

WAKE COUNTY BOARD OF COMMISSIONERS

**Regular Meeting
October 18, 2010
2:00 P.M.**

Room 700, Wake County Courthouse

Members present were: Tony Gurley, Chair; Betty Lou Ward, Vice Chair; Joe Bryan, Lindy Brown, Paul Coble, Stan Norwalk, and James West

Others attending were: Joe Durham, Deputy County Manager; Scott Warren, County Attorney; Susan J. Banks, Clerk to the Board; Denise Hogan, Deputy Clerk

Meeting Called to Order: Chairman Tony Gurley

Pledge of Allegiance

Invocation: Chairman Tony Gurley

Items of Business

Approval of Agenda

Lindy Brown motioned, seconded by Paul Coble, to approve the agenda. The motion passed unanimously.

Approval of the Minutes of the Commissioners' Regular Meeting of October 4 and Work Session, October 11, 2010

Betty Lou Ward motioned, seconded by Paul Coble, to approve the Minutes of the Commissioners' Regular Meeting of October 4 and Work Session, October 11, 2010. The motion passed unanimously.

Retiree Recognition

Mr. Joe Durham, Deputy County Manager, introduced Ms. Bessie Yates, 32 years of service, and Ms. Wendy Wodarski, 25 years of service. Mr. Durham presented them with retirement plaques for their service to Wake County.

Report from the North Carolina Cooperative Extension-Wake County Center Leadership Advisory Council

Mr. Bob Kellam, Chairperson of the North Carolina Cooperative Extension-Wake County Center Leadership Advisory Council, introduced Ms. Wanda Denning and Ms. Rosena West, Southeast Regional Center. Mr. Kellam provided a report of accomplishments from the North Carolina Cooperative Extension - Wake County Center Leadership Advisory Council for the past year. He said Wake Cooperative Extension makes a valuable contribution to Wake County Government.

Mr. Kellam said in 2008, the Extension Service came before the Board because of proposed budget cuts. The Board of Commissioners restored funding. He recognized Commissioners Brown and Coble for their support in 2008 and gave each of them a crystal nameplate as an appreciation award.

Mr. Kellam informed the board that the 2011 Annual Conference of the Master Gardners will be held at the Raleigh Convention Center. He thanked the board for their recent support of the convention center funding noting that the

funding may help with offset some of their costs in hosting their conference here in Wake County at the convention center.

Update on Natural Resources Conservation Work in Wake County from the Wake Soil and Water Conservation District Board of Supervisors

Mr. William "Bill" Cole, Wake Soil and Water Conservation District Supervisor, provided an update of the natural resources conservation work. He provided a report and thanked the board for their work in protecting the environment.

Conservation District Update

The District has reached the final stages of the EPA 319 Watershed grant work at Black Horse Run Property Owner Association. This project addresses both urban stormwater and agricultural BMPs installed improve water quality in Falls Lake Watershed. This is a great site to visit to see a combination of conservation practices.

Wake County was selected to host the NC Community Conservation Assistance Program Advisory Committee Tour in August. Three of the Districts' urban conservation projects were visited. He thanked Commissioner Lindy Brown and Deputy Manager Joe Durham for attending.

The District hosted a free Pasture Management Training for landowners and operators, in our effort to address water quality concerns in the Falls Lake watershed. A second training, to help landowners reduce nutrient runoff and manage forage and buffers in the Jordan Lake watershed, will be provided.

Big Sweep cleanup was very successful this Fall. Enrollment in the Poster contest doubled this year. It may be the topic of urban stormwater that has teachers and students engaged.

Wake's Farm Family of the Year won both Area IV (which is 11 regional counties), and the Piedmont Region (39 counties). The family will be recognized at the NC Association of Soil and Water Conservation District's Annual meeting in January in Asheville. He congratulated the Perry Family for an excellent job working with staff to install conservation practices on their farm.

The Soil and Water office has 3 Conservationists, 1 Environmental Educator, and one Director. This Staff accomplished this high volume of work with the help of Earth Team Volunteers. He spoke of two volunteers, Erica, who has helped the conservationist with technical field work this fall and Anna, who helped create the maps used today. He offered a guided tour to the commissioners. He commended Commissioner Brown and Mr. Joe Durham for attending their recent event.

Urban Stormwater has been the topic of students. He recognized Anna Reusche, who has worked as a volunteer creating the soil and water district maps that were presented to the Board of Commissioners. She was asked to come forward to speak about her work. She informed the board that she was an environmental consultant that was currently unemployed. Her baby daughter Eva was introduced. The Commissioners thanked Ms. Reusche for her volunteer work for the county.

Consent Agenda

Betty Lou Ward motioned, seconded by Paul Coble, to approve the Consent Agenda as presented. The motion passed unanimously.

Resolution Appointing Rolesville Planning Director as the Map and Plat Review Officer for the Town of Rolesville

Betty Lou Ward motioned, seconded by Paul Coble, to adopt the Resolution Appointing Rolesville Planning Director, Thomas Lloyd, as the Map and Plat Review Officer for the Town of Rolesville. The motion passed unanimously.

WAKE COUNTY BOARD OF COMMISSIONERS
OCTOBER 18, 2010

RESOLUTION
APPOINTING STAFF FROM THE TOWN OF ROLESVILLE
TO SERVE AS MAP AND PLAT REVIEW OFFICERS

WHEREAS, Section 3, Article 2 of Chapter 47 of the North Carolina General Statutes requires the Board of Commissioners of each County to designate one or more persons experienced in mapping or land records management to be appointed as a Review Officer to certify the maps or plats presented to the Register of Deeds as complying with all statutory requirements for recording; and

WHEREAS, the review of statutory requirements is of a technical nature; and

WHEREAS, local government staffs are qualified to undertake this technical review and therefore are the logical people to implement this requirement.

NOW, THEREFORE, BE IT RESOLVED that the Wake County Board of Commissioners designate the following persons, positions or their designee to serve as the Review Officers for all lands within their jurisdictional area:

Town of Rolesville:

Thomas Lloyd, Planning Director

ADOPTED this the 18th day of October, 2010.

Accept and Appropriate a \$400,000 Community Oriented Policing Services (COPS) 2010 Technology Grant

Betty Lou Ward motioned, seconded by Paul Coble, to accept the \$400,000 Community Oriented Policing Services (COPS) 2010 Technology Grant and appropriate the funds to the County Capital Improvement Fund to be used to create a new project titled 800 MHz Radio Flash Upgrade and authorize the County Manager to execute the award letter. The motion passed unanimously.

Accept and Appropriate \$297,000 from the U.S. Department of Health and Human Services to Support Equipment Purchases for the New WakeBrook Campus

Betty Lou Ward motioned, seconded by Paul Coble, to accept a \$297,000 grant from the U.S. Department of Health and Human Services to support equipment purchases for the new WakeBrook Campus; adjust budgeted revenues for WakeBrook Campus to increase grant funds by \$297,000 and to reduce cash funding transferred from the general fund by \$297,000; and further, to increase the amount of uncommitted funds for County capital projects by \$297,000. The motion passed unanimously.

Reallocate \$22,900 in County Funds for a .20 FTE Existing Position in the HIV/STD Clinic

Betty Lou Ward motioned, seconded by Paul Coble, to reallocate \$22,900 in existing county funds from contracted services to salary and fringe to fund .20 FTE Existing Position in the HIV/STD Clinic due to a reduction in state funds. The motion passed unanimously.

Approval of a Mental Health, Developmental Disabilities, and Substance Abuse Services (MH/DD/SAS) Budget Revision

Betty Lou Ward motioned, seconded by Paul Coble, to accept the changes in allocations from the NC Division of Mental Health, Developmental Disabilities, and Substance Abuse Services and adjust the budget up \$906,911. The motion passed unanimously.

Regular Agenda

Presentation from the North Carolina Turnpike Authority on the Proposed Alternative Corridors for the Triangle Expressway Southeast Extension

Mr. Perry Safran, Vice-Chair of the North Carolina Turnpike Authority (NCTA) introduced Mr. Steve Dewitt, Project Engineer of the NC Turnpike Authority. Others present were Ms. Jennifer Harris, Engineer, and Mr. Roy Bruce, Project Consultant with H. W. Lochner, Inc.

Mr. Dewitt said that the project is currently in the environmental process (NEPA) phase. The NCTA is proposing to extend the southeast portion of the Triangle Expressway from the I-540 Outer Loop from NC 55 Bypass in Holly Springs to US 64/US 264 Bypass in Knightdale to complete the loop. A protected corridor for this project, which runs from the NC 55 Bypass in Holly Springs to I-40 near the Wake/Johnston County line, was established by the North Carolina Department of Transportation (NCDOT) in the mid-1990s under the Transportation Corridor Official Map Act. A protected corridor preserves the possible location of a new road from encroaching development. The NCTA has been evaluating the corridor as well as alternative routes as shown on maps. Alignment, homes, streams, and architecture are being reviewed. Subdivisions have been developed in this area since the 1990s. He said that the colors on the map represent different route alignments under consideration. The Turnpike Authority is receiving public input through October 22nd, which they consider a very important part of the process. There has been 90% acceptance in the original route. Mr. Dewitt introduced Ms. Jennifer Harris, Director of Studies EPA, stating she was present for questions.

Mr. Roy Bruce shared maps of the proposed areas and explained the different routes and phases for construction. CAMPO has a plan for completion. He explained the connector routes. The purpose is to improve transportation and connectivity. Purpose and need strategies were presented. Upgrading existing freeways became part of purpose and need. He said there were 9 different route options. He also shared the Hybrid alternatives. Public input meetings have occurred. The deadline for public comment is October 22, 2010. The selection of the route is scheduled for around Thanksgiving 2010.

Project Schedule

Selection of Detailed Study Alternatives - November 2010
Draft Environmental Impact Statement - 2012
Final Environmental Impact Statement - 2013
Record of Decision - 2013
Phase I Open to Traffic - 2019
(Schedule is draft and still under development.)

Mr. Dewitt said that the project may need gap financing if there is a toll road. Commissioner Norwalk asked for explanation of the gap financing. Mr. Bruce

said the gap is the difference between financing it with the toll road and the cost. Mr. Dewitt encouraged those attending to voice their concerns.

Commissioner Brown thanked the Open Space and Parks Advisory Committee for their support of the original plan. She thanked Mr. Dewitt for presenting this information to the board. She said that the Town of Garner has adopted a resolution in support of the original planned corridor. Ms. Jennifer Harris said the towns of Fuquay-Varina and Holly Springs have adopted resolutions in support of the original corridor.

Commissioner Norwalk asked about the support for certain routes and the cost. Mr. Briggs said that the public comment is still open so he could not respond about which routes received the most public support. Mr. Dewitt said that \$50 million a mile is the estimated construction cost with there being 30 miles of road.

Commissioner Bryan said that CAMPO has this on their Wednesday meeting agenda. He said that discussions have been about 90% of the protected corridor. Mr. Dewitt indicated that a large majority support the original corridor. Commissioner Bryan asked what can be said in order for the public to be assured of the original corridor plan and not have to worry. Mr. Dewitt said that some of the corridors will disappear from the plan because of environmental or other issues. There is a focus to complete the NEPA process and follow guidelines. The public will be assured once the job is complete. Other alternatives will exist. Commissioner Bryan asked if a decision will be made on a preferred route soon so the public would not have to continue to worry about which route it will be. Mr. Briggs said that a clear preference for a location may become apparent but the record of decision, following the environmental impact statement, is scheduled for 2013.

Paul Coble motioned, seconded by Lindy Brown, to adopt the resolution regarding the alignment of the proposed Triangle Expressway Southeast Extension. Commissioner Coble read the resolution aloud.

A RESOLUTION BY THE COUNTY OF WAKE REGARDING THE TRIANGLE EXPRESSWAY SOUTHEAST EXTENSION

WHEREAS, the proposed Triangle Expressway Southeast Extension has been a fundamental transportation facility underpinning for more than 20 years of local land use and transportation decisions for Wake County and other local governments of Wake County;

WHEREAS, Wake County historically has utilized the protected corridor proposed in earlier designs to make key planning decisions for both existing and future development in Wake County; and

WHEREAS, the proposed alternative alignments to relocate the corridor away from its previously designated and protected route will have an adverse impact on communities in Wake County; and

WHEREAS, the proposed alternative alignments illustrated as “blue”, “purple”, and “red” on N.C. Turnpike Authority maps will have a greater impact on Wake County’s designated priority stream corridors and proposed Southeast Wake County Park than the previously designated and protected route; and

WHEREAS, numerous Wake County homeowners and landowners have relied upon the protected corridor route (orange) for many years as they have made investment decisions.

NOW THEREFORE, BE IT RESOLVED that Wake County supports use of the original protected corridor design as illustrated in "orange" on the N.C. Turnpike Authority maps as the preferred choice for the development and construction of the Triangle Expressway Southeast Extension.

Adopted this 18th day of October 2010.

Commissioners expressed questions and concerns regarding the routes near residences, impact on the Jordan Lake water supply and quality, and how much impact the residents' comments will have on the decision. Mr. Dewitt assured the board that great consideration would be given to the public comments. Mr. Dewitt said that NEPA has a technical decision making process and then the financial part of the project will also have to be put in place.

The motion to approve the resolution passed unanimously.

Mr. Perry Safran said that the policy board would be in touch with the board.

Chairman Gurley recognized a gentleman in the audience who said that the surrounding property owners received written communication about the routes and the public hearing but the corridor alignments were not in color on the maps so they were difficult to read. Mr. Bruce said the decision to print color maps was made after the mailing and was intended to help clarify the routes. The color maps would be available to the public. The gentleman said there is a 4th option not discussed here which was to do nothing. Mr. Bruce said the "no build" option is always there and would be considered as part of the impact of the project as well as the environmental impact on all the alternatives.

Ms. Frances Matz thanked the Board of Commissioners for having this presentation on the agenda. She expressed concern because her area was not heavily populated so there are not a lot of people to speak out on the plans, they are not in a planning jurisdiction, and was concerned that their comments would not carry much weight or influence. The commissioners assured Ms. Matz that they were adopting the resolution in support of the original route, thereby supporting her area.

Approval of the North Carolina Department of Transportation FY 2009-2011 Secondary Roads Construction Program for Wake County

Mr. Reid Elmore, District Engineer for the North Carolina Department of Transportation (NCDOT), presented the NCDOT Fiscal Year 2009 - 2011 Secondary Roads Construction Program for Wake County. He introduced Wally Bowman, Joey Hopkins, Jason Holmes, Steve Halsey, Joe Turner and Brandon Jones, all from NCDOT. He said there are still budget constraints but they will be moving forward on some secondary road projects as well as some paved road improvement projects.

RESOLUTION IN SUPPORT OF

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

FY 2009 – 2011 SECONDARY ROADS PROGRAM FOR WAKE COUNTY

North Carolina Department of Transportation

Secondary Roads Construction Program

| <u>SR No.</u> | <u>(Miles)</u> | <u>Project Description</u> | <u>Est. Cost</u> |
|-----------------|----------------|--|------------------|
| SR 1127 | 2.51 | Rex Road-strengthen & overlay | \$1,000,000.00 |
| SR 2353 SR 2349 | 5 | Morphus Bridge Road-widen, strengthen & overlay | \$600,000.00 |
| Various | Various | Dominion Park Subdivision-Roadway Improvements (Partial Funding) | \$709,291.14 |

Total \$2,309,291.14

| | | | |
|---------|---------|--|----------------|
| Various | Various | Dominion Park Subdivision-Roadway Improvements (Complete Funding) | \$290,708.86 |
| Various | Various | Foxcroft Subdivision | \$800,000.00 |
| SR 1006 | 4.13 | Old Stage Road - Widen, Strengthen, and Overlay from NC 42 to Johnston County Line | \$1,000,000.00 |
| Various | Various | Countywide Maintenance to include Widening, Strengthening, Spot Stabilization, Safety Projects, etc. | \$2,908,856.63 |

Subtotal \$4,999,565.49

III. Trust Fund Safety Improvements (GS 136-182)

| <u>SR No.</u> | <u>Length (Miles)</u> | <u>Project Description</u> | <u>Est. Cost</u> |
|---------------|---------------------------|----------------------------|------------------|
| | | | |

Subtotal \$0.00

IV. Funds reserved for surveying, right of way acquisition, road additions, contingencies, overdrafts, and paving entrances certified fire departments, rescue squads, etc.

Subtotal \$0.00

GRAND TOTAL \$5,848,607.38

ADOPTED this the 18th day of October, 2010.

Mr. Elmore asked for the board's approval of the FY 2009-2011 Secondary Roads Construction Program for Wake County. Commissioner Brown asked Mr. Elmore to explain to the public how they determine the project priorities. Mr. Elmore said that the priorities for the unpaved roads program are based on

number of homes, businesses, churches, fire departments are all considered and on a points basis. He said there is a property owner participation program for roads that are not on the state maintenance system. Those roads can be brought up to minimum standard and the state can take them over.

Commissioner Norwalk asked for explanation of \$5.8 million. Mr. Elmore said the stimulus money they have received has been a minimum. The typical state funding for Wake County secondary roads is about \$3 million on primary routes and \$8.5 million on secondary routes. Mr. Elmore stated that the \$5.8 million for Wake County's projects is funded by the highway fund, trust fund and gas tax. This year's funding is a sharp decrease from previous years. He said the roads on this plan are in the unincorporated areas with the exception of Dominion Park, which has roads that have never been taken over by the City of Raleigh due to their condition. Mr. Elmore said that secondary roads are typical two lane roads. Commissioner Norwalk asked for the total amount of roadways. Mr. Elmore said there are about 1350 primary road lane miles, 4107 secondary lane road miles. Commissioner Norwalk asked how much tax money goes toward maintenance. Mr. Elmore said there was no local money is in the secondary road program.

Joe Bryan motioned, seconded by Betty Lou Ward, to approve the North Carolina Department of Transportation FY 2009-2011 Secondary Roads Construction Program for Wake County.

Commissioner West asked about the state standards for roads to be brought into the municipalities system for maintenance. Mr. Elmore said the road has to be brought up to favorable conditions for the state to take over the road. Chairman Gurley said that the North Carolina Supreme Court upheld the position that the Governor of North Carolina did not have the right to transfer the \$80 million from the trust fund and asked where that money is or where has it been used.

Mr. Wally Bowman said that the State General Fund is not looking favorable for the funds to be transferred back to the County General Fund. It is unknown of what will happen but he did not foresee the money coming back to the trust fund.

The motion passed unanimously.

resolution

Public Comments:

There were no speakers.

Modification of Garner Suburban and Alert Fire Insurance District Boundaries

Mr. Ray Echevarria, Wake County Fire Marshal, introduced Mr. Matt Poole, Interim Fire Chief with the Garner Fire Station. He said the board approved the new fire station to service the Garner area which is scheduled to open in November 2010. In addition, with the newly designated area for the Garner Suburban Fire Insurance District the Alert Fire Insurance District needed to be modified. Mr. Echevarria asked the Board of Commissioners to adopt resolutions modifying each of the insurance boundaries for the Garner Suburban Fire Insurance District and the Alert Fire Insurance District. Maps of the new districts were shared. There are still, under insurance rating purposes, some areas considered to be unprotected. The insurance districts are limited to six miles. They are asking for board approval of new boundaries for insurance grading purposes and to approve an expanded fire insurance district to cover current an unprotected area.

He said that he has met with the chiefs of both the Eastern Wake Fire Department and the Garner Fire Department, who are in agreement with the new boundaries. The Fire Commission approved the new boundaries on September 23, 2010. Mr. Echevarria said this is about a three month process. There is a savings opportunity for 1260 residences and 15 commercial properties of about 13% - 15%, once the State of North Carolina has approved the changes. Mr. Echevarria said that he would work with public information to inform homeowners of the changes.

Lindy Brown motioned, seconded by Betty Lou Ward, to adopt the resolution modifying the boundaries of the Garner Suburban Fire Insurance District; and, adopt the resolution modifying the boundaries of the Alert Fire Insurance District. The motion passed unanimously.

**RESOLUTION
APPROVING MODIFICATION OF THE GARNER SUBURBAN FIRE
INSURANCE DISTRICT BOUNDARY**

WHEREAS, North Carolina General Statutes Section 153A-233 authorizes counties to create and maintain fire districts for insurance grading purposes; and

WHEREAS, the Wake County Board of Commissioners desires to provide the highest quality fire protection services; and

WHEREAS, Wake County and the Town of Garner partnered to construct a new fire station in the Southeastern area of Wake County; and

WHEREAS, the new fire station will improve response times and allow for extension of fire insurance district boundaries in the southeastern area of Wake County; and

WHEREAS, the boundaries of the Garner Suburban Fire Insurance District need to be modified based on response from the new fire station; and

WHEREAS, the Garner Fire/Rescue Department currently provides fire protection and related emergency services in the Garner Suburban Fire Insurance District;

NOW, THEREFORE, BE IT RESOLVED:

That, pursuant to the authority granted by N.C.G.S. Section 153A-233, the Wake County Board of Commissioners hereby officially approves the new boundaries of the Garner Suburban Fire Insurance District as identified and mapped in the Wake County Geographical Information System (GIS) database.

**RESOLUTION
APPROVING MODIFICATION OF THE
ALERT FIRE INSURANCE DISTRICT BOUNDARY**

WHEREAS, North Carolina General Statutes Section 153A-233 authorizes counties to create and maintain fire districts for insurance grading purposes; and

WHEREAS, the Wake County Board of County Commissioners desires to provide the highest quality fire protection services; and

WHEREAS, Wake County and the Town of Garner partnered to construct a new fire station in the Southeastern area of Wake County; and

WHEREAS, the new fire station will improve response times and allow for extension of fire insurance district boundaries in the southeastern area of Wake County; and

WHEREAS, the boundaries of the Alert Fire Insurance District need to be modified based on response from the new fire station; and

WHEREAS, the Eastern Wake Fire Department currently provides fire protection and related emergency services in the Alert Fire Insurance District;

NOW, THEREFORE, BE IT RESOLVED:

That, pursuant to the authority granted by N.C.G.S. Section 153A-233, the Wake County Board of Commissioners hereby officially approves the new boundaries of the Alert Fire Insurance District as identified and mapped in the Wake County Geographical Information System (GIS) database.

Accept and Appropriate \$197,000 in Grant Funds from the Department of Health and Human Services-Ryan White CARE Program and Establish 3.0 FTEs

Ms. Karen Best, Human Services, asked for approval of the \$197,000 grant from the Department of Health and Human Services for the Ryan White CARE Program and to establish 3.0 fulltime equivalent positions.

Betty Lou Ward motioned, seconded by Lindy Brown, to accept \$197,000 in Grant Funds from the Department of Health and Human Services-Ryan White CARE Program establish 3.0 FTEs, and appropriate the budget accordingly in the Grants and Donations fund.

The motion passed unanimously.

Other Items

Committee Reports

There were no committee reports.

Other Business

Commissioner Bryan noted that Commissioner Betty Lou Ward was honored by receiving the "Friend of Education" award at the Wake Education Partnership annual meeting.

Closed Session

Mr. Scott Warren indicated there was a need for a closed session and cited N.C. General Statute 143-318.11a(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by Wake County appearing a tentative list of economic development incentives that may be offered by Wake County in negotiations.

Paul Coble motioned, seconded by Stan Norwalk, to go into Closed Session pursuant to N.C.G.S. 143-318.11a(4) as stated by the County Attorney.

The motion passed unanimously.

The Board returned from Closed Session. Chairman Gurley stated there was no action to report from closed session.

Adjourn

Betty Lou Ward motioned, seconded by Paul Coble, to adjourn the meeting at 4:00 p.m. The motion passed unanimously.

Respectfully submitted,

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