

**WAKE COUNTY BOARD OF COMMISSIONERS**

**April 5, 2010**

**Regular Meeting**

**2:00 p.m.**

**Room 700, Wake County Courthouse**

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

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

**Meeting Called to Order: Chairman Tony Gurley**

**Pledge of Allegiance**

**Invocation: Chairman Tony Gurley**

**Items of Business**

**Approval of Agenda**

Chairman Gurley called for approval of the agenda. Mr. David Cooke, County Manager, said that he had been asked to withdraw item 12 (Garner EMS Request for County Funds) because of a request from the Chair of the Garner EMS. Commissioner Norwalk asked that Item # 9 (Staff Report to the Growth, Land Use, and Environment (GLUE) Committee on Falls Lake Watershed efforts be addressed before Item #8 Proposed Ordinance Amendment to the Unified Development Ordinance (UDO) to allow redevelopment option in R-40W Activity Centers. Chairman Gurley said there had been a request to delay the appointment on the Wake County Nursing Home Community Advisory Committee.

Joe Bryan motioned, seconded by Lindy Brown, to approve the agenda as amended. The motion passed unanimously.

**Approval of the Minutes of the Commissioners' March 15th Regular Meeting and March 22nd Work Session**

Betty Lou Ward, Vice Chair motioned, seconded by Lindy Brown, to approve the Minutes of the Commissioners' March 15th Regular Meeting and March 22nd Work Session. The motion passed unanimously.

**Proclamation to Declare April 11-17, 2010 as "The Week of the Young Child" in Wake County**

Mr. Emanuel Paul, Vice-President of Finance, Child Care Services Association, said that Child Care Association has been operating for 35 years. The purpose of the Week of the Young Child is to focus public attention on the needs of young children and their families and to recognize the early childhood programs and services that meet those needs.

Commissioner Ward read the proclamation aloud.

Paul Coble motioned, seconded by Betty Lou Ward, Vice Chair, to declare April 11-17, 2010 as "The Week of the Young Child" in Wake County

The motion passed unanimously.

Commissioner Bryan noted that the State of North Carolina has reduced child care subsidies by \$6.7 million. He asked what strategies were in place to reduce the waiting list for childcare. Mr. Emanuel Paul said that private agencies have been contacted to help with funding. He stated that the loss in funding from the state will be hard to make up. Education to parents about the funding situation and ways to find funding is important.

Commissioner Ward said that that the program is important for the young child and she is hopeful they will benefit from it.

**Proclamation**

***The Week of the Young Child***

WHEREAS, Child Care Services Association and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child, April 11-17, 2010; and

WHEREAS, these organizations are working to improve early learning opportunities, including early literacy programs, that can provide a foundation of learning for children in Wake County; and

WHEREAS, teachers and others who make a difference in the lives of young children in Wake County deserve thanks and recognition; and

WHEREAS, public policies that support early learning for all young children are crucial to young children's futures;

NOW THEREFORE, BE IT RESOLVED THAT, the Wake County Board of Commissioners, do hereby proclaim April 11- 17, 2010, as

“The Week of the Young Child in Wake County”

We encourage all citizens to work to make a good investment in early childhood in Wake County and North Carolina.

### **Consent Agenda**

#### **Joint Resolution Between Wake County and the Town of Cary Regarding Safety Improvement Consideration for At-Grade Trail Crossings for the American Tobacco Trail**

Betty Lou Ward, Vice Chair motioned, seconded by Lindy Brown, to approve the joint resolution that makes a request to the North Carolina Department of Transportation to conduct in depth safety evaluations of all at-grade trail crossings along the American Tobacco Trail (ATT) and implement comprehensive safety countermeasures to ensure safe crossing maneuvers by all users of the ATT as well as safe and efficient mobility of roadway users along the state maintained roadways. The motion passed unanimously.

#### **A JOINT RESOLUTION REGARDING SAFETY IMPROVEMENT CONSIDERATION FOR AT-GRADE TRAIL CROSSINGS FOR THE AMERICAN TOBACCO TRAIL**

**WHEREAS**, the American Tobacco Trail (ATT) is a 23-mile long regional, multi-modal commuter and recreational route that connects the people of Western Wake County, the Town of Cary and Eastern Chatham County to the City of Durham and the Research Triangle Park. The design and construction of the ATT is a joint endeavor between the North Carolina Department of Transportation (NCDOT), Chatham County, Wake County, Durham County, City of Durham, and the Town of Cary. The NCDOT has been instrumental in providing design plans and funding for portions of the ATT located within Wake and Chatham Counties.

**WHEREAS**, the ATT will have a regional impact on multi-modal transportation for both commuters and recreational enthusiasts with high levels of use by a variety of age groups anticipated during the week and on weekends. The ATT crosses several State-maintained roadways at-grade that currently have rural posted speed limits that do not take into consideration pedestrian, bicycle, and horseback riding facilities. Specifically, the ATT will cross the following roadways in Wake County at-grade: SR 3120 (Morrisville Parkway), SR 1606 (White Oak Church Road), SR 1605 (Green Level West Road), SR 1603 (Wimberly Road), SR 1602 (Goodwin Road) and SR 1160 (Olive Chapel Road). The Town of Cary and Wake County agree that each location where the trail crosses the roadway shall be as safe as possible for all trail users.

**WHEREAS**, the NCDOT has adopted a complete streets policy of making every effort to ensure the roadways on the State network provide appropriate access and design consideration for all modes of transportation.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Wake County and the Town Council of the Town of Cary that the governing boards respectfully request that the NCDOT conduct in-depth safety evaluations of all at-grade trail crossings along the ATT and implement comprehensive safety countermeasures to ensure safe crossing maneuvers by all users of the ATT as well as safe and efficient mobility of roadway users along the State-maintained roadways. Both governing boards recommend that the NCDOT consider all forms of safety countermeasures, including, but not limited to, proper roadway alignment, speed limit reductions, traffic calming measures, signals, signs, and pavement markings.

Adopted by the Town of Cary this the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

TOWN OF CARY

ATTESTED BY:

\_\_\_\_\_  
Harold Weinbrecht, Mayor

\_\_\_\_\_  
Sue Rowland, Town Clerk

Adopted by Wake County this the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

WAKE COUNTY

ATTESTED BY:

\_\_\_\_\_  
Tony Gurley, Board Chair

\_\_\_\_\_  
Susan Banks, County Clerk

**Accept \$25,500 in Technical Assistance Funds to Implement the NC Agricultural Cost Share Program in Wake County**

Betty Lou Ward, Vice Chair motioned, seconded by Lindy Brown, to accept \$25,500 from the North Carolina Department of Environment and Natural Resources Division of Soil and Water Conservation in matching funds for an existing technical assistance position (#5810-1005-0). The motion passed unanimously.

**Tax Committee Recommendations for Value Adjustments, Late Filed Applications, Collections Refunds and Tax Collections**

Betty Lou Ward, Vice Chair motioned, seconded by Lindy Brown, to approve the recommendations by the Tax Committee. The motion passed unanimously.

**TAX REPORT**

1. Report of Collections – Wake County Only – February 2010
2. Wake County In-Rem Foreclosure Progress Report – February 2010

3. Value Adjustments and Special Situations: (Wake County and City of Raleigh), (Wake County and Town of Fuquay-Varina), (Wake County and Town of Wake Forest)
4. Consideration of Refund for Taxes, Interest, and Penalties: (Wake County Only), (Wake County and Town of Cary), (Wake County and Town of Fuquay-Varina), (Wake County and Town of Garner), (Wake County and Town of Holly Springs), (Wake County and Town of Morrisville), (Wake County and City of Raleigh), (Wake County and Town of Wake Forest)
5. Consideration of Requests for Adjustments, Rebates, and/or Refunds of Penalties: (Wake County and City of Raleigh), (Wake County and Town of Cary), (Wake County and Town of Garner), (Wake County and Town of Rolesville), (Wake County and Town of Wake Forest)
6. Request for Tax Relief-Late Filed Applications: (Wake County and City of Raleigh)
7. Rebate Details: (Wake County and Town of Apex), (Wake County and Town of Cary), (Wake County and Town of Fuquay-Varina), (Wake County and Town of Garner), (Wake County and Town of Holly Springs), (Wake County and Town of Knightdale), (Wake County and Town of Morrisville), (Wake County and City of Raleigh), (Wake County and Town of Rolesville), (Wake County and Town of Wendell), (Wake County and Town of Wake Forest), (Wake County and Town of Zebulon)

### **Regular Agenda**

#### **Public Hearing on Wake Coordinated Transportation Services 2010-2011 Community Transportation Program Assistance Application**

Mr. Don Willis said the annual community transportation program is an ongoing program through the North Carolina Department of Transportation Public Transportation Division that pays for eligible recurring administrative and capital costs. The Transportation Advisory Board has reviewed and supports approval of the grant. The grant application is for continuation funding for three positions. Other administrative costs include marketing expenses, supplies, vehicle insurance, employee development and training. The request would allow the county to replace lift-equipped vans that have reached their useful life.

Chairman Gurley opened the public hearing.

No one came forward to speak.

Chairman Gurley closed the public hearing.

Commissioner Ward complimented Mr. Willis on the county transportation program.

Betty Lou Ward, Vice Chair motioned, seconded by Paul Coble, to authorize the grant application for the Community Transportation Program and authorize the

Chairperson of the Board of Commissioners to sign the "Resolution to Apply, Certifications and Assurances" grant application form, following the public hearing held by the Board of Commissioners.

The motion passed unanimously.

**Request a Staff Report to the Growth, Land Use, and Environment (GLUE) Committee on Falls Lake Watershed Efforts**

Commissioner Norwalk said that he has requested staff to study other means to protect Falls Lake because of the nitrogen and phosphorus problems. The water filters are being clogged by algae in the lake. He asked staff to consider other options to protect the lake and bring them back before the Board of Commissioners. He said that other measures would potentially cause 60% of the citizens to pay a higher water bill. He said that fertilizing lawns causes contamination. Commercial uses of activity centers are still be proposed and other options are needed. He asked that this item be considered before the other item because this problem should be taken care of regardless of other actions taken by the Board of Commissioners regarding the proposed ordinance amendment to the Unified Development Ordinance (UDO).

Stan Norwalk motioned, seconded by Betty Lou Ward, Vice Chair, to direct the County Manger to ask staff to report to the Growth Land Use and Environment Committee (GLUE) a summary of existing measures, potential financial impacts, and the feasibility of additional measures to protect water quality in the Falls Lake Watershed by the end of June 2010.

The motion passed unanimously.

Commissioner Bryan agreed that a comprehensive approach is necessary. The partners of the City of Raleigh and the municipalities will have an opportunity to collaborate. This is important since 60% of the population will be getting their water from Falls Lake.

Chairman Gurley said that Triangle J Council of Government has looked at these rules in the past. The State of North Carolina has future pending rules and they will be stricter with nitrogen and phosphorus.

Commissioner Norwalk said the State of North Carolina is inviting other ideas and creative approaches.

Commissioner Brown echoed her support for Commissioner Norwalk's motion.

Commissioner Ward said Wake County should partner with Durham County since the lake is in Durham County as well.

## **Proposed Ordinance Amendment to the Unified Development Ordinance (UDO) to Allow Redevelopment Option in R40W Activity Centers**

Mr. Steve Finn gave an overview of the proposed Ordinance Amendment 03-09, Section 4-11 stating that the amendment would allow existing commercial or industrial non-conforming uses in the R-40W zoning districts to be redeveloped to a wider range of uses if the Board of Adjustment approves a Special Use Permit site plan. However, any commercial use would still have to be located in an Activity Center as designated on the Wake County Land Use Plan. A public hearing was held on March 1, 2010. The GLUE Committee met on the proposal on March 16th and March 29th and modifications to the text were made and agreed to for submission to the Board of County Commissioners for approval. The related revisions were:

- Specifies only pre-existing nonconforming commercial or industrial uses are eligible for commercial use redevelopment.
- Included verbatim provisions of the NC DENR Division of Water Quality Draft Rules for the Falls Lake Nutrient Management Strategy
- Offered alternative standards which address the size and scale of redevelopment, 1) building square footage of redevelopment cannot exceed existing square footage, and/or 2) reduce impervious surface ratio on existing nonconforming sites by 10%.

Commissioner Ward stated that as Chair of the Growth, Land Use and Environmental Services Committee she wanted to commend the Environmental Services staff on their work on this proposal. She asked those in the audience to speak about the issue. Chairman Gurley opened the floor for public comment since this item was coming up for consideration prior to the time for general public comments.

Mary Stascak, a resident of the Falls Lake Watershed. opposed the proposal. She asked the board to consider other options.

Alyssa Bierma, Upper Neuse River Keeper, said that there have been a number of emails and concerns. The applicant would get the variance. When conditions are issued, the applicant has to follow them. She asked the Board to reconsider. The other water supply watershed applicants will be left wide open to take action. She said that Wake County has some of the best stormwater rules. The proposal will affect many people. She brought copies of emails that have been sent opposing the issue.

Ms. Sherry Johnson, Watershed Protection Council, said that some of the neighbors in the Lake Falls Subdivision were present today. The text change is a problem. A consensus document should be considered. If the language

proposed is approved, it would create a mechanism for shopping centers of large size that should have water and sewer to go into areas without water and sewer services available. Engineered solutions may not be appropriate. This area is within walking distance of the critical area. The Board of Adjustment will have undefined rules for decision making on these applications. Compromises have been sought with the applicant with no success. She clarified that the use of the property is different than what was originally proposed. The site will be a shopping center in the future.

Mr. Rob Posgai, lives in the Lake Fall community, said that he and others in the community were unaware of the public hearing on March 1, 2010. He said that the Planning Department has helped with explaining the process. He said that the residents of the community misunderstood the purpose of the land. As residents they believed that property would remain as is, or could be redeveloped within certain limitations. He said that nobody understood a shopping center could be put on the property. He said that it is inappropriate to pass the proposal since the neighbors have not been informed. He said there is not a clear understanding of the use of the property but that what they have heard is there could be up to 170,000 square feet of commercial development. He said that is a large scale high density shopping center which is across the street from his home. The public has been left out of the process and only been aware in the last couple weeks. There is concern that residents will not have proper sewage and one of the neighbors has already had a dry well. He asked how the roads will be expanded and be able to handle the development.

Mr. David Doak said that he lives in the Lake Falls Neighborhood. He said that he was approached about the possibility of a grocery store there. Mr. Goldston indicated there were no plans for development of a shopping center. He said the proposal is unfair to allow one resident something different than another. A removal of the rules will take place. The neighborhood has three (3) wells. A shopping center could run wells dry and there no sewer system in place. He asked for other options to be considered.

Mr. Tom Hankins said that he has lived in the watershed since 1987 and built ten homes in the watershed. He said that he had a notice on his door this past weekend. He said the debate is coming from fear. He said there is alot of traffic on Highway 50 but this could have a positive effect for the area. He is on a lot of Homeowner Associations to decide building situations and believes there could be benefits to the water quality from this project.

Mr. Lacy Reaves, Smith Anderson Law Firm, said that he has received copies of e-mails in support of the proposal. He said that 9 months ago the text amendment was proposed. It was reviewed by the Planning Board. The Planning Board voted 8-1 in support. Staff recommended approval. In every case, it begins with a nonconforming use. He said this is a cleanup measure.

He said a site specific plan is developed and then a public hearing is held. The burden of proof is given. He said there is no cleanup variance situation. The procedure is for a special use permit. There are existing provisions in the UDO that warrant the proposal. He said that square footage has been mentioned. He said that the requirement of not exceeding 24% impervious surface would be met and the nitrogen and phosphorus levels would be met. The impact on the neighborhood has to be decided by the Board of Adjustment. Maintenance of water quality should be taken into account.

Commissioner Norwalk said that in the beginning he had many concerns. He said this is a cleanup of a large property. He said that it was currently not an environmental asset in protecting the lake. The property is 82 years old. Technology has improved greatly. The applicant has explored the opportunities. The text change opens a process. The proposal has to go before Environmental Services. This is only a text change to begin the process. He said that he has received calls for and against the issue but everyone wants to protect the lake. He does not feel the area will become urbanized. He expressed his concern over wells, but said that he does not feel a shopping center will draw water from nearby neighborhoods. He said that fertilizer from lawns contaminate the lake. He said the Little River Reservoir area is an example to be used for protecting the watershed. He said that Durham County's exploring floating islands to take care of nitrogen and phosphorus.

Commissioner Brown asked Mr. Steven Finn to address the list of potential R-40W Nonconformities Activity Centers. Mr. Finn said that staff looked at sites that were identified as being "legally" non-conforming. He said that staff wanted to ensure the practical number of sites.

Commissioner Ward addressed the neighborhoods near the site. She said that she has researched the situation and this will be a cleanup effort. The concern about the wells is valid since there is no city water or sewer. She said that she is confident that Mr. Reaves has explained this proposal well.

Betty Lou Ward, Vice Chair motioned, seconded by Paul Coble, to adopt the attached amendment to the following sections of the County's Unified Development Ordinance (UDO):

OA 03-09 - Section 4-11, Use Table, and the creation of Section 4-59, specifically to create a redevelopment option for the nonconforming uses in the Residential-40 Watershed (R-40W) Activity Centers and related standards.

Mr. Warren asked that the Planning Board and Planning Staff comments be included by reference as it relates to health, safety and welfare of citizens in Section 19.

Commissioner Bryan said that the proposal is an opportunity to clean up and eliminate future problems for years to come. He said this action helps protect citizens' health and natural resources. There are rules that deal with stormwater and ground water. He said that Commissioner Ward lives in the area and has protected water quality during her twenty year tenure as a county commissioner and he feels confident with her approval of the proposal.

Commissioner Bryan asked for three friendly **amendments to the motion**:

- 1) Change Section 4-59-3 (D) - gross floor area submitted for special use permit should not exceed 85% (or a 15% reduction) of gross floor area of all buildings existing prior to redevelopment upon the property proposed for the special use permit.
- 2) Change Section 4-59-3 (D) from .....reduce impervious surface ratio on existing nonconforming sites from 10% to 20%; and
- 3) Spray fields will not be used to handle wastewater.

Commissioner Norwalk asked Mr. Warren to clarify the spraying field comments. He said that it was discussed in the GLUE Committee.

Commissioner Ward and Commissioner Coble agreed to accept the three friendly amendments to the motion. Commissioner Ward spoke about the extension of water and sewer in this area may eliminate the need for spray fields. Commissioner Norwalk said that Chatham County regards spray fields as experimental and have to be watched closely.

Chairman Gurley said that he understands the technical research. He said that this is proposal for this site would be an improvement to the water protection over the existing lumberyard that is on the site. This will improve the water quality. Existing uses could be a future issue but there are rules for existing activity centers and that property could be used for those allowable uses that would improve the water quality. He said that he is not willing to accept the trade off because 120,000 square feet of used area should not have to be allowed. He stated his opposition to the proposal. He said he would like to see the site redeveloped with existing uses versus allowing this proposal to go forward versus adding additional uses. He said the efforts made to assure it meets existing requirements have been gone above and beyond that and probably above the future state requirements.

Betty Lou Ward, Vice Chair motioned, seconded by Paul Coble, to adopt the amendment to the following sections of the County's Unified Development Ordinance (UDO) pursuant to Section 19-20 of the Wake County UDO:

## Ordinance Amendment 03-09

- **Section 4-11** - Establish Elimination and Redevelopment of Nonconforming Use term, create Special Use option for this use under R-40W in Use Table (Activity Centers only); and,
- **Creation of Section 4-59**, specifically to create a redevelopment option for the nonconforming uses in the Residential-40 Watershed (R-40W) Activity Centers and related standards;

and as further modified by the GLUE Committee and Board of County Commissioners:

**Section 4-59-2 (C)** - specifies only pre-existing nonconforming commercial or industrial uses are eligible for Commercial Use

**Section 4-59-3 (C)** - adds language to require on-site reduction of 60% of total nitrogen and 60% of phosphorous in stormwater runoff, the standard applicable to redevelopment of nonconforming uses in the R-40W districts county-wide and remain until pre-empted by state rules that impose a higher standard

**Section 4-59-3 (D)** - modified to offer two alternative standards which address the size and scale of redevelopment, 1) building square footage submitted for special use permit should not exceed 85% (or a 15% reduction) of gross floor area of all buildings existing prior to redevelopment upon the property proposed for special use permit; and/or 2) reduce impervious surface ratio on existing nonconforming sites by 20%; and additionally, that spray fields will not be used to handle wastewater.

The motion was approved with a vote of 6 - 1.

AYES: Betty Lou Ward, Vice Chair, Lindy Brown, Joe Bryan, Paul Coble, Stan Norwalk, Harold Webb, Chairman

NOES: Tony Gurley, Chair

### Public Comments:

Mayor Frank Eagles, Mayor of Rolesville, said that Wednesday is the National American Heart Association Walk Day on Wednesday April 7, 2010. He challenged the Board of Commissioners to participate. He announced that he will be participating in walks with two schools: Sanford Creek Elementary 9:30 a.m. and Rolesville Elementary at 11:00 a.m. The walks are to emphasize that 30 minutes of walking each day is heart healthy.

Commissioner Bryan said he had a conflict with the time of day, but he would come by later in the day.

Commissioner Ward said that she also had a conflict with the time of day, but said that she supported the walk.

Mayor Eagles said that Mayor Ronnie Williams, Town of Garner, is trying to get the senior citizens in Garner involved. Mayor Eagles reported that Mayor Weatherly, Town of Apex, had bypass surgery recently and is doing well.

Mr. Charles "Chuck" Laverdiere, Vice-Chair, of the Wake County Constitution Party of North Carolina, came forward and spoke in opposition of funding of abortions with Wake County taxpayer money. He distributed and read aloud a resolution by the Constitution Party State Executive Committee.

Ms. Racquel Williams said she was aware there had been reservations regarding her reappointment to the Wake County Housing Authority. She distributed her credentials to the Board members. She gave information on her accomplishments while serving on the Wake County Housing Authority and recent meetings she has attended. She noted she had been involved in numerous named programs.

Ms. Tracy Durham said that she supports Ms. Racquel Williams' reappointment to the Wake County Housing Authority and explained how she has benefited from Ms. Williams participation in the "Can I Live" program.

Ms. Quanta Edwards said that she works with the "Can I Live" Program along with Ms. Racquel Williams. The program is a mediation and training program. She said that Ms. Williams has worked hard in the programs she has served. She has worked with Ms. Williams in the self-sufficiency public housing program. She asked the Board of Commissioners to reappoint Ms. Racquel Williams to the Wake County Housing Authority.

Mayor Keith Weatherly, Town of Garner, said he would like the Board to reconsider the closing of the Southeast Regional Library in Garner.

### **Approval of an Amendment to the Southwest Wake Area Land Use Plan (LUPA 03-09)**

Mr. Tim Gardiner said that the amendment of the Southwest Wake Area Land Use Plan is located in the board materials. Due to a staff oversight, the written amendment was not included with the agenda package at the March 16, 2010 meeting. The written amendment is needed to correctly document the Board of Commissioner's action and to set the effective date of the amendment. The Board of Commissioners held a public hearing on the proposed Southwest Wake Area Land Use Plan (LUPA 03-09) amendment on March 15, 2010. At

this same meeting the Board of Commissioners voted 6-1 in favor of approving the proposed amendment. He gave an overview of the amendment. Section one describes the map and text changes. Section 2 includes the modification attachments.

Mr. Jim Cummings said that he lives near the Swift Creek area. He said that he wants to protect the land and keep the water ways clean. The impervious surface of the parking lot with water runoff and stormwater drainage is a problem. He represents the homeowners in that area. He said that municipal sewer will never exist in this area. The biggest threat will be from land development and impervious surface from parking lots where the river collects fertilizer from homeowners. He said that homeowners would like to conform to the 30% and keep the retention of rainwater as it is written in the agreement.

Commissioner Ward asked Mr. Cummings about his past building request. He said that he needed more impervious surface to build a garage. He said that requirements were confusing to him and his builder discovered an additional 1,000 feet of impervious surface would be required for his garage. It was recommended he remove 1,000 feet of his driveway or sidewalk to meet the requirements. Controlling the overflow of water is the issue with his project. He said that if he had city water, conditions would be different for his situation. He said that Garner Swift Creek Watershed and the other watersheds have different requirements and controls. He stated that he has two rain barrels to collect water for his lawn. He said the biggest threat to this area is from large sewage spills that can affect his neighborhood.

Commissioner Coble asked if staff can develop alternate means of compliance to bring back to the Board of Commissioners.

Paul Coble motioned, seconded by Betty Lou Ward, Vice Chair, to approve the amendment to the Southwest Wake Area Land Use Plan (LUPA 03-09) and that staff bring back alternative means of compliance to deal with the issue of lack of municipal services and the 12% impervious surface requirements in this area. The motion passed unanimously.

## **BOARD OF COMMISSIONERS OF WAKE COUNTY, NORTH CAROLINA**

### **AMENDMENT TO THE SOUTHWEST WAKE AREA LAND USE PLAN**

WHEREAS, the proposed Land Use Plan Map and Text amendment referenced as LUPA-03-09 promotes the public health, safety, and general welfare of the citizens of Wake County;

WHEREAS, the proposed land use plan amendment is consistent with the Wake County Land Use Plan;

WHEREAS, the stakeholder committee established as part of the Harris Lake Drainage Basin Study supported and recommended the proposed Land Use Plan amendment;

WHEREAS, on December 16, 2009 the Wake County Planning Board voted unanimously 7-0 to recommend that the Board of Commissioners adopt the proposed Land Use Plan amendment LUPA 03-09;

WHEREAS, the Wake County Board of Commissioners held a duly-noticed public hearing on March 15, 2010 to consider amending the Wake County Land Use Plan as proposed;

WHEREAS, on March 15, 2010 the Wake County Board of Commissioners voted 6-1 to adopt the proposed Land Use Plan amendment LUPA 03-09;

NOW, THEREFORE, BE IT HEREBY APROVED AND ADOPTED BY THE WAKE COUNTY BOARD OF COMMISSIONERS:

#### SECTION I

The proposed Land Use Plan Map and Text amendment is found to be consistent with the Wake County Land Use Plan and to otherwise promote the public health, safety, and general welfare, and the Wake County Land Use Plan is hereby amended as follows:

1. Amend the existing Southwest Wake Area Land Use Plan Map detailing land use classifications to reflect the changes shown on the Southwest Wake Area Land Use Plan – Proposed New Map. Details as listed:
  - a) Update the Land Use Plan Map to reflect Apex ETJ expansion areas by denoting these areas as municipal jurisdiction and by removing seven activity centers.
  - b) Update Land Use Plan Map to add proposed municipal fringe residential densities around the western border of Fuquay-Varina (1,750 Acres) and the southern border of Holly Springs. (1,500 Acres).
  - c) Update Land Use Plan Map to increase the land use classification to 1 unit per acre in the areas served by agreement with Harnett County water lines. (4,000 Acres)

- d) Update the Land Use Plan Map to add a Neighborhood Activity Center designation at intersection of Piney Grove Wilbon Road and NC 42 currently shown on Fuquay-Varina/Garner Area Land Use Plan within Fuquay-Varina's USA. (62 Acres)
- e) Update the Land Use Plan Map to adjust the parcel-based boundary of Neighborhood Activity Center at intersection of Bonsal Road and Old US 1 Highway. (32 Acres)
- f) Update the Land Use Plan Map to denote the majority of the land owned by Progress Energy for the purposes of the Shearon Harris Nuclear Facility as Utility/ Harris Lake (14,470 Acres)
- g) Update the Land Use Plan Map to change an area along Old Holly Springs Apex Road to a mixed use land use classification. (170 Acres)
- h) Update the Land Use Plan Map to add a business park connected to the potential wastewater treatment plant on the north side of US 1. (310 Acres)
- i) Update the Land Use Plan Map to add the US 1 Business Park on the south side of US 1 with the land classification of Business Park. (1480 Acres)
- j) Update the Land Use Plan Map to extend the potential business park on Holly Springs-New Hill Road to the west. (478 acres)

2. Amend SWALUP Text to add new Land Use Classifications and definitions to the Land Use Classifications Table. Details as listed:

- a) Business Park -The Business Park classification is intended to set aside future employment areas for strategic development in cooperation with adjacent municipalities. Land uses include employment uses, including office, research, and light industrial (high-tech industry), with limited supporting commercial.

Development in this classification shall adhere to the following:

- Building heights up to 3 stories
- Interconnected system of roads with easy vehicular access to highways and arterial roads; layout should accommodate various modes of transit
- Central open space around which buildings are arranged; buildings shall be connected to greenways or other walk-able routes
- Storm-water run-off shall be managed

This classification shall be used in 3 areas in the Southwest Wake Land Use Plan:

*US 1 Business Park*

The US Business Park, consisting of approximately 1,480 acres of land, is located just south of US 1 along Friendship Road. This area is intended to be a regional employment area. Major development on the site will require the construction of an internal road network.

*Old US 1 Business Park*

This area, consisting of approximately 310 acres, is located adjacent to the proposed waste treatment facility. Major development on the site will require the construction of an internal road network, including a connection back to Old US

1.

*New Hill Holleman Road Business Park*

This area, consisting of approximately 478 acres, is located adjacent to a proposed business park in Holly Springs along New Hill Holleman Road. This area is intended to be a potential expansion area for the Holly Springs location. Major development on the site will require the construction of an internal road network.

- b) **Mixed-Use** The Mixed-use classification is intended to set aside future density areas for strategic development in cooperation with adjacent municipalities. The intent of the Mixed Use category is to designate areas where a wide range of commercial, business, and higher density residential land uses will be linked to create a “village-like”, pedestrian-friendly environment. Land uses include a mix of residential and retail/service uses in close proximity to each other. The mix of uses is intended to promote the health and well being of residents by ensuring availability of adequate and concurrent urban infrastructure, utilities, and services while encouraging physical activity, alternative transportation, and opportunity for social interaction.

Development in this classification shall adhere to the following:

- inclusion of a variety of housing types;
- inclusion of buildings with non-residential uses on the ground floor and residential units on the second floor;
- inclusion of commercial that is able, either as proposed or in conjunction with surrounding development, to serve daily or frequent needs of the surrounding neighborhood;
- creation a commercial core supported by an adequate supply of residential development;
- development shall follow an orderly, phased pattern of development to be supported by adequate public facilities.

- c) **Utility/Harris Lake** -This district comprises lands primarily owned by Progress Energy and includes Harris Lake. Recommended land uses within the district include the generation, transmission, and distribution of electric power produced by both nuclear and non-nuclear means and could include, by way of example, natural gas, wind and solar generation. Land uses supporting, appurtenant, and ancillary to these activities, including uses involving the elements and byproducts of power generation, may also be present in the district and may take the form of offices, warehouses, industrial, and training facilities operated by Progress Energy, its grantees, and lessees. Other public utility, parks, recreational, and municipal uses may be located within the district. To the extent practicable, the use of land within the district will respect and enhance the environment and natural resources.
- d) **Municipal Fringe** -The Municipal Fringe classification is intended to set aside future residential areas for strategic development in cooperation with adjacent municipalities. The recommended density for these areas shall be up to 2 acres or up to 4 acres depending on jurisdiction. Development in the Wake County jurisdiction shall adhere to all applicable storm water and waste water regulations.

3. Amend SWALUP Text to add new Implementation Actions as shown on Attachment A.

## SECTION II

The modifications to the Southwest Wake Area Land Use Plan (LUPA 03-09) shall become effective upon approval and adoption of this amendment on April 5, 2010.

\*\*insert Attachment A

A 10 minute break was taken.

### **FY 2010 General Fund Operating Budget Amendments**

Ms. Johnna Rogers, Deputy Manager, said that the county is projecting revenues to fall short in Fiscal Year 2009-2010. She listed the changes that would be needed for the FY 2010 General Fund and County Capital Projects Fund by:

Reducing \$16,621,159 from various county departmental appropriations

Decreasing estimated revenues by a net amount of \$16,621,159 in the General Fund for FY 2010

Appropriating \$1,257,182 in County Capital Projects Fund to be transferred to the General Fund

Reduce authorized positions by 24 full-time equivalents

Ms. Rogers said that sales tax is expected to be \$9 million less than budgeted in the FY10 budget. There has been \$10 million in reductions in state and federal funding for Human Services programs and \$7 million in all the other county departments.

County departments were asked to identify expected expenditure savings to the end of the fiscal year. There were 2% reductions identified. The reductions by department were provided in the materials. Some of the positions identified for reductions in FY 2011 have been accelerated for FY 2010 in order to achieve 100% savings in the FY 2011 budget.

Commissioner Brown asked Ms. Rogers to explain why reductions for Public Safety and Sheriff Departments were less than other departments. Ms. Rogers said the Sheriff has quite a number of fixed department costs. Many of the Public Safety positions are contracted, and it is difficult to reduce those positions.

Commissioner Norwalk asked when the new jail would be completed. Ms. Rogers said that the jail would be completed in 2012.

Commissioner Norwalk asked if the savings in the Budget and Management Services Department was because of the vacant Budget Director position. She explained that there are several vacancies in that department currently. Commissioner Norwalk asked for explanation of vacancies in the County Manager's Office. Ms. Rogers explained that the Assistant to the County Manager and an Intergovernmental Relations position were vacant.

Commissioner Ward asked about Human Services reductions. Chairman Gurley said that the state reduced Human Services programs by \$10.5 million in revenues. Ms. Rogers said the amended budget will reflect adjustments.

Commissioner Brown asked for clarification of the reduction of employees. Ms. Rogers reported the employee reductions by department. Wake County Public Schools and Wake Technical Community College were not included in the reductions.

Joe Bryan motioned, seconded by Betty Lou Ward, Vice Chair, to amend the FY 2010 General Fund and County Capital Project Fund by:

- Reducing \$16,621,159 from various county departmental appropriations;
- Decreasing estimated revenues by a net amount of \$16,621,159 in the General Fund for FY 2010;
- Appropriating \$1,257,182 in County Capital Projects Fund to be transferred to the General Fund; and
- Reduce authorized positions by 24 full-time equivalents

The motion passed unanimously.



\$6,759,555, which includes an increase in administrative funds of \$292,615 and a decrease of \$7,152,170 in direct subsidy. As a result of this reversion, the department will be unable to serve 500 additional children from the waiting list.

Efficient use of funding from the North Carolina Department of Health and Human Services for execution of H1N1 public health program resulting in \$820,000 savings. Wake County Human Services conducted H1N1 clinics at its own facilities, including the regional centers and utilized existing staff, including County-wide volunteers, which minimized outsourcing for medical and administrative staff. Wake County Human Services is projected to spend \$970,299 of the \$1,790,299 total funding.

## II. General Fund Reductions

The County projects an additional \$7,393,840 shortfall beyond the external revenue shortfall in Human Services, which was addressed by reducing department's expenditure budgets and transferring funds from the capital budget.

County departments were asked to identify expected savings, with a minimum of 2% to be saved by each department. At least 2% was reduced from most departments.

Board Of Commissioners	\$454,851	(\$8,660)	\$446,191	1.90%
Board of Elections	\$2,647,128	\$194,186	\$2,841,314	-7.34%
Budget & Mgmt Services	\$744,377	(\$60,901)	\$683,476	8.18%
City-County Bureau of Identification	\$4,155,748	(\$83,115)	\$4,072,633	2.00%
Community Services	\$25,407,615	(\$508,152)	\$24,899,463	2.00%
County Attorney	\$1,446,273	(\$20,000)	\$1,426,273	1.38%
County Manager	\$1,458,326	(\$128,130)	\$1,330,196	8.79%
Public Safety Communications	\$1,020,656	(\$1,438)	\$1,019,218	0.14%
EMS	\$18,237,070	(\$364,741)	\$17,872,329	2.00%
Environmental Services	\$8,077,698	(\$217,306)	\$7,860,392	2.69%
Facilities Design & Construction	\$1,145,326	(\$73,245)	\$1,072,081	6.40%
Finance	\$2,796,836	(\$190,702)	\$2,606,134	6.82%
Fire & Emergency Management	\$1,951,577	(\$102,937)	\$1,848,640	5.27%
General Services	\$27,835,364	(\$556,707)	\$27,278,657	2.00%
Human Resources	\$2,076,242	(\$106,000)	\$1,970,242	5.11%
Human Services (external)	\$158,874,862	(\$10,484,501)	\$148,390,361	6.60%
Human Services (County)	\$76,471,214	(\$2,000,000)	\$74,471,214	2.62%
<b>Total Human Services</b>	<b>\$235,346,076</b>	<b>(\$12,484,501)</b>	<b>\$222,861,575</b>	<b>5.30%</b>
Information Services	\$12,315,800	(\$290,334)	\$12,025,465	2.36%
Medical Examiner	\$200,000	\$38,869	\$238,869	-19.43%

Non-Departmental	\$9,683,631	(\$150,046)	\$9,533,585	1.55%
Register of Deeds	\$2,906,028	(\$58,120)	\$2,847,908	2.00%
Revenue Department	\$5,107,959	(\$161,122)	\$4,946,837	3.15%
Sheriff	\$61,662,803	(\$289,012)	\$61,373,791	0.47%
Transfer to County Capital	\$22,000,000	\$0	\$22,000,000	0.00%
Transfer to Schools Capital	\$15,000,000	\$0	\$15,000,000	0.00%
Transfer to Debt Service (property tax)	\$129,874,000	\$0	\$129,874,000	0.00%
Transfer to Debt Service (sales tax)	\$27,721,000	(\$999,043)	\$26,721,957	0.00%
Transfer to Reval Fund	\$850,000	\$0	\$850,000	0.00%
Transfer to Grants Fund	\$0	\$0	\$0	0.00%
Transfer to Wake Tech Capital	\$10,690,000	\$0	\$10,690,000	0.00%
Wake Public Schools	\$313,503,224	\$0	\$313,503,224	0.00%
Wake Tech	\$17,013,550	\$0	\$17,013,550	0.00%
<b>TOTAL GENERAL FUND EXP</b>	<b>\$963,329,159</b>	<b>(\$16,621,159)</b>	<b>\$946,708,000</b>	<b>1.73%</b>

C. The budget for the Board of Elections will increase by \$194,186 for One-Stop Voting Sites for the May 2010 Primary.

D. The County did not request reductions from the Wake County Public School System or Wake Technical Community College; the appropriations remain consistent with the FY 2010 Adopted Budget, \$313,503,224 and \$17,013,550 respectively.

E. The transfer to the Debt Service Fund was reduced by \$999,043 to address lower Sales Tax collections in Articles 40 and 42, a portion of which is used for funding debt service related to school capital. This reduction will not negatively impact the Debt Service Fund as lower than expected interest rates and higher bond premium amounts from FY 2010 bond sales will offset this reduction.

In total, the General Fund Expenditure reductions and revenue adjustments of \$16,621,159 are recommended for County departments; these adjustments result in an amended FY 2010 general fund budget of \$946,708,000.

### III. Capital Improvement Plan Project Close-outs and One-time transfer from the County Capital Projects Fund

A. Projects, totaling \$1,471,073, were closed out to generate one-time savings to be used to offset the revenue shortfall in the General Fund. The projects closed include:

Automation Projects:

Aerial Photography	\$261,500
Lotus Notes	\$45,000
Developmental Disabilities System	\$100,000
Applications Hardware/Software 2010	\$50,000
Security 2010	\$25,000
Swinburne Rewiring	\$167,783
Public Safety - Simulcast Paging Addition	\$27,744
Parks & Recreation - Little River Park	\$303,000
Criminal Justice - Judicial - Update Master Plan	\$27
County Buildings - PSC Andover controller	\$113,182
Water & Sewer RTP Enhanced Wastewater	\$31,837
Waste Sewer Impact Fee Recovery	\$346,000

B. This action includes a one-time transfer of \$1,257,182 from County Capital Projects Fund to the General Fund.

**IV. This action includes a net reduction of 24.0 in the County's authorized FTE count.**

These position reductions are the result of mid-year reductions as well as acceleration of reductions identified during budget development for FY 2011.

General Fund	18.0
Grants Fund	4.0
Capital Area Workforce Development	2.0

**Garner EMS Request for County Funds**

This item was removed from the agenda.

**[Wake County Public School System CIP 2006 Reallocation Request \(First Reading\)](#)**

Mr. Don Haydon, Chief Facilities and Operations Officer of the Wake County Public School System, said the request was for adjustments to the budget for projects within CIP 2006 in order to fund projects that will be funded by the bond sale that took place in March 2010. There will be one more appropriation request for Rolesville Middle School which will be funded by the qualified school construction bonds.

Mr. Haydon said that if there are no outstanding questions, this item will be placed on the April 19, 2010 agenda. At the April 19, 2010 Board of Commissioners meeting, the Board of Commissioners will be asked to:

- 1) Reallocate \$20,082,608 from E-28 (Randleigh) Elementary to E-21 Walnut Creek Elementary.
- 2) Reallocate \$4,064,132 from CIP 2006 Reserve to offsite improvements and building permits.
- 3) Reduce appropriation from 25 separate projects in order to provide appropriation for eight projects to be funded out of the March 16, 2010 bond sale.
- 4) Make a technical correction to the CIP 2006 Reserve to reflect actions taken by the Board of Commissioners on March 15, 2010.

Mr. Haydon said that the Randleigh site is being jointly developed by Wake County and the City of Raleigh. An elementary school and middle school are being planned for the Randleigh site. The Walnut Creek site (corner of Sunnybrook and Walnut Creek Road) will be advertised for bids this spring and opened in 2011.

Commissioner Coble asked about \$3,988,057 for offsite contingencies. Mr. Haydon said funds were temporarily borrowed until funds could be replaced. Commissioner Coble asked if the sewer issue had been resolved on the Berry property as it relates to the Sycamore Creek Elementary School site. Mr. Haydon said there was pending litigation on the land.

Commissioner Bryan asked about the technical correction to the CIP 2006 reserve. Ms. Nicole Kreiser, Debt Manager for Wake County, said at the March 15, 2010 meeting savings were indicated on projects, and this was listed on the appropriations tracking sheet. The CIP reserve would increase by the amount of the savings found for the CIP 2006. In the resolution adopted by the board, the increase was a planned reserve and not actually what was appropriated. The savings for the reserve was not included on the resolution. The technical correction is to acknowledge \$27 million in savings found in the CIP 2006 projects and the reserve was increased by those savings.

Commissioner Norwalk asked about the approval of the transfer of \$24.4 million of savings from Plans 2000 and 2004 to CIP 2006 reserve. He asked for the explanation of the transfer of CIP totals of \$1.080 billion. Mr. Haydon went over the figures and said the current reserve fund is \$49.0 million. After the reallocations, the reserve fund will be \$27.7 million. Future appropriations and reallocations will add \$38.6 million, bringing the amount to \$63.3 million in reserves. Ms. Kreiser said that this is the difference between a plan and an appropriation. No more appropriations can be figured until bond funds are available for that purpose.

Commissioner Brown asked about the \$67.8 million and whether it could only be used for capital projects. Ms. Kreiser said that the funds stay in the CIP 2006.

Commissioner Bryan asked about the \$100 million in bonds that went to market at 2.5%. He asked what the plan was to use the investment. Mr. Haydon said the improvements would go toward offsite improvements at Rolesville Middle, Walnut Creek Elementary, Wilburn Elementary, Heritage High, Mills Park Elementary, Sycamore Creek Elementary, Alston Ridge Elementary, Banks Road Elementary, and offsite contingency.

Commissioner Norwalk asked about encumbrances for the bond amount out of the CIP total of \$1.080 billion. Ms. Kreiser said there will be two bond referendums in 2011 and 2012 to finish the bond referendums for CIP 2006. Commissioner Norwalk asked for the figures on what is left out of the bond referendums. Ms. Kreiser said that she would provide those figures.

Commissioner Brown asked about the high schools left in the CIP 2006 plan. Mr. Haydon said H6 was left and the middle school for fall 2010.

Commissioner Bryan asked the Board of Education to provide how much money has been spent, how much is left, what has been accomplished out of the 2006 CIP program and how has the public been informed of these actions. Chairman Gurley also asked for adjustments to be provided. In the case of Wake Forest Rolesville Middle School, there were adjustments made in the middle of construction.

Commissioner Ward asked where the new high school will be located. Mr. Haydon said that staff is looking at sites in the Rolesville area. Presently, two sites are being considered. Mr. Haydon indicated that Wake County Public Schools still owns the land in Rolesville for the proposed school site.

Commissioner Bryan asked if the Rolesville site would be discussed at the Board of Education meeting this week. Mr. Haydon said that a status report would be given to the Board of Education at their next meeting about the research and timeframe for bringing a proposal forward.

Commissioner Norwalk asked whether the Rolesville site information would be on the next joint Board of Commissioners and Board of Education meeting. Chairman Gurley said that the Board of Education would be presenting their budget information and requests and school nurse information are planned for presentations on the joint meeting agenda.

Commissioner Bryan asked if the presentation from Wake Education Partnership about the status of the schools in eastern Wake County would be on the agenda. Chairman Gurley said the agenda for the next joint meeting needs to be approved by both boards, and the two proposed higher priority items already mentioned would take the entire two hours to cover.

Commissioner Bryan said that if it is possible to make adjustments to the joint meeting agenda, he would like to have the Wake Education Partnership presentation on that meeting. Chairman Gurley said that he was aware the presentation was made in Knightdale. He has not seen any information from the Wake Education Partnership that there is still an ongoing initiative. Commissioner Bryan indicated there is a committee of 100 still working hard on the information. Chairman Gurley said that the presentation by the Wake Education Partnership would need to be postponed until the next quarterly joint meeting.

### **Wake Technical Community College 2007 Building Program Appropriation Request**

Mr. Wendell Goodwin, Facilities Engineering Officer, Wake Technical Community College, asked the Board of Commissioners to approve the following building program appropriation requests:

- 1) Authorize a new appropriation of \$22,195,155 of general obligation bonds issued on March 16, 2010 and reallocate an appropriation of \$240,653 of general obligation bonds, for a total of \$22,435,808, for the Ready Hall/Mechanical Technology HVAC Renovation, Health Sciences Parking Deck for North Wake Campus Building E projects;
- 2) Reallocates \$750,000 from land acquisition to the Physical Education Center project; and,
- 3) Reduce and increases appropriation for ten (10) 2007 building program projects resulting in a net reduction of \$240,653 to align budgets to the Plan of Record and bonds sold to date.

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

- 1) Authorize a new appropriation of \$22,195,155 of general obligation bonds issued on March 16, 2010 and reallocate an appropriation \$240,653 of general obligation bonds, for a total of \$22,435,808, for the Ready Hall/Mechanical Technology HVAC Renovation, Health Sciences Parking Deck for North Wake Campus Building E projects;
- 2) Reallocate \$750,000 from land acquisition to the Physical Education Center project; and,
- 3) Reduce and increase appropriation for ten (10) 2007 building program projects resulting in a net reduction of \$240,653 to align budgets to the Plan of Record and bonds sold to date.

The motion passed unanimously.

**Resolution R-2010**  
**2007 Building Program Appropriation, Reallocation and Budget Adjustment**

**WHEREAS**, Wake Technical Community College is engaged in the 2007 Building Program approved by voters in October 2007; and

**WHEREAS**, Wake Technical Community College has duly requested that the Board of Commissioners approve the appropriation of 2007 Building Program funds for Ready Hall/Mechanical Technology HVAC Renovation, Health Sciences Parking Deck and North Wake Campus Building E; and

**WHEREAS**, Wake Technical Community College has requested a reallocation of 2007 Building Program funds from land acquisition to the Physical Education Center project; and

**WHEREAS**, budget adjustments are requested to other 2007 Building Program projects to align budgets to the Plan of Record and bonds sold to date are requested;

**NOW, THEREFORE, BE IT RESOLVED** that the Wake County Board of Commissioners hereby appropriates, reallocates, and makes budget adjustments to Wake Technical Community College 2007 building program projects as follows:

**APPROPRIATE**

Project Name	Project Funds	Source	Description
Ready Hall/Mechanical Technology HVAC Renovation	\$ 1,175,576	2010 GO Bonds	Construction
Health Sciences Parking Deck	6,872,977	2010 GO Bonds	Construction
North Campus Building E	14,387,255	2010 GO Bonds & Reallocated Bonds	Construction
	<b>\$ 22,435,808</b>		

### REALLOCATE

From	Amount	Source	To	Amount	Source
Land Acquisition	\$ 750,000	2009 GO Bonds	Physical Education Center Renovation and Addition	\$ 750,000	2009 GO Bonds

### BUDGET ADJUSTMENT

Project Name	Plan of Record	Current Appropriation	Budget Adjustment	New Appropriation	Project Completion	Estimated Closeout
Library Education Building Re-Roofing	236,924	237,549	(625)	\$ 236,924	Complete	August 2010
Mechanical Technology Re-Roofing	383,148	382,857	291	383,148	Complete	August 2010
Public Safety Training Center Phase II	13,919,127	10,222,268	(230,834)	\$ 9,991,434	August 2010	August 2011
Physical Education Center Renovation and Addition	3,283,370	3,284,407	(1,037)	\$ 3,283,370	January 2011	August 2011
Student Services Building Renovation	1,129,635	1,129,082	553	1,129,635	Fall 2010	February 2011
Northern Wake Campus Parking	915,209	915,000	209	915,209	May 2010	November 2010
Western Wake Land Acquisition	11,865,656	11,875,000	(9,344)	11,865,656	Project Ongoing	-
Western Wake Classroom Building	593,283	593,000	283	593,283	Next Building Program	-
Main Campus Parking Lot Repaving	679,012	679,000	12	679,012	Fall 2010	February 2011
Technical Education Building Renovation	1,658,320	1,658,481	(161)	1,658,320	Fall 2011	February 2012
		<b>Subtotal</b>	<b>(240,653)</b>			

Adopted this the 5th day of April 2010.

## **Appropriation of \$10,549,077 for the Justice Center Capital Project**

Ms. Johnna Rogers, Deputy County Manager, said the new Hammond Road Detention Center and Justice Center bidding cycles have been completed with significant savings. She said Wake County has issued bonds on the Hammond Road Detention Center and there are excess bond proceeds. The proposal is to use extra bond proceeds on interest costs and use savings from Detention Center can be used on the Justice Center. Ms. Rogers said that all but \$5 million will be left to fund the Justice Center.

Commissioner Norwalk asked about the debt service savings. Ms. Rogers said that there will be less debt and additional capacity in future funds.

Joe Bryan motioned, seconded by Paul Coble, to appropriate \$10,549,077 in both the Debt Service Fund and the County Capital Projects Fund. The motion passed unanimously.

## **Appointments**

### **Wake County Citizens' Energy Advisory Commission**

Commissioner Ward nominated Mr. Keith Giamportone, Mr. Mike Kasopsky, and Mr. Robert Leker, with suspension of the rules regarding term limits for Mr. Kasopsky and Mr. Leker.

### **Wake County Council on Fitness and Health**

Commissioner Ward nominated Ms. Donna Dixon (Personal Training Category) and Ms. Susan Wasilewski (Civic Category) for appointment.

### **Wake County Fire Commission**

Commissioner Bryan nominated Chief Tom Vaughan for the East Region Alternate position.

### **Wake County Housing Authority**

Commissioner Brown nominated Ms. Racquel Williams.

### **Juvenile Crime Prevention Council**

Commissioner Coble nominated Mr. Eric Johnson (Director of Mental Health/designee), Ms. Mary Wilson (Juvenile Defense Attorney), Mr. Brandon Trainer (Member of Business Community), Judge Craig Croom (Chief District

Court Judge/designee), Ms. Racquel Williams (At-Large), and Ms. Jasmine Brailey (Person Under 18).

### **Wake County Nursing Home Community Advisory Committee**

The Nursing Home Community Advisory Committee appointments were delayed until a future meeting.

Paul Coble motioned, seconded by Lindy Brown, to to accept all nominations.

The motion passed unanimously.

### **Upcoming Vacancies**

Chairman Gurley read aloud the upcoming vacancies for May 2010.

ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE: 11 Vacancies (8 vacancies are reappointments)

JUVENILE CRIME PREVENTION COUNCIL: 4 Vacancies

NURSING HOME COMMUNITY ADVISORY COMMITTEE: 9 Vacancies

CITIZENS' ENERGY ADVISORY COMMISSION: 3 Vacancies

WAKEMED HOSPITAL BOARD OF DIRECTORS: 2 Vacancies

### **Other Items**

#### **Committee Reports**

Commissioner Brown said that several Commissioners attended the Duke Raleigh Presentation given by Mr. Doug Vinsel. She said that she was a panelist for the North Carolina Association of County Commissioners for innovative ideas. She noted that Wake County would be receiving an award at a future board meeting.

Commissioner Ward said that the Growth Land Use and Environment Committee met twice in the past month. She noted that there were citizens at today's meeting that did not approve of the proposed ordinance amendment to the Unified Development Ordinance. She said that she is comfortable with her vote. She complimented Mr. Steven Finn and the Planning staff for their work toward the amendment.

### **Other Business**

#### **Closed Session**

Mr. Scott Warren, County Attorney, stated the need to go into closed session pursuant to G.S. 143-318.11a(4) to discuss matters relating to the location or expansion of business or industry in Wake County.

Betty Lou Ward, Vice Chair motioned, seconded by Paul Coble, to go into Closed Session pursuant to G.S. 143-318.11a(4) to discuss matters relating to the location or expansion of business or industry in Wake County.

The motion passed unanimously.

### **Adjourn**

Paul Coble motioned, seconded by Betty Lou Ward, Vice Chair, to adjourn at 4:50 p.m. The motion passed unanimously.

Respectfully submitted,

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