the county effectively has a reserve fund and the board could approve the budget with the knowledge that those capital funds would provide the reserve when needed.

Chairman Webb said Commissioner Bryan had a motion, Commissioner Brown had a motion and he then recognized Commissioner Ward to speak since she had not made any comments. Commissioner Brown objected to not being recognized next to speak and make a motion stating she had only spoken once through the deliberations. Chairman Webb stated he knew she had a motion but before that Commissioner Bryan had said he wanted to make a motion. Chairman Webb said he wanted to give everyone an opportunity to speak before cutting off debate although he had agreed to come back to Commissioner Bryan to make his motion. Commissioner Brown asked for Mr. Warren's opinion. Mr. Warren said what he heard was Commissioner Brown had been recognized for a motion because she was given the opportunity to speak and was ready to make a motion. Mr. Warren, however, stated he deferred to the Chairman, who had the authority to make the decision. Chairman Webb said he had recognized Commissioner Brown to speak before he realized she wanted to make a motion. Commissioner Bryan said in an effort to help, he would defer to Commissioner Brown.

Lindy Brown, Vice Chair motioned to use one-time monies for the African American Cultural Festival that was addressed in the work session, the reclaimed water project, keep all libraries open this fiscal year, and allow the County Manager to determine where to fund the future costs for all libraries. The motion failed due to lack of a second.

Commissioner Ward asked the County Manager what he based his latest budget recommendation on. Mr. Cooke said this recommendation was based on conversations from the work session.

Commissioner Bryan motioned, seconded by Commissioner Brown, to approve the FY2010 budget ordinances that include the amendments made to the County Manager's recommended budget at Monday's work session with one additional change:

To continue the operation of the Athens Drive and Duraleigh Branch Libraries for at least one more year. This will require an additional \$592,000 in the FY2010 budget. The additional funds are partially offset by the \$105,000 savings from the African-American Cultural Festival with the balance of \$487,000 is recommended to come by increasing the one-time contribution from the capital projects fund from \$3.5 million to \$4 million.

Commissioner Bryan said that the board recognizes that this increases the amount of funds the Manager and staff will need to identify during the upcoming fiscal year in order to keep libraries open beyond this fiscal year. If the economy does not improve and/or the State of North Carolina takes actions that impact the County's finances, then we will need to revisit this decision to

keep the libraries open. This motion recognizes the financial challenges of today's economy and accomplishes many of the goals we established. Those were and are: to produce and approve a budget which does not place an additional strain on the taxpayers, by reducing the budget by \$30 million less than last year's budget, and not requiring a property tax increase; and, to approve a budget that reflects this board's priorities of Education, Public Safety, and Human Services. These priority areas received the smallest proportions of reductions in the budget.

Commissioner Norwalk asked if this motion excludes additional funds for WCPSS and Human Services. Commissioner Bryan said that it does exclude additional funding for schools and Human Services. He said it is the Manager's recommended budget with the changes from the work session. It allows that if the economy does improve, keeping libraries open and other directions could be considered in the future.

Commissioner Coble asked what the value or expense of keeping Duraleigh Library open. Mr. Cooke said he estimated that expense to be \$285,000. Commissioner Coble asked for clarification on the African American Cultural Festival funding, whether it was fully funded or funded at \$75,000. Commissioner Bryan said his motion appropriated the reduced amount of \$75,000 for the African American Cultural Festival as decided at the work session. The committee will be bringing back their work and they can revisit the funding as needed but there is substantial savings right now.

Commissioner Ward offered a friendly amendment, seconded by Commissioner Norwalk, to take the opportunity to look at additional funds for the Human Services Budget this year.

Mr. Warren asked Commissioner Bryan if he accepted Commissioner Ward's amendment to his motion. Commissioner Bryan spoke to Ms. Ward's amendment questioning the language, that it was an "opportunity" to provide additional funds for Human Services.

Commissioner Gurley stated that it is a practice of this board, to provide additional funding when available. He said two years ago the board went back and added over a \$2 million increase to the schools because of the increased enrollment. If sales tax increases or economy rebounds, the Board of Commissioners can look at areas thought to be underfunded and allocate additional funds in the middle of year.

Commissioner Ward asked to provide at least \$2.8 million for Mental Health as the amendment. Commissioner Bryan did not accept Commissioner Ward's amendment.

Chairman Webb asked for clarification on items that were voted on in the work session. He understood that all items considered at the work session were back on the table for consideration including the African American Cultural Festival.

Commissioner Coble called for the question.

At the Chairman's request, Commissioner Bryan restated his motion as follows:

Joe Bryan motioned, seconded by Lindy Brown, Vice Chair, to approve the FY2010 budget ordinances that include the amendments made to the County Manager's recommended budget at Monday's work session with one additional change:

To continue the operation of the Athens Drive and Duraleigh Branch Libraries for at least one more year. This will require an additional \$592,000 in the FY2010 budget. The additional funds are partially offset by the \$105,000 savings from the African-American Cultural Festival with the balance of \$487,000 is recommended to come by increasing the

one-time contribution from the capital projects fund from \$3.5 million to \$4 million.

The motion approved with vote 4 - 3.

AYES: Lindy Brown, Vice Chair, Joe Bryan, Paul Coble, Tony Gurley  
 NOES: Harold H. Webb, Chairman, Stan Norwalk, Betty Lou Ward

**OPERATING BUDGET ORDINANCE FOR FISCAL YEAR 2010**

**BE IT ORDAINED** by the Board of County Commissioners of Wake County, North Carolina:

**Section 1:** The following amounts are hereby appropriated in the General Fund for the operation of the County government and its activities for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

General Government:	
Board of Commissioners	\$ 454,851
County Manager	1,458,326
County Attorney	1,446,273
Board of Elections	2,647,128
Budget & Management Services	754,989
Facilities Design & Construction	1,145,326
Finance	2,983,924
Human Resources	2,185,147
Information Services	11,870,419
Register of Deeds	2,535,601
Revenue	5,107,959
Community Services	25,058,504
Environmental Services	8,012,025
General Services Administration	27,020,958
Human Services	227,474,402
Medical Examiner	200,000
Emergency Medical Services	18,246,031
Fire and Emergency Management	1,949,497
Emergency Communications	1,020,656
City-County Bureau of Identification	4,155,748
Sheriff	61,578,706
Education:	
Wake County Public Schools:	
Current Expense	311,373,608
Capital Outlay	<u>2,129,616</u>
Total	313,503,224
Wake Technical Community College:	
Current Expense	16,718,550
Lifelong Learning/Community Use of Schools	<u>295,000</u>
Total	17,013,550
Non-Departmental:	
Membership Agencies	500,968
Public Agencies	2,423,100
Non-Departmental Services	517,922
Health Benefits	2,541,000
Risk Management-Cost of Claims	3,238,075
Soil & Water Conservation District	420,691
Transfers:	
Transfer to County Capital Projects Fund	22,000,000
Transfer to Schools Capital Fund	15,000,000
Transfer to Debt Service Fund	157,595,000
Transfer to Revaluation Reserve	850,000
Transfer to Wake Tech Capital Fund	<u>10,690,000</u>
<b>TOTAL GENERAL FUND APPROPRIATION</b>	<b>\$ 953,600,000</b>

**Section 2:** It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Ad Valorem Taxes	\$ 626,761,300
Sales Tax	122,633,000
Lease/Rental Vehicle Tax	2,500,000
Payment in Lieu of Taxes	1,201,000
Real Property Transfer (Excise) Tax	6,500,000
Federal Shared Revenues	9,375,785
State Shared Revenues	113,148,292
Local Shared Revenues	3,221,900
Licenses and Permits	4,116,219
Charges for Services	62,026,882
Investment Earnings	58,954
Miscellaneous	678,668
Transfers from Other Funds	1,378,000
<b>TOTAL GENERAL FUND REVENUE</b>	<b>\$ 953,600,000</b>

Thirty percent (30%) of the proceeds from the local half-cent sales and use tax authorized July 1, 1984 under authority of Article 40 of the North Carolina General Statutes and sixty percent (60%) of the local half-cent sales and use tax authorized October 1, 1986 under the authority of Article 42 of the North Carolina General Statutes are hereby declared to be included in the appropriation for school capital outlay, capital projects, and/or school debt service.

**Section 3:** The following is hereby appropriated in the Debt Service Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010 for the purpose of paying debt service commitments:

Debt Service Principal, Interest and Fees	<u>\$ 195,824,000</u>
<b>TOTAL DEBT SERVICE FUND APPROPRIATION</b>	<b>\$ 195,824,000</b>

**Section 4:** It is estimated that the following revenue will be available in the Debt Service Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Transfer from General Fund – Ad valorem	\$ 129,874,000
Transfer from General Fund – Sales Tax	27,721,000
Transfer from Major Facilities Fund	991,000
Transfer from Fire Tax District	1,140,000
State Lottery proceeds	10,000,000
Interest Income	6,526,000
Appropriated Fund Balance	<u>19,572,000</u>
<b>TOTAL DEBT SERVICE FUND REVENUE</b>	<b>\$ 195,824,000</b>

**Section 5:** The following is hereby appropriated in the Solid Waste Management Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Operating Expenses	\$ 10,088,000
Transfer to General Fund	404,000
Transfer to Capital Projects Fund	2,220,000
	<hr/>
<b>TOTAL SOLID WASTE MANAGEMENT FUND APPROPRIATION</b>	<b>\$ 12,712,000</b>

**Section 6:** It is estimated that the following revenue will be available in the Solid Waste Management Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Disposal and License Fees	\$ 7,047,159
Intergovernmental Revenue	852,196
Sale of Recycled Materials	1,200,645
Investment Earnings	420,000
Appropriated Fund Balance	2,220,000
Transfer in from South Wake Landfill Fund	972,000
	<hr/>
<b>TOTAL SOLID WASTE MANAGEMENT FUND REVENUE</b>	<b>\$ 12,712,000</b>

**Section 7:** The following is hereby appropriated in the South Wake Landfill Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Operating Expenses	\$ 15,431,000
	<hr/>
<b>TOTAL SOUTH WAKE LANDFILL FUND APPROPRIATION</b>	<b>\$ 15,431,000</b>

**Section 8:** It is estimated that the following revenue will be available in the South Wake Enterprise Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Disposal and License Fees	\$ 15,431,000
	<hr/>
<b>TOTAL SOUTH WAKE LANDFILL FUND REVENUE</b>	<b>\$ 15,431,000</b>

**Section 9:** There is hereby levied a tax at the rate shown below, per one hundred dollars (\$100.00) valuation of property listed for taxes as of January 1, 2009, located within the Wake County portion of the Durham-Wake Counties Research Triangle Park Research and Production Service District for the raising of revenue for said district. The estimated total of valuation of property for the special district for the purpose of taxation is as follows:

	Assessed	
	Value	Tax Rate
Research & Production		
Service District	\$1,206,500,000	3.6 cents

There is hereby appropriated to the Durham-Wake Counties Research Triangle Park Research and Production service district from the net proceeds of this tax the amount for use by said district in such manner and for such expenditures as is permitted by law from the net proceeds of this tax, including a tax collection rate of two-tenths of one percent to be paid to Wake County for collecting the tax. The anticipated revenue from this tax rate is \$434,000. The actual net proceeds from the tax shall constitute the appropriation from said tax levy.

**Section 10:** The County Manager, or his designee, is hereby authorized to transfer appropriations within a Fund as contained herein under the following conditions:

- A) He may transfer amounts between appropriations within the same Fund. For transfers exceeding \$75,000 he shall make a report of the transfer to the Board of Commissioners at the next regularly scheduled meeting of the Board following the transfer.
- B) He may transfer amounts from the salary and benefits reserve to individual departmental appropriations following adoption of the budget in order to properly fund salary and benefit amounts within departments.

**Section 11:** The County Manager, or his designee, is hereby authorized to execute contractual documents under the following conditions:

- A) He may execute contracts for construction or repair projects that do not require formal competitive bid procedures.
- B) He may execute contracts for: (1) purchases of apparatus, supplies, and materials, or equipment which are within budgeted appropriations; (2) leases of personal property for a duration of one year or less and within departmental appropriations; (3) lease of personal property for more than 12 months if the annual expense is less than \$50K; and (4) service contracts within appropriations or contracts for 12 months or less.
- C) He may execute grant agreements to or from governmental units and other public, private, and non-profit organizations that are within budgeted appropriations, unless a grantor requires approval and execution by the Board of Commissioners.
- D) He may execute contracts, as the lessor or lessee of buildings, land, equipment, vehicles, heavy equipment and other property provided that such leases are of one-year duration or less and that funds therefore are within budgeted appropriations.
- E) He may, within budgeted appropriations, approve all change orders and amendments to contracts previously approved by the Board of Commissioners.

**Section 12:** The County Manager, or his designee, may authorize payment in an amount not to exceed \$100,000 in settlement of any liability claims against the County or against any of its officers or

employees as provided by Resolution of May 20, 1985 and Resolutions of October 6, 2003. The County Manager shall make quarterly reports to the Board of Commissioners of any such payments.

**Section 13:** There is hereby levied a tax at the rate of fifty-three and four-tenths cents (53.4¢) per one hundred dollars (\$100.00) valuation of property that is located within Wake County and listed for taxes as of January 1, 2009. The revenue from this source is included in "Ad Valorem Taxes" in Section 2 of this Ordinance.

This rate is based on an estimated total valuation of property, for the purpose of taxation, of one hundred seventeen billion, six hundred sixty-two million, two hundred and three thousand, two hundred and eighty-five dollars (\$117,662,203,285), which is 100% of the total assessed property tax valuation, and upon a collection rate of 98.50%.

**Section 14:** The Revenue Administrator of Wake County is hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Wake County Revenue Department in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Wake, and this order shall be a full and sufficient authority to direct, require, and enable the Revenue Administrator to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

**Section 15:** Operating funds encumbered by the County as of June 30, 2009 are hereby appropriated to this budget. Multiple year grants unexpended by the County as of June 30, 2009 are hereby appropriated to this budget.

**Section 16:** Funds provided by the State of North Carolina for disposal of white goods that are not spent as of June 30, 2009, are designated for future year expenditures on white goods programs and are hereby appropriated to the Solid Waste Management Fund budget.

**Section 17:** As authorized in Section 153(A)-102 of the North Carolina General Statutes, the following fees are hereby established, effective on July 1, 2009:

Pool Inspection Permit	\$184
EMS Bicycle Team	\$90 per hour
Water Sampling Fees:	
Arsenic (Total)	\$ 20
Bacteriological	\$ 25
Inorganics	\$ 50
Iron/Sediment	\$ 20
Herbicides	\$ 50
Lead (Elemental)	\$ 20
Nitrate/Nitrite	\$ 25

Nitrate Only	\$ 15
Pesticides	\$ 50
Selected Radionuclides	\$ 50
Trip Collection Fee	\$ 50
Volatile Organic Compounds	\$ 50
CCBI Services:	
Arrest Record Check	\$ 15
Fingerprints	\$ 15 for first card; \$ 5 each additional card
Photos	\$ 10
Tattoo Artist Permit:	
Annual Permit	\$ 300
Temporary Permit (per event)	\$ 100
Animal Control	
Bird Adoption	\$ 20
Cat Adoption	\$ 50
Cat (Senior) Adoption	\$ 30
Cat Boarding (per day)	\$ 6
Cat Quarantine	\$ 6 per day
Dog Adoption	\$ 70
Dog (Senior) Adoption	\$ 50
Dog Boarding (per day)	\$ 8
Dog Quarantine	\$ 8 per day
Ferret Adoption	\$ 45
Foster to Adopt Deposit	\$ 200
Guinea Pig Adoption	\$ 15
Microchip	\$ 10
Rabbit Adoption	\$ 60
Rabies Vaccination	\$ 5
Reptile Adoption	\$ 30
Rodent Adoption	\$ 10
Spay/Neuter Fee	\$ 50
Feline Immunodeficiency	*
Virus (FIV)/Feline Leukemia	*
Virus (FeLV)	*
Heartwork	*
Rescue Surgery Fee	*

*\* Fees vary and are based on the amount the County is liable for at the time of transfer.*

**Section 18:** The County Manager shall distribute copies of this Budget Ordinance as appropriate.

**ADOPTED this the 15th day of June 2009.**

HOUSING AND COMMUNITY REVITALIZATION PROJECT ORDINANCE

**BE IT ORDAINED** by the Board of County Commissioners of Wake County, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted:

**Section 1:** Projects are authorized as described in section 3, and involve a variety of affordable housing activities, including the Community Development Block Grant (CDBG) and HOME programs, funded from the U.S. Department of Housing and Urban Development, and other county and grant supported affordable housing initiatives.

**Section 2:** It is estimated that the following revenues will be available to complete those projects described in section 3:

Federal Shared Revenues	\$ 2,085,976
State Shared Revenues	65,000
Program Income	1,409,024
Transfer from Capital Improvement Fund	650,000
Transfer from General Fund	104,000
Total	\$ 4,314,000

**Section 3:** The following amounts are appropriated for the projects of the Housing and Community Revitalization Fund:

Fiscal Year 2010 HOME Program	\$ 932,440
Fiscal Year 2010 CDBG Program	1,943,379
CDBG Small Cities	65,000
Affordable Housing Activities	1,373,181
Total	\$ 4,314,000

**Section 4:** The Finance Director is hereby directed to maintain, within the Housing and Community Revitalization Fund sufficient detailed accounting records for each grant or project authorized.

**Section 5:** The Finance Director is directed to report annually on the financial status of each grant and the revenue received.

**Section 6:** Upon its adoption, this Housing and Community Revitalization Project Ordinance will become part of a multi-year special revenue fund for affordable housing projects, which include Community Development and HOME grants, State and County affordable housing programs funded in previous years. All funds are appropriated pursuant to section 13.2 of Chapter 159 of the General Statutes of North

Carolina; therefore, appropriations do not lapse at the end of the fiscal year and are available for duration of the project unless subsequently amended by Board action.

**Section 7:** Copies of this Housing and Community Revitalization Project Ordinance shall be filed with the County Manager and the Finance Director.

**ADOPTED this the 15th day of June 2009.**

**CAPITAL AREA WORKFORCE DEVELOPMENT FUND PROJECT ORDINANCE**

**BE IT ORDAINED** by the Board of County Commissioners of Wake County, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted:

**Section 1:** Projects are authorized as listed and described in Section 3 and Section 7, and involve a variety of workforce development activities, including the JobLink Centers career system, youth development activities, job training partnerships, and service to dislocated workers and companies facing layoffs and closures. The State and federal governments provide funds for all projects.

**Section 2:** It is estimated that the following revenues will be available to complete those projects listed in Section 3:

Federal Shared Revenues	\$ 3,686,440
Contingency for Anticipated Federal Shared Revenues	<u>313,560</u>
TOTAL	\$4,000,000

**Section 3:** The following amounts are appropriated for the projects of the Capital Area Workforce Development Fund:

Fiscal Year 2010 CAWD Program	\$ 3,686,440
Contingency for Anticipated Federal Shared Revenues	<u>313,560</u>
TOTAL	\$ 4,000,000

**Section 4:** The Finance Director is hereby directed to maintain, within the Capital Area Workforce Development Fund, sufficient detailed accounting records for each grant or project authorized.

**Section 5:** The Finance Director is directed to report annually on the financial status of each grant and the revenue received.

**Section 6:** The County Manager is authorized to transfer appropriations between projects within the Capital Area Workforce Development Fund.

**Section 7:** Upon its adoption, the Capital Area Workforce Development Fund will become part of a multi-year special revenue fund for workforce development activities, which include enhancing a workforce system that is responsive to local needs, connects private and public resources, enables individuals to attain and upgrade skills necessary for gainful employment, and assists businesses in maintaining a skilled workforce to compete in a global economy. All funds are appropriated pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina; therefore, appropriations do not lapse at the end of the fiscal year and are available for duration of the project unless subsequently amended by Board action.

**Section 8:** In the event that net revenues from federal shared revenues exceed the appropriation, the actual net revenues received from that source will constitute the authorized appropriation.

**Section 9:** Copies of this Capital Area Workforce Development Fund ordinance shall be filed with the County Manager and the Finance Director.

**ADOPTED this the 15th day of June, 2009.**

**FIRE TAX DISTRICT FUND ORDINANCE**

**BE IT ORDAINED** by the Board of County Commissioners of Wake County, North Carolina:

**Section 1:** It is estimated that the following revenue will be available in the Fire Tax District Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Ad valorem taxes	\$20,285,000
Other (sale of apparatus)	<u>46,000</u>
TOTAL	\$ 20,331,000

**Section 2:** The following amount is hereby appropriated in the Fire Tax District Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Contracted Services	\$15,803,167
Other Operating Expenses	\$1,087,833
Transfer to Debt Service Fund	\$1,140,000
Transfer to Fire Tax District Capital Fund	<u>\$2,300,000</u>
TOTAL	\$20,331,000

**Section 3:** There is hereby levied a tax at the rate of eight cents (\$0.08) per one hundred dollars (\$100.00) valuation of property listed for taxes as of January 1, 2009, located within the single special fire tax district for the raising of revenue for said special fire tax district. This rate is based on an estimated total valuation of property within the single special fire tax district, for the purpose of taxation, twenty-six billion, one hundred eleven million, nine hundred eighty-six thousand, one hundred twenty-five dollars (\$26,111,986,125) which is 100% of the total assessed property tax valuation, and upon a collection rate of 97.3% and upon a collection fee of 0.2%.

**Section 4:** The Finance Director is hereby directed to maintain, within the Fire Tax District Fund, sufficient specific detailed accounting records.

**Section 5:** The Finance Director is directed to report annually on the financial status of this Fund.

**Section 6:** There is no tax levied in the following fire districts: Alert, Bayleaf/Six Forks, Durham Highway, Falls, Furina, Garner, Hipex, Holly Springs, Hopkins, Morrisville, Rolesville, Stony Hill, Swift Creek, Ten Ten, Wake New Hope, Wakelon, Wakette, Wendell Holmes, Western Wake.

**Section 7:** The County Manager shall distribute copies of this ordinance as appropriate.

**ADOPTED this the 15<sup>th</sup> day of June, 2009.**

### **GRANTS AND DONATIONS PROJECT ORDINANCE**

**BE IT ORDAINED** by the Board of County Commissioners of Wake County, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted:

**Section 1:** Projects are authorized as appropriated in section 3, and involve a variety of community development, public health, social service, and public safety activities. Funds come from State and federal grants, donations, State and federal forfeiture funds, and Wake County appropriations.

**Section 2:** It is estimated that the following revenues will be available to complete those projects described in section 1:

Federal Shared Revenues	\$1,105,570
State Shared Revenues	1,629,482
Local Shared	557,633
Charges for Services	304,300
Appropriated Fund Balance	120,000
Transfer from General Fund	<u>145,015</u>
TOTAL	\$3,862,000

**Section 3:** The following amounts are appropriated for the projects of the Grants and Donations Fund:

Grants	\$3,562,000
Use of Forfeiture Proceeds	300,000
Transfer to County Capital Projects Fund	<u>120,000</u>
TOTAL	\$3,862,000

**Section 4:** In the event that net revenues from an individual donation or forfeiture source exceed the appropriation, the actual net revenues received from that source will constitute the authorized appropriation. The appropriation for projects funded by State and federal grants and business investment grants shall be set by the Board of County Commissioners.

**Section 5:** The Finance Director is hereby directed to maintain, within the Grants and Donations Fund, sufficient detailed accounting records for each grant or project authorized.

**Section 6:** The Finance Director is directed to report annually on the financial status of each grant and the revenue received.

**Section 7:** Upon its adoption, the Grants and Donations Fund will become a multi-year special revenue fund for non-recurring activities. All funds are appropriated pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina; therefore, appropriations do not lapse at the end of the fiscal year and are available for duration of the project unless subsequently amended by Board action.

**Section 8:** Copies of this ordinance shall be filed with the County Manager and the Finance Director.

**ADOPTED this the 15th day of June 2009.**

### **MAJOR FACILITIES FUND ORDINANCE**

**BE IT ORDAINED** by the Wake County Board of Commissioners, that the following budget ordinance for the Major Facilities Fund is hereby adopted:

**Section 1:** It is estimated that the following revenues will be available to fund those projects described in Section 2:

Occupancy Tax	\$ 13,806,000
Prepared Food & Beverage Tax	18,674,000
Appropriated Fund Balance	<u>832,000</u>
TOTAL	\$ 33,312,000

**Section 2:** The following amounts are appropriated for projects of the Major Facilities Fund:

City of Raleigh Hold-back from Occupancy Tax Proceeds	\$ 680,000
Town of Cary Hold-back from Occupancy Tax Proceeds	670,000
Allocation to the Greater Raleigh Convention & Visitors Bureau	3,595,000
Allocation to the City of Raleigh for Discretionary Projects	1,000,000
Transfer to Debt Service Fund for Debt on Five County Stadium	991,000
Allocation for Construction of the New Convention Center	13,987,000
Operating Support for the Centennial Authority	1,907,000
Centennial Authority Facility Improvements	1,000,000
North Carolina Museum of Art	1,000,000
St. Augustine's	100,000
Debt Service on the RBC Center Construction	5,208,000
Green Square	700,000

Contingency for Centennial Authority Facility Improvements	500,000
Transfer to General Fund, Admin. Fee for Occupancy Tax	414,000
Transfer to General Fund, Admin. Fee for Prepared Food & Beverage Tax	560,000
Transfer to County's CIP Fund for Major Facilities Projects	<u>1,000,000</u>
TOTAL	\$ 33,312,000

**Section 3:** Contingency funds in the amount of \$500,000 for the Centennial Authority will be paid subject to sufficient fund balance projections in the Major Facilities Fund, pursuant to the 13<sup>th</sup> Amendment to the Revised Interlocal Agreement between Wake County and the City of Raleigh relating to Room Occupancy and Prepared Food and Beverage Tax revenues.

**Section 4:** The Finance Director is hereby directed to maintain, within the Major Facilities Fund, sufficient specific detailed accounting records for each project authorized and to report annually on the financial status of this Fund.

**Section 5:** In the event that the actual proceeds from the tax levy of the Occupancy and Prepared Food/& Beverage taxes exceed the appropriated amount, the actual net proceeds as distributed according to the enabling legislation and interlocal agreements shall constitute the appropriation from said levy.

**Section 6:** Copies of this ordinance shall be filed with the County Manager and Finance Director.

**ADOPTED this the 15th day of June 2009.**

#### **REVALUATION RESERVE FUND PROJECT ORDINANCE**

**BE IT ORDAINED** by the Board of County Commissioners of Wake County, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted:

**Section 1:** Projects are authorized as appropriated in section 2, and involve a variety of activities associated with the revaluation of property. Funds are transferred from the Wake County General Fund.

**Section 2:** The following is hereby appropriated in the Revaluation Reserve Fund for the purpose of conducting a revaluation of real property within Wake County:

Revaluation Expenses	\$	850,000
		<hr/>
TOTAL REVALUATION RESERVE FUND APPROPRIATION	\$	850,000

**Section 3:** It is estimated that the following revenue will be realized in the Revaluation Reserve Fund to complete the project described in Section 7:

Transfer from General Fund	\$	850,000
		<hr/>
TOTAL REVALUATION RESERVE FUND REVENUE	\$	850,000

**Section 4:** The Finance Director is hereby directed to maintain, within the Revaluation Reserve Fund, sufficient detailed accounting records for each grant or project authorized.

**Section 5:** The Finance Director is directed to report annually on the financial status of the revenue received.

**Section 6:** The County Manager is authorized to transfer appropriations between projects within the Revaluation Reserve Fund.

**Section 7:** Upon its adoption, this Revaluation Reserve Fund will become part of a multi-year special revenue fund for funding activities associated with the revaluation of property that occurs every eight years. All funds are appropriated pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina; therefore, appropriations do not lapse at the end of the fiscal year and are available for the duration of the project unless subsequently amended by Board action.

**Section 8:** In the event that net revenues exceed the appropriation, the actual net revenues received from that source will constitute the authorized appropriation.

**Section 9:** Copies of this Revaluation Reserve Fund Ordinance shall be filed with the County Manager and the Finance Director.

**ADOPTED this the 15th day of June 2009.**

**CAPITAL IMPROVEMENT FUND PROJECT ORDINANCE**

**BE IT ORDAINED** by the Board of County Commissioners of Wake County, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted:

**Section 1:** The following amounts are hereby appropriated in the County Capital Projects Fund by Element, Program, and if applicable by Project for the construction and acquisition of capital assets for the fiscal year beginning July 1, 2009:

Element:	Affordable Housing	
Program:	Transfer to Housing and Community Revitalization Fund	\$ 650,000
	<b>TOTAL AFFORDABLE HOUSING</b>	<b>650,000</b>

Element:	Automation	
Programs:	Business Applications	150,000
	Computer Equipment	913,000
	Enterprise Infrastructure	1,562,000
	Major Projects	
	Projects:	
	E-Wake	250,000
	Aerial Photography	500,000
	Property Tax System	100,000
	Developmental Disability Database Conversion	

	Subtotal Major Projects	150,000
		<hr/> 1,000,000
	TOTAL AUTOMATION	<hr/> 3,625,000
Element:	Community Capital	
Programs:	Alliance Medical Ministry	250,000
	Hospice of Wake County	250,000
	TOTAL COMMUNITY CAPITAL	<hr/> 500,000
Element:	County Building Improvements	
Programs:	Animal Shelter	1,700,000
	Mental Health Continuum of Care	2,500,000
	Building Improvements	
	Projects:	
	Security Improvements County Buildings	232,000
	Mechanical, Electrical, and Plumbing Projects	888,000
	Roofing Projects	56,000
	Minor Building Renovations	1,200,000
	Facility Condition Assessment	110,000
	Public Safety Controllers	120,000
	Swinburne Central Plant Equipment	775,000
	Swinburne Renovations	100,000
	Health and Youth Services Center	316,000
	Wake County Office Building Domestic Water	525,000
	Agricultural Services Center	30,000
	Subtotal Building Improvements	<hr/> 4,352,000
	TOTAL COUNTY BUILDINGS	8,552,000
Element:	Criminal Justice	
Programs:	Justice Center Complex	1,211,000
	General Criminal Justice	
	Projects:	
	Detention Security Systems	241,000
	Existing Courthouse Improvements	2,379,000
	Criminal Courts Displacement	<hr/> 772,000

	Subtotal General Criminal Justice	3,392,000
	TOTAL CRIMINAL JUSTICE	4,603,000
Element:	Economic Development	
Programs:	Economic Incentives	
	Projects:	
	Credit Suisse	138,000
	Off-Site Water and Sewer	
	Projects:	
	RTP Off-Site Infrastructure	30,000
	TOTAL ECONOMIC DEVELOPMENT	168,000
Element:	Parks	
Programs:	Existing Park Facility Improvements	250,000
	Community Use of School Parks	300,000
	Randleigh Farm	300,000
	TOTAL PARKS	850,000
Element:	Program-wide Projects	
Programs:	Transfers to Other Funds (Wake Tech Capital)	1,500,000
	Reserve for Future Projects	212,000
	TOTAL PROGRAM-WIDE PROJECTS	1,712,000
Element:	Public Safety	
Programs:	800 Megahertz System	
	Projects:	
	Replacement of Alphanumeric Pagers	107,000
	Sprint/Nextel Re-banding	295,000
	Subtotal 800 MHz System	402,000
	CAD Improvements	709,000
	EMS Projects	
	Garner Fire/EMS	553,000
	EMS Defibrillators	800,000
	TOTAL PUBLIC SAFETY	2,464,000

TOTAL COUNTY CAPITAL PROJECTS APPROPRIATION \$ 23,124,000

**Section 2:** It is estimated that the following revenues will be available in the County Capital Projects Fund for the fiscal year beginning July 1, 2009:

Outside Agencies	\$ 295,000
Transfers In - Ad Valorem Tax	22,000,000
Transfers from Grants Fund	120,000
Capital Fund Balance	709,000
	<hr/>

TOTAL COUNTY CAPITAL PROJECTS REVENUE \$ 23,124,000

**Section 3:** The following amount is hereby appropriated in the Fire Tax District Capital Projects Fund by Element, Program, and Project for the fiscal year beginning July 1, 2009:

Element: Fire / Rescue

Programs: Fire Apparatus and Vehicles

Projects:

Large Apparatus, Municipal	\$ 720,000
Radio, Tax and Tags	11,000
Small Vehicles	75,000
	<hr/>
Subtotal Apparatus and Vehicles	806,000

Equipment

Projects:

Defibrillator/TIC Replacement	176,000
Pager Replacement	281,000
Small Capital Program	150,000
Air Bottle Program	87,000
Turnout Gear Program	234,000
	<hr/>
Subtotal Equipment	928,000

Facilities

Projects:

Fuquay-Varina Headquarters Station	152,000
Garner Station #4	1,820,000
Stony Hill Remediation	68,000
	<hr/>
Subtotal Facilities	2,040,000

TOTAL FIRE / RESCUE \$ 3,774,000

**Section 4:** It is estimated that the following revenue will be available in the Fire Tax District Capital Projects Fund for the fiscal year beginning July 1, 2009:

Fire Tax District Capital Projects Fund Balance	\$ 1,474,000
Transfers In From Fire Tax District Fund	2,300,000
	<hr/>
TOTAL FIRE CAPITAL PROJECTS FUND APPROPRIATION	\$ 3,774,000

**Section 5:** The following amount is hereby appropriated in the Major Facilities Capital Projects Fund by Element and Program for the fiscal year beginning July 1, 2009:

Element :	Major Facilities	
Programs:	Five County Stadium	\$ 667,000
	Marbles Children's Museum	130,000
	IMAX	120,000
	Reserve for Future Projects	83,000
		<hr/>
TOTAL MAJOR FACILITIES APPROPRIATION		\$ 1,000,000

**Section 6:** It is estimated that the following revenue will be available in the Major Facilities Capital Projects Fund for the fiscal year beginning July 1, 2009:

Transfer from Major Facilities Special Revenue Fund	\$ 1,000,000
	<hr/>
TOTAL MAJOR FACILITIES REVENUE	\$ 1,000,000

**Section 7:** The following amount is hereby appropriated in the Wake County Public School System Capital Projects Fund by Element for the fiscal year beginning July 1, 2009:

Element:	Wake County Public Schools Capital Building Program	\$ 15,068,000
		<hr/>
TOTAL WAKE COUNTY PUBLIC SCHOOL SYSTEM CAPITAL PROJECTS FUND APPROPRIATION		\$ 15,068,000

**Section 8:** It is estimated that the following revenues will be available in the Wake County Public School System Capital Projects Fund for the fiscal year beginning July 1, 2009:

Transfer In – Ad Valorem Tax	\$ 15,000,000
Interest Earnings	68,000
TOTAL WAKE COUNTY PUBLIC SCHOOL SYSTEM CAPITAL PROJECTS FUND REVENUE	\$ 15,068,000

**Section 9:** The following amount is hereby appropriated in the Wake Technical Community College Capital Projects Fund by Element, Program, and if applicable by project for the fiscal year beginning July 1, 2009:

Element:	Wake Technical Community College	
Programs:	General Repairs and Renovations	\$ 500,000
	Minor Capital	1,000,000
	Wake Tech Renovation Projects	
	Projects:	
	Physical Education Center	2,064,000
	Student Services Building	474,000
	Main Campus Lot Repaving	318,000
	Technical Education Building	697,000
	Subtotal Wake Tech Renovation Projects	3,553,000
	Wake Tech Public Safety Training Center	5,615,000
	Wake Tech Health Sciences Phase II	
	Projects:	
	Health Sciences Parking Deck	5,147,000
	Wake Tech Northern Campus	
	Projects:	
	North Campus Building E	5,949,000
	North Campus Parking	428,000
	Subtotal Wake Tech Northern Campus	6,377,000
TOTAL WAKE TECHNICAL COMMUNITY COLLEGE CAPITAL PROJECTS FUND APPROPRIATION		\$ 22,192,000

**Section 10:** It is estimated that the following revenues will be available in the Wake Technical Community College Capital Projects Fund for the fiscal year beginning July 1, 2009:

Bonds: Authorized and Issued	\$ 10,002,000
Transfer from County Capital Fund	1,500,000
Transfers In - Ad Valorem Tax	10,690,000
	<hr/>
TOTAL WAKE TECHNICAL COMMUNITY COLLEGE CAPITAL PROJECTS FUND REVENUE	\$ 22,192,000

**Section 11:** The following amount is hereby appropriated in the Solid Waste Capital Projects Fund by Element, Program, and if applicable by project for the fiscal year beginning July 1, 2009:

Element:	Solid Waste	
Programs:	Multi-Material and Convenience Centers	
	Projects:	
	Convenience Centers	\$ 400,000
	North Wake Multi-Material Recycling Facility	200,000
	South Wake Landfill Multi-Material Facility	200,000
		<hr/>
	Subtotal Multi-Material and Convenience Centers	800,000
	South Wake Landfill Gas Development	
	Projects:	
	Feltonville Landfill Gas Collection	250,000
	South Wake Landfill Gas Collection	350,000
	Landfill Gas to Energy Systems and Piping	1,400,000
		<hr/>
	Subtotal South Wake Landfill Gas Development	2,000,000
	South Wake Landfill Construction	
	Projects:	
	South Wake Landfill Phase 1B Soil	1,000,000
	Municipal Solid Waste Shredding Equipment	100,000
	South Wake Landfill Alternative Cover	120,000
		<hr/>
	Subtotal South Wake Landfill Construction	1,220,000
		<hr/>
	TOTAL SOLID WASTE CAPITAL PROJECTS FUND APPROPRIATION	\$ 4,020,000

**Section 12:** It is estimated that the following revenue will be available in the Solid Waste Capital Projects Fund for the fiscal year beginning July 1, 2009:

Transfer In: Solid Waste Enterprise Fund	\$ 2,220,000
Solid Waste Capital Projects Fund Balance	800,000
	<hr/>

Use of South Wake Landfill Partnership Reserves

1,000,000

TOTAL SOLID WASTE CAPITAL PROJECTS FUND REVENUE

\$ 4,020,000

**Section 13:** The Finance Director is hereby directed to maintain sufficient specific detailed accounting records for each capital project authorized.

**Section 14:** The Finance Director is directed to report annually on the financial status of each capital fund and on the project expenditures and on the total revenues received.

**Section 15:** The capital projects funds are appropriated pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina; therefore, appropriations do not lapse at the end of the fiscal year and are available for duration of the project unless subsequently amended by Board action.

**Section 16:** The County Manager, or his designee, is authorized to transfer appropriation amounts between projects within the same program. For transfers exceeding \$75,000 he shall make a report of the transfer to the Board of Commissioners at the next regularly scheduled meeting of the Board following the transfer.

**Section 17:** The County Manager shall distribute copies of this Capital Projects Ordinance as appropriate.

**ADOPTED this the 15<sup>h</sup> day of June 2009.**

**PERSONNEL AUTHORIZATION ORDINANCE**

*BE IT ORDAINED* by the Wake County Board of Commissioners:

**Section 1:** The following full-time equivalent positions are hereby authorized in the County government by organizational unit and fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Organizational Unit and Fund (all Units are in the General Fund unless otherwise stated)	Authorized Full-Time Equivalent (FTE) Positions
Board of Commissioners	3.00
County Manager	13.00
County Attorney	13.00
Board of Elections	15.35
Budget & Management Services	8.00
CCBI	64.00
Capital Area Workforce Development	17.00
Community Services	319.00
Emergency Medical Services	165.00
Environmental Services	
General Fund	108.00
Solid Waste Management Fund	12.00
South Wake Landfill Fund	7.00
Environmental Services subtotal	127.00
Facilities, Design & Construction	10.00
Finance	
General Fund	31.75
Debt Service Fund	1.00
Finance subtotal	32.75

<b>Fire &amp; Emergency Management</b>	
General Fund	<b>22.00</b>
Grants and Donations Fund	<b>1.00</b>
<b>Fire &amp; Emergency Management subtotal</b>	<b>23.00</b>
<b>General Services Administration</b>	<b>132.00</b>
Human Resources	<b>26.50</b>
Human Services	
General Fund	<b>1,748.55</b>
Housing and Community Revitalization Fund	<b>7.50</b>
Grants and Donations Fund	<b>24.50</b>
<b>Human Services subtotal</b>	<b>1,780.55</b>
Information Services	<b>91.75</b>
Register of Deeds	<b>39.00</b>
Revenue	<b>61.00</b>
Sheriff	
General Fund	<b>810.00</b>
Grants and Donations Fund	<b>4.00</b>
<b>Sheriff subtotal</b>	<b>814.00</b>
Soil & Water Conservation District	<b>5.00</b>
<b>TOTAL-All County Organizational Units</b>	<b>3,759.90</b>

**Section 2:** The County Manager is hereby authorized to transfer and/or reclassify full-time equivalent positions within the same fund.

**Section 3:** With the exception of changes allowed through Section 2, any changes to the full-time equivalent (FTE) amounts authorized in Section 1 of this ordinance must be approved by the Board of Commissioners.

**ADOPTED this the 15th day of June 2009.**

Commissioner Coble asked the Manager to give a report on property and sales tax during his regular economic reports. He also asked that the security at the Athens Drive Library be addressed because he was very concerned about someone walking into the school or library without being a patron. Commissioner Ward said there has been discussion about security at that school which has not proven to be a problem but they could follow up on it with the Library board and staff and bring information back to the board.

**Approval of the Greater Raleigh Convention & Visitors Bureau's FY 2010 Operating Budget**

Joe Bryan motioned, seconded by Betty Lou Ward, to approve the Fiscal Year 2010 operating budget for the Greater Raleigh Convention & Visitors Bureau in the amount of \$3,757,300.

The motion passed unanimously.

**GRCVB BUDGET COMPARISONS**

<u>ACCT NO.</u>	<u>CHART OF ACCOUNTS</u>	<u>2008/2009 BUDGET</u>	<u>2009/2010 PROPOSED</u>	<u>VARIANCE</u>
5010	Salaries & Wages	\$1,667,395	\$1,681,013	0.8%
5020	Payroll Taxes	127,006	122,178	-3.8%
5120-5170	Travel & Entertainment	97,598	53,920	-44.8%
5200-5360	Advertising & Promotions	1,252,182	843,179	-32.7%
5400	Dues & Subscriptions	61,739	64,167	3.9%
5430	Education & Training	13,355	11,505	-13.9%
5410	Rent	137,922	146,586	6.3%
5420	Printing & Stationery	21,600	5,000	-76.9%
5440	Office Supplies	27,000	14,400	-46.7%
5450	Telephone	55,560	55,728	0.3%
5460	Equipment Maintenance	17,400	14,300	-17.8%
5470	Local Transportation	18,100	24,200	33.7%
5480	Professional Services	100,700	97,000	-3.7%
5500	Office Maintenance	20,219	10,211	-49.5%
5510	Insurance	20,190	23,357	15.7%
5530	Equipment Leases	67,814	56,048	-17.4%
5540	Property & Use Tax	1,150	1,863	62.0%
5560	Employee Benefits	268,593	286,095	6.5%
5570	Postage	50,400	40,300	-20.0%
5590	Equipment Purchases	13,579	6,250	-54.0%
5920	Event Promotion	200,000	200,000	0.0%
2610	Wake County Loan	25,000	0	-100.0%
	<b>TOTALS</b>	<u>\$4,264,500</u>	<u>\$3,757,300</u>	<u>-11.9%</u>

**2008/2009 GRCVB Budget By Department**

	<b>Proposed 2009/2010</b>	<b>Revised 2008/2009</b>	<b>Original 2008/2009</b>
<b>Anticipated GRCVB Revenue:</b>			
Hotel Occupancy Tax	\$2,920,000	\$2,877,700	\$3,307,700
Prepared Food & Beverage Tax	675,000	675,000	675,000
Reserves	0	100,300	100,300
Convention Center Marketing	150,000	150,000	150,000
Dividends	12,000	10,200	30,000
Interest	300	300	1,500
<b>TOTAL</b>	<b><u>\$3,757,300</u></b>	<b><u>\$3,813,500</u></b>	<b><u>\$4,264,500</u></b>
<b>Anticipated GRCVB Expenses:</b>	<b>2009/2010</b>	<b>2008/2009</b>	<b>2008/2009</b>
Administration	\$1,434,710	\$1,369,471	\$1,562,064
Sales	581,904	561,684	633,926
Services	262,525	244,446	283,381
Communications	108,531	98,555	122,571
Marketing	454,288	685,929	730,336
Sports Marketing	647,645	601,260	642,594
Information Technology	267,696	252,155	289,628
<b>TOTAL</b>	<b><u>\$3,757,300</u></b>	<b><u>\$3,813,500</u></b>	<b><u>\$4,264,500</u></b>
Difference from 08/09 original budget	-\$507,200		
Difference from 08/09 revised budget	-\$56,200		

**Award of Construction Contract for Fire Station Dormitory Improvements**

Mr. Patrick McHugh, Facilities Project Manager, Wake County Facilities Design and Construction, presented a request for approve of the contract for the Fire Station Dormitory Improvements for Five Rural Fire Stations. He reported that the long range business plan, last updated by the Fire Commission, recommends staffing increases at each fire station to 4 persons on a 24-hour 7-day per week basis. The plan coincides with recommendations from the National Fire Protection Agency. These staffing levels are necessary for firefighter safety and to maintain established response time goal of nine minutes to all service areas. Wake County citizens benefit from timely response times and improved insurance rates. The current fire tax rate of \$0.08 per \$100 property value, 81% supports operating budgets and 19% supports capital improvements.

The outcome of a study done with a local design consultant, Fire Commission's Facilities Committee and Wake County Facilities Design and Construction

Department, showed that sixteen fire stations were in need of facility improvements for dormitories. The Facilities Committee identified five projects that they were in favor of proceeding with at this time.

The scope of work varies from station to station but generally includes dormitory additions, dormitory renovations, dormitory shower facilities, fire protection systems, accessibility modifications, and related site and utility development work. The remaining fire stations needing dormitory improvements will be considered in a future phase.

Bid proposals were received on May 19, 2009. The low bidder Poythress Commercial Contractors submitted written documentation within the timeframe stipulated in the general statutes acknowledging their bid excluded approximately \$535,000 of the cost of site work for the project and requested they be allowed to withdraw their bid without forfeiting their bid deposit.

Based on a review of the documentation provided by Poythress Commercial Contractors and consultation with the County Attorney, it is recommended that the request to withdraw their bid without forfeiting a bid bond be approved. County Staff recommends that a construction contract be awarded to the next low bidder, J.D. Beam, Inc., in the amount of \$2,039,129.00. The cost breakdown for the five fire stations is as follows:

Fairview 2	\$532,606.00	Fairview 1	\$437,898.00
Stony Hill 2	\$508,212.00	Bay Leaf 2	\$306,984.00
Swift Creek	\$253,430.00		

On June 8, 2009, the bid results were presented to the Fire Commission and they voted unanimously to recommend that the Board award a construction contract as recommended by staff. Construction is expected to begin in July, with an expected duration of approximately ten months, so that the project is completed in Spring 2010.

Commissioner Ward asked about the expansion for the Bayleaf Fire Station project. Commissioner Coble, who serves as the Board of Commissioner's liaison on the Fire Commission, stated that Bayleaf was limited in size and a determination has not been made. Bayleaf Station 2 is an expansion and is being upgraded to meet building codes.

Betty Lou Ward motioned, seconded by Paul Coble, to approve the request from the low bidder, Poythress Commercial Contractors, to withdraw their bid, without forfeiting their bid deposit because of an unintentional omission of a substantial quantity of work; and, to award a \$2,039,129 construction contract to J.D. Beam, Inc. of Raleigh, NC for dormitory improvements to five rural fire stations.

The motion passed unanimously.

#### **Approval of Building Construction Contract with Construction Manager for Mental Health Continuum of Care**

Mr. Mark Forestieri, Project Manager, presented the Crisis Assessment and Substance Abuse treatment facilities. The Crisis Assessment Unit is two-stories and 40,000 square feet. The Substance Abuse Treatment Facility has a partial two stories and 20,000 square feet. The site is a 19 acre site located on Sunnybrook Road. Mr. Forestieri stated the board previously approved a contract for GMP #1 for \$2,283,111 for site development work including clearing and grading, parking area, interior sprinkler system and other items. The GMP #1 work is currently in process.

Construction cost for the second of two planned GMP Bid packages totals \$14,799,398. This bid package includes the following items:  
Concrete Foundations  
Windows & Glass

Concrete Slabs  
Interior Wall Framing & Drywall Termite Control  
Acoustical Ceilings Masonry  
Hard Tile Walls & Floors Steel Structure  
Carpet and Resilient Flooring Casework/Millwork  
Painting Waterproofing & Sealants  
General Trades (Specialties/Hardware) Roofing  
Elevators Exterior Metal Wall Panels  
Plumbing Fireproofing  
HVAC Exterior Concrete  
Electrical Landscaping  
Telecommunications Final Building Cleaning  
Security System

The amount of the proposed contract is approximately 8.6% below the pre-bid estimate. These figures are based on the lowest responsive bids received from trade contractors, general conditions costs, CMAR contingency (2%), and CMAR fee (3.5%). Total construction cost, consisting of the combination of GMP-1 and GMP-2 bid packages is \$17,082,509. Projected savings from the combination of both GMP packages will be reserved to pay the County's share of the contract with the State of North Carolina for 24 temporary mental health beds at the Dorothea Dix campus. The contract, if executed, is not expected to commence prior to December 1, 2009. Minority contractor participation is 26.6% of the CMAR contract amount for GMP # 2. Reference the attachments for breakdown of the CMAR contract, trade contractor bid tabulations, and listing of minority participation by trade contract.

A groundbreaking ceremony is scheduled for July 1 with the Grand Opening scheduled for October 2010.

GMP #1 was approved by board on April 6, 2009 for site development. Construction is now underway.

Betty Lou Ward motioned, seconded by Lindy Brown, Vice Chair, to approve a Guaranteed Maximum Price (GMP) Contract in the amount of \$14,799,398 with the previously selected Construction Manager at Risk, Clancy & Theys Construction Co. of Raleigh for site development work for the Mental Health Continuum of Care; and, authorize the Chairman to execute contract documents with Clancy and Theys Construction Co. establishing terms, conditions, and GMP amount of \$14,799,398; said contract documents to be reviewed and approved by the County Attorney.

The motion passed unanimously.

**Wake County Public School System CIP 2006 Reallocation Request**  
**(Second Reading)**

Mr. Don Haydon reported this is the second reading of the CIP 2006 reallocation request for four items:

1. Reallocate \$4 million of CIP 2006 funds from Rolesville Middle to Off-Site Improvements;
2. Reallocate \$2,881,498 of CIP 2006 funds from Rolesville Middle to Alston Ridge Elementary, River Bend Elementary, and Mills Park Middle for cost escalations;
3. Reallocate \$3,050,000 of CIP 2006 funds from Rolesville Middle to for six months of funding for program management; and,
4. Reallocate \$9,059,710 of savings from various CIP 2006 projects to CIP 2006 reserve.

He stated information requested from commissioners at the last meeting was provided in the agenda package.

Commissioner Bryan asked about Alston Ridge Elementary where the county budgeted \$380,000 and the cost-to-date is \$1,630,000 and they need an additional \$1,100,000 in funds. He said the off-site improvements keep increasing over what was budgeted. The process in determining the total cost for the site should be improved so the estimated numbers are more in line. There is a \$2.3 million difference. The land cost may be re-evaluated if this additional site costs had been known initially. Mr. Haydon said since they originally looked at the site five years ago, there is more work on the land than anticipated. They use an average cost of \$380,000 for site work for elementary schools and \$680,000 for site work on middle schools based on their knowledge at the time. Mr. Haydon said they have been doing additional site work on elementary schools. He said they need to continue improving the processes.

Commissioner Bryan said the budget amount for these projects was \$2,140,000 with cost to date \$7,700,220 and they still need \$4.0 million almost double the estimate.

Commissioner Norwalk asked about the Mills Park School. Mr. Haydon said the Town of Cary provided the elementary school site and the Mills Park Middle school site was acquired at a discount. Commissioner Norwalk asked about the construction of the school.

Commissioner Bryan said he was aware there were North Carolina Department of Transportation funds for a stop light on Smithfield Road at Forestville Elementary and Knightdale High schools. He suggested that some improvements could be helped by other agencies such as support from NCDOT Board members.

Betty Lou Ward motioned, seconded by Joe Bryan, to:

1. Reallocate \$4 million of CIP 2006 funds from Rolesville Middle to Off-Site Improvements;
2. Reallocate \$2,881,498 of CIP 2006 funds from Rolesville Middle to Alston Ridge Elementary, River Bend Elementary, and Mills Park Middle for cost escalations;
3. Reallocate \$3,050,000 of CIP 2006 funds from Rolesville Middle to for six months of funding for program management; and,
4. Reallocate \$9,059,710 of savings from various CIP 2006 projects to CIP 2006 reserve.

The motion approved with vote 6 - 1.

AYES: *Harold H. Webb, Chairman, Lindy Brown, Vice Chair, Joe Bryan, Tony Gurley, Stan Norwalk, Betty Lou Ward*  
NOES: *Paul Coble*

**Resolution R-2009-25  
Reallocate CIP 2006 Funds**

**WHEREAS**, the Wake County Board of Education is engaged in a Long Range Building Program; and

**WHEREAS**, the Wake County Board of Education has duly requested, through a resolution adopted May 19, 2009 that the Board of Commissioners approve the reallocation of \$9,931,498 from Rolesville Middle to offsite improvements, cost escalations at Alston Ridge Elementary, River Bend Elementary, and Mills Park Middle, and program management; and

**WHEREAS**, the Wake County Board of Education has requested that \$9,059,710 of savings from various projects be reallocated to the CIP 2006 Reserve.

**NOW, THEREFORE, BE IT RESOLVED** that the Wake County Board of Commissioners hereby reallocates funds as follows:

FROM	AMOUNT	TO	AMOUNT
Rolesville Middle (M6)	\$9,931,498	Offsite Improvements	\$4,000,000
		Alston Ridge Elementary	\$700,000
		River Bend	\$187,243
		Mills Park Middle	\$1,994,255
		Subtotal	\$6,881,498
		Program Management (6 months)	\$3,050,000
<b>Project Savings:</b>			
Enloe	\$2,742,758		
Lake Myra Elem. (E34)	\$1,052,585	Reserve	\$9,059,710
Poe	\$677,524		
Herbert Akins Rd. Elem. (E27)	\$344,544		
Child Nutrition Warehouse	\$512,023		
Root	\$989,763		
Bugg Elementary	\$1,955,380		
Holly Grove Middle (M9)	\$785,133		
Subtotal	\$9,059,710		
CIP 2006 Total	\$18,991,208	CIP 2006 Total	\$18,991,208

Adopted this the 15th day of June 2009.

### **Multi-Family Housing Development Loan Recommendation**

Ms. Anne Maiorano, Housing Program Manager, reported this request was for approval of two loans for affordable housing developments. The Request for Proposals process was a combined process with the City of Raleigh because both the city and county target similar population groups.

The Housing Committee recommended a funding commitment of up to \$480,000 in County Capital Improvement Program funds to DHIC for construction of Meadowcreek Commons Apartments, which is a 48 unit senior apartment development located in Raleigh. There is a repayment of \$179,957 monthly over 20 years. The remaining \$393,623 would be repaid as a balloon payment in year 20. The loan terms requested are 1% interest for 20 years. The County will hold the 2nd lien position and the bank will be in 1st lien position during construction. The County will be in 2nd lien position, with the City of Raleigh in 1st lien position for the permanent financing. The development will add 20 units of affordable housing for low-income seniors earning at or below 40% Area Median Income, currently \$24,600/year for a 2 person household and will rent for \$357-\$575/month. The remaining units will rent for \$510-\$600 per month. The Wake County subsidy is \$24,000/unit for 20 units. Construction is expected to be complete by November 30, 2011.

The Housing Committee recommended a funding commitment of up to \$500,000 in HOME funds to Evergreen Construction Company for the construction of Mingo Springs Apartments located in Knightdale. The \$447,854 would be repaid on an annual basis over 30 years, \$346,337 would be deferred and repaid as a balloon payment in year 30. The loan terms requested are 2% interest for 30 years. Wake County will be in 2nd position during construction; a bank loan will be in 1st lien position. For permanent financing, Wake County would hold a 3rd lien position with a bank loan in 1st position and the NC Housing Finance Agency in 2nd lien position. The development will add 12 units of affordable housing for low-income seniors earning at or below 30% AMI, currently \$18,450/year and will rent for \$300-\$375/month. The remaining 36 units will rent for \$500-625/month. Mingo Spring is located in Knightdale, off of Hodge Rd. There is limited access to public transportation through Wake County TRACS. The service provider, Resources for Seniors will provide weekly transportation to the grocery store and pharmacy. The Wake County subsidy is \$41,666/unit for 12 units. Evergreen has requested funds from a bank and from the NC Housing Finance

Agency. Evergreen expects to complete construction on this development by August 1, 2011.

Lindy Brown, Vice Chair motioned, seconded by Betty Lou Ward, to:

1. A loan of up to \$480,000 to DHIC for Meadowcreek Commons Apartments;
2. A loan of up to \$500,000 to Evergreen Construction Company for Mingo Spring Apartments; and,
3. Loans are subject to terms and conditions acceptable to the County Attorney.

The motion passed unanimously.

### **Developer Recommendations for Affordable Housing Consolidated Pines Subdivision in Fuquay-Varina**

Ms. Anne Maiorano, Housing Program Manager, reported that Wake County's Housing and Community Revitalization (HCR) program worked in partnership with the Town of Fuquay-Varina and the Consolidated School Redevelopment Commission to revitalize the Consolidated School neighborhood located within the Town of Fuquay-Varina. Five projects have been completed through this initiative. As part of the project, the county purchase property in the neighborhood which is subdivided into 18 single-family lots and ready for development to be used for low-income families. The County's per lot cost was \$26,362. Request for Proposals was issued February 9, 2009. A review panel, made up of community members, staff from Fuquay-Varina and HCR, reviewed and ranked the proposals. The applications were presented to the Housing Committee which in turn has unanimously recommended the lots be split between two developers as follows:

1. Builders of Hope, Inc. – 14 units Builders of Hope has proposed purchasing 14 lots for the asking price of \$26,362/lot. The funds will be paid to the County as each home sells. The Builders of Hope program targets households earning 60-80% of area median income, currently \$46,150-\$61,500, for a family of 4. Builders of Hope will work with DHIC's homeownership center to qualify applicants for the homes. The average home sales price will be \$156,000. Builders of Hope will assist homebuyers in accessing 2nd mortgage assistance from the NC Housing Finance Agency and the Federal Home Loan Bank. First-time homebuyers will be able to use an \$8,000 tax credit for down payment assistance and closing costs. Builders of Hope operates on a model where homes are donated to the organization. They then move the homes to the site and renovate them, then sell them to qualified families. As part of the renovation process, Builders of Hope has a work mentor program to train unemployed people in the construction trades. Participants are paid \$9/hr. and are part of the program for 3 months. Builders of Hope has requested a grant of \$10,000 for this program at the Fuquay-Varina site. The grant will pay for two of the four people that will be participating in the program. Builders of Hope will recruit people from Fuquay-Varina to be part of the program.

2. Habitat for Humanity of Wake County, Inc. – 4 units Habitat for Humanity has proposed purchasing 4 lots for the asking price of \$26,362/lot. The funds will be paid to the County as each home sells. Habitat for Humanity targets homebuyers earning 25%-60% of area median income, currently \$19,000-\$46,150 for a family of 4. The average home sales price is \$110,000. Habitat homeowners contribute "sweat equity" by working alongside volunteers for the construction of their home.

Lindy Brown, Vice Chair motioned, seconded by Paul Coble, to approve Builders of Hope, Inc. (14 units) and Habitat for Humanity of Wake County, Inc. (4 units), as developers for the Consolidated Pines subdivision, subject to terms and conditions acceptable to the County Attorney; and further allocate \$10,000 in Community Development Block Grant (CDBG) funds for a work mentor program.

The motion passed unanimously.

**Approval of Resolution Accepting and Endorsing the Wake County Ten Year Comprehensive Solid Waste Management Plan Update for 2009-2019**

Mr. Tommy Esqueda, Environmental Services Director, reported this is an update to the Wake County Ten Year Comprehensive Solid Waste Management Plan which is required by the General Statutes. He stated twelve municipalities have already approved the updated plan.

Lindy Brown, Vice Chair motioned, seconded by Betty Lou Ward, to adopt the Resolution accepting and endorsing the Wake County Ten Year Comprehensive Solid Waste Management Plan Update for 2009-2019.

The motion passed unanimously.

**RESOLUTION ACCEPTING AND ENDORSING  
THE WAKE COUNTY TEN YEAR COMPREHENSIVE  
SOLID WASTE MANAGEMENT PLAN UPDATE FOR 2009-2019**

WHEREAS, the State of North Carolina has placed planning responsibility on local government for the management of solid waste;

WHEREAS, NC Statute 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to update the Ten Year Comprehensive Solid Waste Management Plan at least every three years;

WHEREAS, it is a priority of Wake County to protect human health and the environment through safe and effective management of municipal solid waste;

WHEREAS, the reduction of the amount and toxicity of the local waste stream is a goal of Wake County;

WHEREAS, equitable and efficient delivery of solid waste management services is an essential characteristic of the local solid waste management system;

WHEREAS, it is a goal of Wake County to maintain and improve its physical appearance and to reduce the adverse effects of illegal disposal and littering;

WHEREAS, Wake County recognizes its role in the encouragement of recycling markets by purchasing recycled products;

WHEREAS, involvement and education of the citizenry is critical to the establishment of an effective local solid waste program;

WHEREAS, the Wake County Environmental Services Department, Solid Waste Management Division and the County's Solid Waste Advisory Committee have undertaken and completed a long-range planning effort to evaluate the appropriate technologies and strategies available to manage solid waste effectively;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF WAKE COUNTY:

That Wake County's 2009 Ten Year Comprehensive Solid Waste Management Plan is accepted and endorsed and placed in file with the Clerk to the Board on this day, June 15, 2009.

Commissioner Bryan asked if all municipalities provide recycling bins. Mr. Esqueda said the citizens in the unincorporated areas of the county can subscribe to a service for their recycling containers and pickup. It is optional in the unincorporated area of the county but it is mandated within municipalities. Total waste generated in the county is about 1.4 tons per person per year. Residential recycling is going well. There is room for improvement in the commercial recycling program.

Commercial Norwalk asked about commercial and residential services. Mr. Esqueda said private haulers pick up the commercial waste. The towns are trying to capture the commercial waste. The recycling program is built into the county's convenience centers pricing structure. The county is putting money into the recycling program.

Commissioner Bryan suggested that the Public Affairs Office work on a televised presentation about what items can be recycled in Wake County.

### **Approval of Three-year Agreement with Ecoflo, Inc. to Provide Household Hazardous Waste Services at a Cost of Approximately \$650,000 Per Year**

Mr. Esqueda presented a request for approval of a three year agreement to expand the household hazardous waste service at the county waste convenience centers. The cost to provide household hazardous waste services six days a week would be \$650,000 per year. This is an expansion of the current program to six days a week at the north and south wake landfills and 24 remote recycling events in the municipalities where they go out and collect at the event sites. Staff recommends awarding the contract to Ecoflo, Inc.

Commissioner Bryan stated he would like to have had additional information on how the \$650,000 was determined and how close it was to the low bidder. Mr. Esqueda said there were four bidders with \$543,000 for PCI and \$569,000 for Ecoflo. A committee ranked the criteria and utilized a forced matrix to rate the responses to the request for proposals. The committee determined Ecoflo, Inc. had the best experience to perform the work as outlined in the RFP. In addition, Ecoflo, Inc. offered a competitive price relative to the other proposals, had excellent qualifications and had a good performance history with Wake County.

Betty Lou Ward motioned, seconded by Lindy Brown, Vice Chair, to approve the three-year agreement with Ecoflo, Inc. to provide household hazardous waste services to Wake County, subject to terms and conditions acceptable to the County Attorney.

The motion passed unanimously.

### **Approval of Contract Extension with Waste Industries to Operate Convenience Centers**

Mr. Esqueda reported this request was for an extension of the contract with Waste Industries for two years while staff works with the municipalities to pilot test a series of service changes for the convenience center program in an effort to identify management and operations strategies that can be implemented to improve customer satisfaction, better manage and control costs, increase the collection of unconventional materials, increase revenue generation opportunities for recyclable materials, and better integrate with municipal solid waste programs.

The existing contract with Waste Industries to operate the County's convenience centers will expire on June 30, 2009, and the pricing for the existing contract has been in place since July 2007. While the Solid Waste Management Division would typically advertise a request for proposals for the operation of the Convenience Center Program to ensure that the County receives the most favorable pricing, the proposed range of pilot testing options anticipated for FY 2010 and FY 2011 makes it difficult to develop a clear description of the scope of services for a traditional request for proposal. Therefore, staff's recommendation is to extend the existing contract with Waste Industries to complete the pilot tests of program and service changes during FY 2010 and FY 2011. At the conclusion of the pilot testing period, the Solid Waste Management Division will issue a request for proposals with a clear and defined scope of services for a modified Convenience Center Program based on the findings of the pilot tests. The service agreements for the South Wake

Landfill and East Wake Transfer Station allow an annual cost adjustments based on Consumer Price Index (CPI) changes. The CPI change from April 2007 to April 2009 is as shown below. All-Urban Consumers, All Items, Consumer Price Index for Southeast U.S. April 2007 = 199.62 April 2009 = 206.66 Percent Change: 3.5% While the CPI from 2007 to 2009 has change 3.5%, staff has negotiated a 3% increase in Waste Industries' unit charges from the 2007 price schedule. Staff recommends extension of the Waste Industries contract for the operation of the Convenience Center Program to initiate pilot tests for changes in services and programs at the Convenience Centers during FY 2010 and FY 2011.

Mr. Esqueda addressed questions about the contract stating this is an extension of the existing contract and the 3% increase was negotiated on the labor and hauling services. It adds 2.5% to the total convenience center program. A proposal will be brought back to the Board for the convenience centers.

Lindy Brown, Vice Chair motioned, seconded by Betty Lou Ward, to approve the extension of the County's contract with Waste Industries for a two-year term, with the option of one-year extension, to initiate pilot tests for changes in services and programs at the convenience centers during Fiscal Years 2010 and 2011.

The motion passed unanimously.

### **Other Items**

#### **Committee Reports**

Commissioner Ward stated that the National Association of Counties (NACo) will receive \$47,057 for Fiscal Year 2009 for Emergency Stabilization Act of 2008, and the payments will be received through 2012. NACo is the only national organization that lobbies for payment in lieu of taxes.

Commissioner Brown provided her committee reports and congratulated all of the outstanding 2009 high school graduates.

#### **Other Business**

Ms. Marshall Parrish, Public Affairs Officer, informed the Board that the Public Affairs staff has won three NACo Awards. One award was for the February television show, a video produced with Human Services as a kick-off Building Human Capital and the State of the County from November 2008. The Emergency Medical Services also received an award for the Advanced Paramedics Program.

Ms. Parrish reported that they are also publishing videos on U-Tube. Commissioner Ward noted that a staff member would need to go to the NACo Annual Conference to receive the awards.

Chairman Webb reminded commissioners of the Wednesday, June 17th meeting at 9:00 a.m. with the Board of Education at the Schools Administration Building.

#### **Closed Session**

Betty Lou Ward motioned, seconded by Lindy Brown, Vice Chair, to go into closed session to discuss matters relating to the location or expansion of business in the area served by Wake County including a list of economic incentives that may be offered by Wake County in negotiations.

The motion passed unanimously.

Chairman Webb called the meeting back to order following the closed session.

Adjourn

Betty Lou Ward motioned, seconded by Lindy Brown, Vice Chair, to adjourn at 6:45 p.m.

The motion passed unanimously.

Respectfully submitted,

Susan J. Banks, CMC  
Clerk to the Board  
Wake County Board of  
Commissioners