

WAKE COUNTY BOARD OF COMMISSIONERS

Regular Meeting

June 21, 2010

2:00 p.m.

Room 700, Wake County Courthouse

Meeting Called to Order: Chairman Tony Gurley

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: David C. Cooke, County Manager, Susan J. Banks, Clerk to the Board, Scott Warren, County Attorney; Denise Hogan, Deputy Clerk; and Deputy County Managers Joe Durham and Johnna Rogers.

Pledge of Allegiance

Invocation: Commissioner Paul Coble

Items of Business

Approval of Agenda

Betty Lou Ward motioned, seconded by Lindy Brown, to approve the agenda. The motion passed unanimously.

Approval of the Minutes of the Commissioners' Meetings of June 7, 2010, 12 pm Work Session, 2pm Regular Meeting/Public Hearing, 7pm Budget Public Hearing and June 14, 2010 9am Budget Work Session

Commissioner Coble motioned for approval of the meeting minutes of June 7, 2010 12:00 pm Work Session, 2:00 p.m. Regular Meeting, 7:00 p.m. Budget Public Hearing and June 14, 2010 Budget Work Session.

Commissioner Brown asked that the following revisions be made to the June 14, 2010 work session minutes:

Commissioner Norwalk indicated he had received emails and phone calls about Project Enlightenment. On Project Enlightenment, the minutes stated Ms. Le indicated she was the one who believed the majority of the parents seeking services can afford these programs and that was incorrect. Commissioner Brown stated Commissioner Bryan was the person who indicated the parents could afford to pay for the services. Commissioner Brown said that Ms. Le indicated that there were some families that could

afford the services. Commissioner Bryan stated he asked the question about whether the people could afford the services and Ms. Le answered the question. Commissioner Brown said that was her recollection and other commissioners could speak up about this item. Commissioner Bryan asked to have this item resolved at this time.

Chairman Gurley asked for Commissioner Brown to list all of her requested changes to the minutes and then the board could discuss the changes.

Commissioner Brown said on the discussion about the Veteran's Services position, she made the recommendation to maintain the administrative position and the minutes did not reflect that she made the recommendation, but reflected Mr. Maloney's answer to her question in regards to the clarification of the position. She stated the change should read "Commissioner Brown made the recommendation to keep the Veterans Administrative position".

Vice Chair Ward said she thought the budget items on the budget work session agenda came by way of the County Manager. Commissioner Brown said Mr. Cooke called her and asked what her concerns were about the Veterans position. Commissioner Bryan stated that it was the consensus of the whole board that the Veterans position be added back to the budget. Commissioner Brown said that at the work session Mr. Gurley directed a comment to Mr. Maloney that he told the Veterans, at the time that they met, that the position could not be filled. Chairman Gurley asked Commissioner Brown to repeat her comment. Commissioner Brown said that Chairman Gurley had told the Veterans that the Veterans position could not be filled by the data that the board received. Chairman Gurley said he did not say that and Commissioner Brown was stating that other commissioners had made comments and was trying to make herself look better in saying she asked for these things to be done. He said the whole board agreed on this item. Commissioner Brown said she documents and others were in that meeting. Chairman Gurley said he did not attend a meeting and tell them that according to their numbers that the position could not be filled and that is a misrepresentation. He said there were three commissioners at the meeting and asked if they had told the Veterans that the position could not be filled. The commissioners he was speaking to agreed with Chairman Gurley that the Veterans had not been told the position could not be filled.

Commissioner Brown brought to the board's attention the section relating to the letter that was to be sent to the Board of Education. She said that she and Chairman Gurley got into discussion about whether the reporting to the Board of Commissioners should be done on a voluntary basis or a request. She said that the consensus at the end of the discussion was that it should be a request of the School Board. Commissioner Norwalk said this had to do with the format, for it to be more transparent for the public. Commissioner Brown said

Commissioner Bryan stated the communication to the School Board should indicate the reporting should be done voluntarily. She noted Commissioner Norwalk brought up a voluntary request. Commissioner Norwalk said this did not need to be made a big deal over and that the Board of Commissioners should request that they do it and if they do not report to the county in that format, then the Board of Commissioners would have to determine next steps. Commissioner Brown said that was her understanding but that the minutes say the Chairman would ask the School Board to voluntarily report the information. Commissioner Norwalk said there was nothing wrong with that and the minutes should reflect what was said. Chairman Gurley said the minutes were true in that that he would ask the Board of Education for voluntary reporting. Commissioner Brown said he was asking for voluntary reporting instead of a request. Chairman Gurley said that is because a request from the Board of Commissioners has a completely different connotation. He said that is not what was agreed to as a board, because a request means to require the reporting. Commissioner Brown said that was the intent of the board. Chairman Gurley said that was not the intention and that Commissioner Brown was the only commissioner that wanted to require the Schools to do the reporting. Commissioner Brown said she has a clear memory of the discussion and notes. Commissioner Norwalk stated the question was if the minutes accurately reflect the conversation and not take a position. He said if that was Commissioner Brown's recollection then she should state it. Commissioner Brown stated that was what she was doing with her comments.

Commissioner Brown said that minutes from the Budget Public Hearing which took place at 7:00 p.m. on June 7, 2010 had Judge Vince Rozier's name spelled incorrectly and needed to be corrected.

Chairman Gurley opened the floor for comments about Commissioner Brown's changes to the minutes.

Commissioner Bryan said that he posed a question about who received the services in Project Enlightenment because he did not know, and the question was answered by Ms. Le so Commissioner Brown's recollection was inaccurate.

Chairman Gurley spoke to the issue of voluntary reporting on purpose and function. He said the minutes state correctly that he said he would ask the Board of Education for voluntary reporting. A request from this Board has more significance and if this board voted to "request" the reporting then it would be required. He said that would be up to the board to vote on "requiring" the reporting. He said his understanding was that the Board of Education was being asked politely that they consider it. He has spoken with Board of Education Chairman Ron Margiotta who was supportive of being more transparent in reporting their expenditures. Chairman Gurley said he

did not approach Chairman Margiotta with a request for their reporting so he thought the minutes were correct.

Commissioner Brown said she may have interpreted the information differently but what would be wrong, if the Board of Education is transparent, with this board to request that information for the citizens. Chairman Gurley said that up until now he has asked for the information to be provided totally voluntarily. He said Commissioner Brown is the only commissioner that has pushed for this to be a statutory request. She asked what would be wrong with requesting this from the Board of Education. Chairman Gurley said that is significant and this board has voted before to require the reporting. He said that was not something this board would do in a budget work session but she could make a motion in this meeting or the next meeting, it would be appropriate. He said it was not appropriate to exercise the statutory authority to require reporting by purpose and function in a work session. He said she was the only commissioner pushing for the statutory required purpose and function reporting at the work session. He said in order to change the minutes to reflect her view was inappropriate. Commissioner Brown said that her last understanding of the give and take discussion between her and Chairman Gurley included two particular words, "voluntary and request" with their own connotations with request indicating more transparency and the schools would have to present this information to the Board of Commissioners. She said she has been reading the minutes for three and one-half years and has brought discrepancies to the attention but there are more and more discrepancies in this work session than in the past. She said that was her role as a county commissioner.

Commissioner Coble said in reading these minutes, they are not true minutes, they are an overview of what was said in the work session and did not think they wanted to get into verbatim minutes. He said the minutes capture the discussion and does not specifically credit anyone commissioner's specific conversation but captures the essence of the meeting. He said he stood by his motion to approve the minutes, otherwise they need to be pulled off and done in a verbatim manner because a number of things he said were not in the minutes but that was ok and message was in the minutes.

Commissioner Brown said anyone who knows minutes, you actually indicate the action taken place and who made the recommendation, and asked Ms. Banks for affirmation. Ms. Banks said she recorded the minutes showing the board stated a consensus on the three items presented by the Manager, why they were questioned and the consensus of the board about whether or not to add the items back in the budget. She said the discussion was not included until the additional items brought up that were not specific agenda items for the work session. She said if motions are made they are put in the minutes and if someone spoke passionately about an item. She said the clerks try not to put detailed discussion in work session minutes.

Commissioner Bryan called the question. Chairman Gurley said there had not yet been twenty minutes of discussion so it was inappropriate to call the question.

Commissioner Brown said if this board does not want to accurately reflect what is actually done, then so be it. Chairman Gurley recognized Vice Chair Ward to speak.

Vice Chair Ward said that in a work session, where they are not making motions, she always understood the minutes would cover the generalities and it would be a reflection of action by all the members present.

Commissioner Brown said she was glad Commissioner Ward said that, she hated to be that particular, especially since being on the board for three and one-half years, there are throughout these minutes of June 14th, where individuals have been brought forward, in particular Commissioner Bryan said he had received numerous messages about the animal shelter and requested if be revisited and discussed by the board. She said if comments are captured by one person then comments should be captured consistently.

The motion to approve the meeting minutes of June 7, 2010 and June 14, 2010 passed with a 6 to 1 vote:

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

Retiree Recognition

Mr. Cooke recognized Ms. Carole Warren with over 27 years of service. He read aloud her accomplishments. He presented her with a plaque for her service to Wake County.

Caring, Serving, Respecting, Customer Award (CSRC)

Mr. Cooke said that quarterly employees are recognized for their excellent service to Wake County. Mr. Keith Lankford and Ms. Deanne Stewart were recognized for their excellent service.

Mr. Cooke said that Mr. Lankford helped a family locate some of the families missing graves at Montlawn Memorial Park in Raleigh. He described the process for locating the graves.

Mr. Cooke said that Ms. Stewart helped a citizen reinstate a passport. He explained the process she went through to help the citizen.

Both employees were recognized for their outstanding customer service.

Presentation from Alliance Medical Ministry

Mr. Sean Harrison, Co-Founder and Executive Director of Alliance Medical Ministry thanked the Board of Commissioners for funding the Alliance Medical Ministry. Dr. Anne McLaurin was also present.

Mr. Harrison said that the Alliance helps provide health care for the low income and under insured adults. He stated on February 2008 purchase and renovations of the 18,000 sq. ft. facility located at 101 Donald Ross Drive were completed. Over \$3 million in capital was raised for the clinic of which \$750,000 was a grant from Wake County. The facility has 21 exam rooms, an eye exam room, two lab rooms, a pharmacy, a library and an education hall. The first patient was seen on January 6, 2003. He explained the services provided and the numbers of clients served. Alliance Medical partners with other organizations to provide services. They also partner with WakeMed Hospital, Rex, and Duke.

Dr. Anne McLaurin said that patients are all Wake County residents. There is a new pharmacist. She said the pharmacist is resourceful in her role. She said that uninsured individuals seek services from Alliance Medical. She said that chronic and acute medical issues are treated. Helping patients keep their appointments and follow up is important. She said that informed citizens are healthier.

Vice Chair Ward asked if the sanctuary is still being rented out since the facility is in an old church. Mr. Harrison said that it was still being used for several services.

Presentation on the Opening of the Expanded Wake County Animal Center

Mr. Tommy Esqueda, Environmental Services Director, presented the consolidated sheltering system. He said that the transition would occur July 1, 2010. He described the existing system and shared that plan for the future. They expect to go from 12,000 animals in the FY 2010 year to 17,000 in FY 11. Staffing would increase by ten positions with the expanded shelter and services. There will be 75 new spaces for dogs and 75 new spaces for cats. He said officers, public, owner surrenders, and legal cases are reasons for animals to be brought in. He explained the "Live Release" plan as follows:

1. Reduce adoption fees
2. Increase days and hours open to the public

3. Increase participation in rescue program using volunteers. (volunteers)
4. Increase participation in animal foster program (volunteers)
5. Implement programs to reduce "owner surrender" (volunteers)
6. Increase animal reclaim rates through new website, and modifications to existing website (volunteers)
7. Increase volunteer participation.
8. Expand promotion/marketing activities
 - a. Conduct more offsite adoption events
 - b. Expand Social media campaign
 - c. Increase special promotion events (on and off site)

Mr. Esqueda said that return of animals to their owner is the priority. A new website was launched Monday where owners can post lost and found pets. There will be a promotional marketing campaign for adopting animals. Capital Broadcasting will be doing the advertising. Mr. Esqueda said that there is a Facebook page for the animals. He noted that Chris Smith has helped design the website. He said that the municipalities have added links from their webpage to the Wake County website.

Mr. Esqueda reviewed multiple promotional activities that will be done including that reusable grocery bags will be given to customers when they adopt a pet. He said that organizations and restaurants have participated in fund raising. He noted that volunteer participation had fallen off but is on the rise now.

Mr. Esqueda stated the focus will be on adoption of animals and gave the following statistics.

Year to year comparison is over the same timeframe each year.	2007-2008		2008-2009		2009-2010 (YTD)						
	Count	Perf.	Count	Perf.	1st Q	2nd Q	3rd Q	Apr-10	May-10	YTD	Performance
Impound Dog	4,585		4,803		1492	1392	1287	384	446	5001	
Impound Cat	5,153		4,810		1944	1397	1059	415	604	5419	
Impound Total	9,738		9,613		3436	2789	2346	799	1050	10420	
Garner Animal Control Intake					96	90	73	32	31	322	
Cary Animal Control Intake					54	59	46	22	29	210	
Adoption Dog	1,846	40.3%	2,203	45.9%	651	711	677	214	199	2452	49.0%

Adoption Cat	774	15.0%	770	16.0%	217	348	296	129	67	1057	19.5%
Adoption Total	2,620	26.9%	2,973	30.9%	868	1059	973	343	266	3509	33.7%
Reclaim Dog	548	12.0%	626	13.0%	171	179	150	57	45	602	12.0%
Reclaim Cat	72	1.4%	76	1.6%	27	15	24	8	8	82	1.5%
Reclaim Total	620	6.4%	702	7.3%	198	194	174	65	53	684	6.6%
Euthanize Dog	2,020	44.1%	1,780	37.1%	569	478	347	136	151	1681	33.6%
Euthanize Cat	4,131	80.2%	3,818	79.4%	1605	1044	718	246	490	4103	75.7%
Euthanize Total	6,151	63.2%	5,598	58.2%	2174	1522	1065	382	641	5784	55.5%

He said the goal is to break the 50% amount. He shared a drawing of the building and pictures from the inside of the building. He said the volunteer program has developed an organizational chart. He said a software management system has been purchased for the website. He gave numbers on volunteer participation. He explained the staffing plan for operating the shelter. He said that NCSU College of Veterinary Medicine Program will help with the Shelter Medicine Program for illnesses, injuries, and diagnosis of the animals. The cost is \$31 for spay/neuter. Wake County will work with the Veterinary School to look at the demands. SPCA has a low cost veterinary clinic at their site. Mr. Esqueda said a new plan will be brought before the board next year.

Wake County Animal Center Unit Cost of Service FY 2011

- Salary and Benefit Costs = \$1,143,536
- Direct Expenses = \$748,110
- Utilities = \$150,000
- **TOTAL = \$2,041,646**

Estimated FY 2011 Animal count is 17,100

Unit cost = \$119 per animal (cats/dogs only)

Mr. Esqueda announced that the Ribbon Cutting at the expanded Animal Shelter is scheduled for June 30 at 10:00 a.m.

Vice Chair Ward asked about the relationship with the SPCA. Mr. Esqueda said there will be adoptions at the shelter. SPCA has four remote stations. Vice Chair Ward suggested that a new sign be located on New Bern Avenue for citizens to locate the shelter. Mr. Cooke said the state could be asked for a new sign.

Commissioner Brown asked what could be done about the increased number of cats in Wake County. Mr. Esqueda said more spay/neuter education is being done to reduce the numbers.

Commissioner Norwalk expressed his concern about other programs that need improvement such as the school nurse program and human services programs versus programs for animals. Having a single vendor for spay/neuter may not be cost effective. He said that having a collaborative program between the municipalities for a program for spaying and neutering may be more efficient.

Commissioner Bryan said that Commissioner Ward should be featured with her adoption of Sadie. He questioned the four full-time volunteers. Mr. Esqueda said that there is a great response from volunteers. The target is for eleven volunteers. He said that making the process of volunteering easy is the goal.

Vice Chair Ward said that adopting a dog from the shelter has been a wonderful experience. She asked if the animals that appear on WRAL were adopted quickly. Mr. Esqueda said that this is a good promotional piece.

Public Comments:

Mr. Louis Emond thanked the Board of Commissioners. He is a retired Veteran. He serves on the Veterans Women's Support Services Board. He spoke of Ms. Sharon Brown's job being proposed for elimination. He noted that Ms. Brown has served on the Women's Support Services Board. He noted that even if the position is eliminated Ms. Brown, he hoped her talents would not be lost to the county and veterans services.

Mr. Dan Haberek, Wake Forest, said that the Forestville Road site was abandoned in February and an alternate site has been chosen. Two high schools are in the Town of Wake Forest. The purchase of the site should move forward. Further delays, will cause problems. He expressed his concern over delaying the construction of the school. He asked the board to purchase the Rolesville site.

Ms. Debbie Vair, Wake Forest, shared pictures of traffic on Forestville Road. She said that there are six schools within a five mile radius. She said \$30,000 an acre is a good price for the alternate site for high school H-6. She said traffic is a problem at lunchtime each day when students leave the high school.

She noted that there was a lot of granite on the other site at Forestville Road. She said the Rolesville site was the best for the community.

Ms. Tasha Sellars said Project Enlightenment has helped her family and urged the board to support the program. She received help with her child on discipline and resources. She said that parent counselors are needed and funding for the program is important for continuation of the program.

Ms. Beth Barkovich, Wake Forest, thanked the Board of Commissioners for their service to the citizens. She is a volunteer at Project Enlightenment and also has a challenged child. She was given a phone number to call to get help because everything is gone except the Resource Center. She said that this program helps parents become more involved in their children's education and helps the families. She said the program helps teach family members skills to help their children get ready for school which is important.

She said that teachers and parents use the program. She asked the Board of Commissioners to review the program, research the benefits, and see the results. She asked the Board to save the service. She said that the programs save money in the school system. Early intervention saves money.

Ms. Lynn Edmonds, Great Schools in Wake Coalition, asked the commissioners to vote no on the proposed Rolesville site. She said that money has been wasted if they give up the Forest Ridge site. She said the site in Rolesville is too far for some of the students to attend. She said the high school H6 is designed for 2400 students. She said a school twelve miles from Wakefield is the most crowded high school in Wake County which was built for 1800 students but serving 3,000 students and still growing. She said that the cost of \$15 million is inflated. She asked the Board to do what is right for the taxpayers.

Ms. Louise Davis, Wake County Re-entry Program, thanked the board for funding the Re-entry Program. Mr. Joe Burton, Professor of Crop Science, North Carolina State University, said that teenagers get in trouble. Teen Court is a program that helps students keep out of trouble and crime prevention is important. She said three full-time staff work in the program. Without volunteers Teen Court could not function.

Ms. Patricia Pilariner said that Forest Ridge is the location that is already there. She noted there has been a population study done by North Carolina State University. Forest Ridge is in the middle of a growth area. She asked the board to consider the population of that area when deciding where to locate the high school. Ms. Pilariner volunteers at the schools and noted that there are not enough AP classes for students. Achievement is affected. She said that the population data should justify the decision.

Ms. Anne Shearon, mother of two graduates of Sanderson High School, a PTA Leader with eight years of service to the community on the Wake County Schools Growth Management Parent Advisory, and serves on the Student Assignment Committee, said there is crowded, overcrowded, and extreme overcrowded schools. Wakefield is an extreme overcrowded school. She said underenrolled schools have available capacity for students moving into that area or a student be moved to that school. She said over 25% of Wakefield students do not have a brick and mortar seat in the school. She spoke of the county being behind in construction of needed schools. Parents will complain if the Forest Ridge site is abandoned and if one site was chosen over another. Traffic is always going to be an issue in Wake County.

Ms. Beverley Clark, former Board of Education member, spoke about the \$4 million land purchase being requested for the H-6 school site. She said it looks like a good deal initially. She said that purchase price alone is not the only consideration. The total cost of ownership should be considered including the cost of the investment already made in the current site. The schools paid fair market value two years ago which is not the same value today. She said the Rolesville site is being offered by a bankrupt owner during a different value cycle. She said the county would be throwing away money if the new proposed site of 300 acres were purchased when only 110 acres are needed to have enough property to build an elementary school and high school. The Forest Ridge site has enough property for a high school and an elementary school. She suggested delaying approval by placing a six month option on the new site and sale the Forest Ridge Site. Once that site is sold then the county will know what the new site will actually cost the county. By not selling the Forest Ridge school site first, the schools are establishing comparables for the new site. She said buying a second site for the same schools would be double dipping and tying up capital project funds. She asked what projects would not be pursued because so much money will be used on this high school. She noted there is extensive rock in the north east part of Wake County which is a problem. She said with only 212 students attending the Rolesville site, the citizens should be concerned about this property being removed from the tax base. She said that the school is designed as a four story school and Rolesville does not have a ladder fire truck which costs a \$1 million and is not budgeted for by Rolesville. She asked who would help fund the purchase of the ladder truck. She said all the municipalities submitted housing growth estimates data to North Carolina State University data lab and they determined the school location. School property should not be chosen based on the cost of the property but on data driven information which was not used to determine the new school site property. She spoke about the expeditious process for this item coming before this board and suggested haste makes waste. She said that finding cheap land is a challenge, but does it have value. She believed the value should be determined before moving forward with this major expenditure.

Mr. Elree T. Smith, Wake County Veterans Council, thanked the commissioners that attended a recent veterans meeting. He said that he supports leaving the veterans position in the budget. He circulated a comparison sheet of Fiscal Year 2008 to Fiscal Year 2009 Veteran's Funding Distribution. He went over the population, VA distribution, compensations and pensions, education, Vocational Rehabilitation, and insurance. He thanked the Board of Commissioners for consideration of restoring the administrative position in Veterans Services. He noted that the numbers that are being reported are understated. He offered to give the Board of Commissioners the correct numbers. He invited the Board of Commissioners to attend the legion meetings held on the last Wednesday of each month (except November and December). He offered to give the board a presentation that was given at one of the meetings. He thanked the Board of Commissioners.

Ms. Patricia Alston Harris, Department Vice Commander with the 3rd Division of the American Legion including Wake County. She spoke of her interactions with Ms. Sharon Brown about Veteran's Services in Wake County. She noted that Ms. Brown has an interest and has assisted Wake County Veteran's Services. Ms. Harris said that Ms. Brown has provided a valuable service to Wake County. She said that Ms. Brown has supported the Wake Community Area Response Team. She asked the Board of Commissioners should consider keeping Ms. Brown for the Veteran's Services program.

Ms. Molly Robidoux, 2713 Enville Court said that she came two years ago to speak to the Board. She said that the Rolesville site is the best choice for a school site because of safety and cost. She told the story of a wreck in front of Heritage High School. She noted that Forestville Road is two lanes and is curvy and traffic is a problem. There will be 1500 students at Heritage high school and 2400 at the other site.

She noted that the new site has a 2013 opening date. Forestville Road does not have the resources for the expensive road improvements. The North Carolina Department has indicated that there would be substantial cost for road improvements and traffic lights. She said she sees the need for a school in the area but safety and convenience are issues.

Ms. Suzanne Davis asked for the Board of Commissioners to fund the Project Enlightenment program. She said that parents that have children with no diagnosis need help and advice. She said that her daughter received help from the Project Enlightenment program and is 11 years old now. Empowering parents to help their children is the goal of the program.

Ms. Cybil Leary said that she is a member of the Wake County Veteran's Council. She asked the Board of Commissioners to look at the programs and help fund the position at the Veteran's Council.

Mr. Curtis Leary, member of the American Legion, said that the decrease in population is related to the economy and those looking for work in other areas. He asked the Board of Commissioners to increase funding to the Veterans Council and get more staff to help the veterans of Wake County. He said that the Commissioners have an obligation to help individuals.

Chairman Gurley called for a ten minute break.

Regular Agenda

Adoption of the Fiscal Year 2011 Budget and Project Ordinances and the Personnel Authorization Ordinance

Mr. David Cooke presented the revised Fiscal Year 2011 Budget Ordinance and accompanying ordinances which incorporated the Board's instructions from the budget work session held on June 14, 2010. He noted there have been public hearings and work sessions on this budget. Staff began identifying reductions for this budget last fall. He said that the budget ordinance includes the Soil and Water Conservation and Veteran's Services positions. The transfer to capital projects was reduced by \$100,000 to fund these positions so consequently, the budget will stay at the same total. He noted each of the ordinances included in this action.

Commissioner Coble thanked the Manager for the proposed budget. He commended staff saying it was remarkable to have this workable budget and still be able to provide the services. It is a responsible budget and motioned to approve the budget.

Paul Coble motioned, seconded by Betty Lou Ward, to adopt Fiscal Year 2011 Budget and related ordinances:

- A. Fiscal Year 2011 Operating Budget Ordinance
 - i. General Fund
 - ii. Debt Service Fund
 - iii. Solid Waste Enterprise Fund
 - iv. South Wake Landfill Fund
 - v. Corporate Fleet Fund

- B. Capital Improvement Fund Project Ordinance
 - i. County Capital Projects Fund
 - ii. Fire Tax District Capital Projects Fund
 - iii. Major Facilities Capital Projects Fund
 - iv. Solid Waste Capital Projects Fund
 - v. Wake County Public School System Capital Projects Fund
 - vi. Wake Technical Community College Capital Projects Fund

- C. Housing and Community Revitalization Fund Project Ordinance
- D. Capital Area Workforce Development Fund Project Ordinance
- E. Fire Tax Fund Budget Ordinance
- F. Grants and Donations Fund Project Ordinance
- G. Major Facilities Fund Budget Ordinance
- H. Revaluation Reserve Fund Project Ordinance
- I. Personnel Authorization Ordinance

Commissioner Brown asked that the Board of Commissioners make an addendum to the budget by holding out \$1.5 million to be earmarked for reinstatement of foreign language classes in 16 high schools and four positions in Project Enlightenment with the Wake County Public Schools budget remaining at the same amount of \$313.5 million.

Chairman Gurley clarified the amendment and questioned whether the proposed amendment could be considered a friendly amendment. He stated he did not believe it was a friendly amendment. He said the County Attorney could be asked for guidance but if the amendment defeats the purpose of the original motion, it should not be allowed. Mr. Scott Warren noted the rule guiding the action stating that whoever made the motion would have to agree with the amendment. Chairman Gurley ruled that the amendment would have the opposite effect from the original motion and is not a valid motion. Commissioner Brown stated she was not changing the budget. Chairman Gurley said that the \$1.5 million would be held back from something that is already budgeted by the schools and not be spent in order for it to be used on those two items. Commissioner Brown said her proposal was requested by the school staff because the 16 high school will not be offering foreign language next year. Vice Chair Ward asked Commissioner Brown if she was saying that there would not be any foreign languages taught in the high schools. Commissioner Brown confirmed that she had been told there would not be any foreign languages taught in 16 of the high schools. Chairman Gurley said that amendment was not appropriate but she could bring it back after the original motion was voted on.

Commissioner Coble said he would not accept the amendment because it would limit the school system and it was not sent from the Board of Education as a request. He said the board had not seen the cost to do this amendment and it was not clear where the funding shortage would be by this action.

Vice Chair Ward asked again if that meant all 16 high schools would not offer foreign language and stated if so, she hoped the Board of Education would revisit that matter. Foreign Languages are required for colleges and universities. Chairman Gurley called a five minute break to call the Board of Education Chairman Ron Margiotta for clarification on the offer of foreign language classes in Wake County High Schools.

Chairman Gurley said Mr. Margiotta's response was that every high school in Wake County has foreign languages, some have more than others. He said this could be related to middle schools because the school receives funding and the Principal decides whether to offer foreign language(s) in the school. Some principals are choosing to use the money for other classes and reducing the foreign language classes but every high school has foreign language classes. Commissioner Brown said her amendment was based on what she had been told by staff. She said she has asked repeatedly to have meetings with the Board of Education to look at issues collectively.

Commissioner Norwalk agreed that joint meetings are necessary to discuss issues. There have not been enough meetings with the Board of Education to flush out some items. Topics needing discussion are school nurses, Project Enlightenment, and the H6 high school as well as a variety of topics. He said he supports the budget and the process is lacking and there is a need to meet with the Board of Education. He said he supports the topics suggested by Commissioner Brown but they need to be looked into further.

Vice Chair Ward said that she has concerns about Project Enlightenment and why the Board of Education reduced that budget. She was concerned about middle school and foreign languages and respects the tough decisions of the principals. She said that there are several topics that need to be discussed with the Board of Education and a meeting sooner rather than later may need to be considered. Commissioner Webb asked about pulling the budget for adoption at a later date. He suggested not passing the budget today and to take the time to visit some of these issues. Chairman Gurley said if the budget does not pass today, there will need to be another meeting. The budget needs to be passed by June 30th.

Commissioner Bryan spoke in support of the proposed budget and the thorough process done on the budget. He stated that Wake County is fully funding the Board of Education's funding request. He said that the State of North Carolina has changed their funding areas may affect county programs. He said the discussions today may take considerable time and may incur changes in policy and responsibility. He said the shortfall lies in the funding from the State of North Carolina. He asked to move forward with adopting the budget. He commended staff for their work on the budget. He said the commissioners have all participated in the budget discussions.

Commissioner Brown asked the County Attorney if the budget can be approved with one department's budget tabled to a later date. Mr. Warren said any of the ordinances listed for approval could be deleted. Mr. Warren said there should be care taken when making motions dealing with curriculums because that may get into the statutory function of the schools.

Commissioner Norwalk said that a line item cannot be selected to be held out and voted upon according to the School of Government. He said the board could not approve the whole schools budget but cannot hold or take action on individual line items in their budget.

Mr. Warren said that the entire ordinance can be adopted as presented or on each ordinance could be done approved as one issue.

Commissioner Brown reiterated that she would like a joint meeting in the future to revisit Project Enlightenment, foreign languages, and other issues.

Chairman Gurley noted that the agenda for joint meetings with the Board of Education is based on what both boards' leadership agrees to have on the agenda. Mr. Gurley said that the meetings are for information gatherings. Chairman Gurley noted that quarterly meetings have been scheduled and held to date.

The motion to adopt Fiscal Year 2011 Budget and related ordinances was approved with a 6 to 1 vote:

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

NOES: Harold H. Webb

OPERATING BUDGET ORDINANCE FOR FISCAL YEAR 2011

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, 2010 and ending June 30, 2011:

General Government	
Board of Commissioners	\$ 456,753
County Manager	1,419,457
County Attorney	1,469,315
Board of Elections	3,001,139
Facilities Design & Construction	1,081,075
Finance	2,858,391
Human Resources	1,873,346
Information Services	11,741,256
Register of Deeds	2,524,716
Revenue	5,157,596
Community Services	25,278,905
Environmental Services	7,710,194
General Services	23,633,040
Human Services	223,679,969
Medical Examiner	195,000
Emergency Communications	1,033,480
Emergency Medical Services	20,127,995
Fire and Emergency Management	1,959,465
City-County Bureau of Identification	4,140,038
Sheriff	61,797,724
Education:	
Wake County Public Schools	313,503,224
Wake Technical Community College	
Current Expense	15,696,050
Community Use of Schools	295,000
Total	<u>15,991,050</u>
Non Departmental:	
Membership Agencies	366,293
Public Agencies	2,183,733
Non-Departmental Services	3,132,047
Health Benefits	2,219,135
Risk Management Cost of Claims	3,192,889
Soil & Water Conservation District	423,775
Transfers:	
Transfer to County Capital Projects Fund	23,215,000
Transfer to Schools Capital Fund	7,000,000
Transfer to Debt Services Fund	170,847,000
Transfer to Revaluation Reserve	850,000
Transfer to Wake Tech Capital Fund	5,157,000
Transfer to Fleet Internal Fund	2,000,000
TOTAL GENERAL FUND APPROPRIATION	\$ 951,220,000

Section 2: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2010 and ending June 30, 2011:

Ad Valorem Taxes	\$ 632,638,000
Sales Tax	113,634,000
Lease/Rental Vehicle Tax	2,500,000
Payment in Lieu of Taxes	1,230,421
Real Property Transfer (Excise) Tax	5,300,000
Federal Shared Revenues	15,191,217
State Shared Revenues	105,878,532
Local Shared Revenues	7,105,500
Licenses and Permits	2,959,464
Charges for Services	61,123,578
Investment Earnings	58,954
Miscellaneous	288,334
Appropriated Fund Balance	2,000,000
Transfer from Other Funds	1,312,000
TOTAL GENERAL FUND REVENUE	\$ 951,220,000

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, 2010 and ending June 30, 2011 for the purpose of paying debt service commitments:

Debt Service Principal, Interest and Fees	<u>\$ 207,950,000</u>
TOTAL DEBT SERVICE FUND APPROPRIATION	\$ 207,950,000

Section 4: It is estimated that the following revenue will be available in the Debt Service Fund for the fiscal year beginning July 1, 2010 and ending June 30, 2011:

Transfer from General Fund - Ad valorem	\$ 143,992,000
Transfer from General Fund - Sales Tax	26,855,000
Transfer from Major Facilities Fund	991,000
Transfer from Fire Tax District	1,140,000
State Lottery Proceeds	10,000,000
Interest Income	10,880,268
Bond Premiums	10,764,000
Appropriated Fund Balance	<u>3,327,732</u>
TOTAL DEBT SERVICE FUND REVENUE	\$ 207,950,000

Section 5: The following is hereby appropriated in the Solid Waste Management Fund for the fiscal year beginning July 1, 2010 and ending June 30, 2011:

Operating Expenses	\$ 10,483,000
Transfer to General Fund	404,000
Transfer to Capital Projects Fund	<u>1,849,000</u>
TOTAL SOLID WASTE MANAGEMENT FUND APPROPRIATION	\$ 12,736,000

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, 2010 and ending June 30, 2011:

Disposal and License Fees	\$ 7,386,900
Intergovernmental Revenue	472,358
Sale of Recycled Materials	1,480,742
Investment Earnings	357,000
Appropriated Fund Balance	1,849,000
Transfer in from South Wake Landfill Fund	<u>1,190,000</u>
 TOTAL SOLID WASTE MANAGEMENT FUND REVENUE	 \$ 12,736,000

Section 7: The following is hereby appropriated in the South Wake Landfill Fund for the fiscal year beginning July 1, 2010 and ending June 30, 2011:

Operating Expenses	<u>\$ 15,417,000</u>
 TOTAL SOUTH WAKE LANDFILL FUND APPROPRIATION	 \$ 15,417,000

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, 2010 and ending June 30, 2011:

Disposal and License Fees	<u>\$ 15,417,000</u>
 TOTAL SOUTH WAKE LANDFILL FUND REVENUE	 \$ 15,417,000

Section 9: The following is hereby appropriated in the Corporate Fleet Fund for the fiscal year beginning July 1, 2010 and ending June 30, 2011:

Operating Expenses	\$ 10,250,000
TOTAL CORPORATE FLEET FUND APPROPRIATION	\$ 10,250,000

Section 10: It is estimated that the following revenue will be available in the Corporate Fleet Fund for the fiscal year beginning July 1, 2010 and ending June 30, 2011:

Charges for Services	\$ 7,430,717
Miscellaneous	500,612
Appropriated Fund Balance	278,671
Investment Earnings	400,000
Transfer in from General Fund	<u>2,000,000</u>
TOTAL COPORATE FLEET FUND REVENUE	\$ 10,610,000

Section 11: 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, 2010, 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	
	<u>Value</u>	<u>Tax Rate</u>
Research & Production		
Service District	\$1,226,500,000	3.714 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 \$455,500. The actual net proceeds from the tax shall constitute the appropriation from said tax levy.

Section 12: 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 13: 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 14: 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 15: 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, 2010. 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 nineteen billion, one hundred fifty-eight million, two hundred fifty thousand, one hundred ninety-nine dollars (\$119,158,250,199), which is 100% of the total assessed property tax valuation, and upon a collection rate of 98.50%.

Section 16: 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 17: Operating funds encumbered by the County as of June 30, 2010 are hereby appropriated to this budget. Multiple year grants unexpended by the County as of June 30, 2010 are hereby appropriated to this budget.

Section 18: Funds provided by the State of North Carolina for disposal of white goods that are not spent as of June 30, 2010, are designated for future year expenditures on white goods programs and are hereby appropriated to the Solid Waste Management Fund budget.

Section 19: As authorized in Section 153(A)-102 of the North Carolina General Statutes, the following fees are hereby established, effective on July 1, 2010:

Animal Control:

Cat Adoption	\$15
Cat (Senior) Adoption	fee eliminated
Dog Adoption	\$45
Dog (Senior) Adoption	fee eliminated
Rabbit Adoption	\$20
Spay/Neuter (Cat) Fee	\$30
Spay/Neuter (Animal Other than Cat or Dog) Fee	fee eliminated

Environmental Health and Safety:

Push Cart Plan Review and Inspection	\$50
Mobile Food Unit Plan Review and Inspection	\$100

Section 20: The County Manager shall distribute copies of this Budget Ordinance as appropriate.

ADOPTED this the 21st day of June 2010.

CAPITAL IMPROVEMENT FUND PROJECT ORDINANCE FOR FY 2011

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, 2010:

Element:	Affordable Housing	
Program:	Transfer to Housing and Community Revitalization Fund	\$ 650,000
	TOTAL AFFORDABLE HOUSING	\$ 650,000
Element:	Automation	
Programs:	Business Applications	\$ 150,000
	Computer Equipment	1,165,000
	Enterprise Infrastructure	1,224,000
	Major Projects	350,000
	TOTAL AUTOMATION	\$ 2,889,000
Element:	Community Capital	
Programs:	Hospice of Wake County	\$ 250,000
	Alliance Medical Ministry	250,000
	TOTAL COMMUNITY CAPITAL	\$ 500,000
Element:	County Building Improvements	
Program:	Southeast Raleigh Reclaimed Water	\$ 100,000
Program:	Building Improvements	
Projects:	Major Building Renovations	\$ 2,230,000
	Building Systems Replacements	202,000
	Minor Building Projects	1,200,000
	Roofing Projects	596,000
	Security Improvements County Buildings	210,000
	Subtotal: Building Improvements	\$ 4,438,000
	TOTAL COUNTY BUILDINGS	\$ 4,538,000
Element:	Criminal Justice	
Programs:	Detention Security	\$ 170,000
	Existing Courthouse Renovations	3,732,000
	Court Displacement	1,521,000
	Public Safety Center Renovations	500,000
	TOTAL CRIMINAL JUSTICE	\$ 5,923,000

Program:	Economic Incentives	
Projects:	Credit Suisse	\$ 125,000
	Novartis	<u>1,760,000</u>
	Subtotal: Economic Incentives	\$ <u>1,885,000</u>
	TOTAL ECONOMIC DEVELOPMENT	\$ 1,885,000
Element:	Open Space	
Program:	Reserve for Future Projects	\$ 520,000
	TOTAL OPEN SPACE	\$ 520,000
Element:	Parks	
Program:	Existing Parks Facility Improvements	\$ 250,000
	TOTAL PARKS	<u>250,000</u>
Element:	Program-wide Projects	
Programs:	Transfers to Other Funds (Wake Tech Capital)	\$ 1,500,000
	Reserve for Future Projects	<u>3,669,000</u>
	TOTAL PROGRAM-WIDE PROJECTS	\$ 5,169,000
Element:	Public Safety	
Program:	800 Megahertz System	
Projects:	Tone and Voice Pagers	\$ 67,000
	800 MHz Infrastructure Study	<u>100,000</u>
	Subtotal: 800 Megahertz System	\$ <u>167,000</u>
Program:	EMS Projects	
Projects:	Knightdale South Co-Location	\$ 108,000
	Zebulon Substation	<u>108,000</u>
	Subtotal: EMS Projects	\$ <u>216,000</u>
Programs:	EMS Defibrillators	828,000
	Sheriff's Communication Center	300,000
	TOTAL PUBLIC SAFETY	\$ 1,511,000
	TOTAL COUNTY CAPITAL PROJECTS	
	APPROPRIATION	\$ 23,835,000

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, 2010:

Transfers In - Ad Valorem Tax	\$ 23,315,000
Municipal Reimbursement	<u>520,000</u>
TOTAL COUNTY CAPITAL PROJECTS REVENUE	\$ 23,835,000

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, 2010:

Element:	Fire / Rescue		
Programs:	Fire Apparatus and Vehicles		
Projects:	Large Apparatus, Municipal	\$	553,000
	Radio, Tax, and Tags		27,000
	Small Vehicles		176,000
	TOTAL FIRE APPARATUS	\$	756,000
Programs:	Fire Equipment		
Projects:	Air Bottle Program	\$	129,000
	Contingencies and Grant Matches	\$	64,000
	Defib/TIC Replacement		96,000
	Pager Replacement		312,000
	Small Capital Program		150,000
	Turnout Gear Program		234,000
	TOTAL FIRE EQUIPMENT	\$	985,000
Programs:	Fire Facilities		
Projects:	Planned Facility Repairs	\$	121,000
	Stony Hill Remediation		68,000
	TOTAL FIRE FACILITIES	\$	189,000
	TOTAL FIRE / RESCUE APPROPRIATION	\$	1,920,000

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, 2010:

Appropriated Fund Balance	259,000
Transfers In From Fire Tax District Fund	1,671,000
	<hr/>
TOTAL FIRE CAPITAL PROJECTS FUND APPROPRIATION	\$ 1,920,000

Section 5: It is estimated that \$680,000 will be available for Fire Tax District Capital Projects once debt financing is secured. Appropriations for specific projects will be made after the acquisition of financing.

Section 6: The following amount is hereby appropriated in the Major Facilities Capital Projects Fund by Element and Program for the fiscal year beginning July 1, 2010:

Element:	Major Facilities	
Programs:	Five County Stadium	\$ 648,000
	Marbles/IMAX	200,000
	Reserve for Future Projects	152,000
	TOTAL MAJOR FACILITIES APPROPRIATION	<hr/> \$ 1,000,000

Section 7: It is estimated that the following revenue will be available in the Major Facilities Capital Projects Fund for the fiscal year beginning July 1, 2010:

Transfer from Major Facilities Special Revenue Fund	\$ 1,000,000
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TOTAL MAJOR FACILITIES REVENUE	<u>\$ 1,000,000</u>
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Section 8: The following amount is hereby allocated to the Wake County Public School System Capital Projects Fund for the fiscal year beginning July 1, 2010 to support prior CIP 2006 appropriations:

Element: Wake County Public Schools Capital Building Program	\$ 7,000,000
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TOTAL WAKE COUNTY PUBLIC SCHOOL SYSTEM CAPITAL PROJECTS FUND APPROPRIATION	<u>\$ 7,000,000</u>
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Section 9: 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, 2010:

Transfer In – Ad Valorem Tax	\$ 7,000,000
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TOTAL WAKE COUNTY PUBLIC SCHOOL SYSTEM CAPITAL PROJECTS FUND REVENUE	<u>\$ 7,000,000</u>
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Section 10: It is estimated that \$125,000,000 will be available for additional CIP 2006 appropriations after the sale of general obligation bonds in FY 2011. Specific appropriations for projects will be made after the sale of general obligation bonds.

Section 11: 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, 2010:

Element:	Wake Technical Community College	
Programs:	General Repairs and Renovations	\$ 500,000
	Minor Capital	1,000,000
	Pucher-Lemay Hall	1,230,000
	Wake Tech Reserve for Future Projects	3,727,000
	Wake Tech Master Plan Phase II	200,000
	TOTAL WAKE TECHNICAL COMMUNITY COLLEGE	<u>\$ 6,657,000</u>
	CAPITAL PROJECTS FUND APPROPRIATION	

Section 12: 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, 2010:

Transfer from County Capital Fund	\$ 1,500,000
Transfers In - Ad Valorem Tax	5,157,000
	<hr/>
TOTAL WAKE TECHNICAL COMMUNITY COLLEGE CAPITAL PROJECTS FUND REVENUE	\$ 6,657,000

Section 13: It is estimated that \$36,000,000 will be available for Wake Tech 2007 Building Program after the sale of general obligation bonds in FY 2011. Specific appropriations for projects will be made after the sale of general obligation bonds.

Section 14: 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, 2010:

Element:	Solid Waste		
Program:	Multi-material and Convenience Centers		
Projects:	General Convenience Centers Projects	\$	250,000
	Convenience Center Compaction		450,000
	Convenience Center - Site 11		150,000
	SWLF Multi-material Recycling Center		260,000
	TOTAL MULTI-MATERIAL AND CONVENIENCE CENTERS	\$	1,110,000
Program:	East Wake Landfill		
Project:	East Wake Landfill Post Closure, Cap Repair, and Environmental Monitoring	\$	1,500,000
	TOTAL EAST WAKE LANDFILL	\$	1,500,000
Programs:	North Wake Landfill		
Project:	North Wake Landfill Gas Systems	\$	670,000
	TOTAL NORTH WAKE LANDFILL	\$	670,000
Programs:	South Wake Landfill		
Project:	East Wake Transfer Station Wall and Floor Repairs	\$	75,000
	TOTAL SOUTH WAKE LANDFILL	\$	75,000
	TOTAL SOLID WASTE APPROPRIATION	\$	3,355,000

Section 15: It is estimated that the following revenue will be available in the Solid Waste Capital Projects Fund for the fiscal year beginning July 1, 2010:

Transfer In: Solid Waste Enterprise Fund	\$	1,849,000
Appropriated Fund Balance		1,431,000
Closure / Post-closure Reserve		75,000
TOTAL SOLID WASTE CAPITAL REVENUE	\$	3,355,000

Section 16: It is estimated that \$2,000,000 will be available for Solid Waste Capital Fund upon sale of certain assets. Appropriations for specific projects will be made upon receiving proceeds from the sale of the assets.

Section 17: The Finance Department is hereby directed to maintain sufficient specific detailed accounting records for each capital project authorized.

Section 18: The Finance Department 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 19: 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 20: 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 21: The County Manager shall distribute copies of this Capital Projects Ordinance as appropriate.

ADOPTED this the 21st day of June 2010.

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 sections 3, 5, 7 and 9, and involve a variety of affordable housing activities, including the Community Development Block Grant (CDBG), HOME and HOPWA 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 projects in the CDBG

Program:

Direct Federal Revenues	\$	1,577,712
Program Income		322,000
Program Income in Excess of FY 2009-2010 Budget		60,000
Public Facility Match		<u>153,503</u>
Total	\$	2,113,215

Section 3: The following amounts are appropriated for the projects of the CDBG Program:

Administration	\$	283,988
Homeowner Rehabilitation		434,000
Public Facilities		1,290,227
Homeless Employment Initiative		<u>105,000</u>
Total	\$	2,113,215

Section 4: It is estimated that the following revenues will be available to complete projects described in the HOME Program:

Direct Federal Revenues	\$	745,467
Program Income		210,000
Program Income in Excess of FY 2009-2010 Budget		<u>19,500</u>
Total	\$	974,967

Section 5: The following amounts are appropriated for the projects of the HOME Program:

Administration	\$	74,546
Affordable Housing Development		<u>900,421</u>
Total	\$	974,967

Section 6: It is estimated that the following revenues will be available to complete projects described in the HOPWA Program:

Program Income	\$	170,000
Program Income in Excess of FY 2009-2010 Budget	\$	69,837
County Funding	\$	650,000
Total	\$	889,837

Section 7: The following amounts are appropriated for the projects of the HOPWA Program:

Affordable Housing Development	\$	481,253
Rental Assistance for Mentally Ill	\$	349,410
Support Circles Staff Position		59,174
Total	\$	889,837

Section 8: It is estimated that the following revenues will be available to complete projects described in the County Affordable Housing Program:

Direct Federal Revenues	\$	721,566
Total	\$	721,566

Section 9: The following amounts are appropriated for the projects of the County Affordable Housing Program:

Administration	\$	21,647
HOPWA		699,919
Total	\$	721,566

Section 10: 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 11: The County Manager is authorized to transfer appropriations between projects within the Housing and Community Revitalization Fund.

Section 12: 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 13: Copies of this Housing and Community Revitalization Project Ordinance shall be filed with the County Manager and the Finance Director.

ADOPTED this the 21st day of June 2010.

CAPITAL AREA WORKFORCE DEVELOPMENT 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 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 government provide funds for all projects.

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

Federal Shared Revenues	\$ 5,956,796
Contingency for Anticipated Federal Shared Revenues	<u>\$ 313,560</u>
Total	\$ 6,270,356

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

Fiscal Year 2011 CAWD Program	\$ 5,956,796
Contingency for Anticipated Grant Programs	<u>\$ 313,560</u>
Total	\$ 6,270,356

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, this 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 exceeds the appropriation, the actual net revenues received from that source will constitute the authorized appropriation.

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

ADOPTED this the 21st day of June, 2010.

FIRE 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, 2010 and ending June 30, 2011:

Ad valorem taxes	\$ 20,195,000
Other (sale of apparatus)	9,000

Total Fire Tax District Special Revenue Fund

Revenue \$ 20,204,000

Section 2: The following amount is hereby appropriated in the Fire Tax District Special Revenue Fund for the fiscal year beginning July 1, 2010 and ending June 30, 2011:

Contracted Services \$ 16,338,315

Other Operating Expenses 1,054,685

Transfer to Debt Service Fund 1,140,000

Transfer to Fire Tax District Capital Fund 1,671,000

Total Fire Tax District Special Revenue Fund

Appropriation \$ 20,204,000

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, 2010, 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 for the single special fire tax district, for the purpose of taxation, twenty-five billion, two hundred two million, six hundred thirty-nine thousand, eight hundred thirty-seven dollars (\$25,202,639,837) which is 100% of the total assessed property tax valuation, and upon a collection rate of 98.5% and upon a collection fee of 0.2%. The property tax valuation does not include delinquent or late list payments.

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 tax districts: Alert, Bayleaf/Six Forks, Cary Suburban, 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 21st day of June, 2010.

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	\$	770,902
State Shared Revenues		944,038
Local Shared		337,700
Charges for Services		300,000
Transfer from General Fund		<u>123,860</u>
Total	\$	2,476,500

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

Grants	\$	2,176,500
Use of Forfeiture Proceeds		<u>300,000</u>
Total	\$	2,476,500

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 21st day of June 2010.

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	\$ 13,067,000
Prepared Food & Beverage Tax	17,215,000
Appropriated Fund Balance	<u>800,000</u>
 Total	 \$ 31,082,000

Section 2: The following amounts are appropriated for projects and administration of the tax collection efforts:

Transfer to General Fund, Admin. Fee for Occupancy Tax	\$ 392,000
Transfer to General Fund, Admin. Fee for Prepared Food & Beverage Tax	516,000
City of Raleigh Holdback from Occupancy Tax Proceeds	680,000
Allocation to the Greater Raleigh Convention & Visitors Bureau	3,416,000
Town of Cary Holdback from Occupancy Tax Proceeds	634,000
Operating Support for the Centennial Authority	1,773,000
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
Debt Service on the RBC Center Construction	5,209,000
Transfer to County's CIP Fund for Major Facilities Projects	1,000,000
Allocation for Construction of the New Convention Center	12,471,000
North Carolina Museum of Art	1,000,000
North Carolina Museum of Natural Science	900,000
Centennial Authority – Capital Funds	1,000,000
Saint Augustine's College Track	<u>100,000</u>
 Total	 \$ 31,082,000

Section 3: 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 4: In the event that the actual proceeds from the tax levy of the occupancy and 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 5: Copies of this ordinance shall be filed with the County Manager and Finance Director.

ADOPTED this the 21st day of June 2010.

REVALUATION RESERVE 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 added as an appropriation in the Revaluation Reserve Fund for the fiscal year beginning July 1, 2010 and ending June 30, 2011 for the purpose of operations related to conducting a revaluation of real property within Wake County:

Revaluation Expenses	\$ <u>850,000</u>
Total Revaluation Reserve Fund Appropriation	\$ 850,000

Section 3: It is estimated that the following additional revenue will be available in the Revaluation Reserve Fund for the fiscal year beginning July 1, 2010 and ending June 30, 2011 to complete the project described in Section 7:

Transfer from General Fund	\$ <u>850,000</u>
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 association with 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 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 21st day of June 2010.

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, 2010 and ending June 30, 2011.

Department, Division and Fund (All Positions are in the General Fund unless otherwise noted)	Authorized Full-time Equivalent Positions
Board of Commissioners	3.000
County Manager	12.000
County Attorney	13.000
Board of Elections	15.500
Budget and Management Services	-
Facilities, Design, & Construction	10.000
Finance	-
General Fund	34.000
Debt Service Fund	2.000
Finance Total	36.000
Human Resources	25.500
Information Services	91.750
Register of Deeds	37.000
Revenue	61.000
Soil and Water Conservation District	5.000
Community Services	-
CS Management and Budget	6.000
Parks, Recreation, and Open Space	23.500
Veterans Services	4.000
Geographic Information Services	18.000
Libraries	210.500
Planning and Development Services	42.000
Community Services Total	304.000
Environmental Services	
General Fund	
ES Administration	8.000
Environmental Health & Safety	62.000
Water Quality Division	29.000
Total General Fund	99.000
Solid Waste Fund	14.000
South Wake Landfill Fund	5.000
Environmental Services Total	118.000
General Services	
General Fund	
Administration / Support	10.000
Central Services	18.000
Field Services	31.000
Fleet Operations	-
Physical Plant	53.000
Security	6.000
Total General Fund	118.000
Fleet Fund	14.000
General Services Total	132.000

Human Services	
General Fund	
Social Services	394.500
Child Welfare	230.750
Children, Youth and Family	270.350
Public Health	138.307
Health Clinics	143.100
Behavioral Health	186.975
Administration and Operations	232.750
Local Managing Entity	110.750
Total General Fund	1,707.482
Grants Fund	16.750
Affordable Housing Fund	6.750
Human Services Total	1,730.982
Emergency Medical Services	182.000
Fire & Emergency Management	
General Fund	20.000
Grants Fund	1.000
Fire & Emergency Management Total	21.000
CCBI	64.000
Sheriff	
General Fund	
Law Enforcement	399.000
Detention	407.000
Total General Fund	806.000
Grants Fund	4.000
Sheriff Total	810.000
Capital Area Workforce Development	28.000
TOTAL FTEs ALL FUNDS	3,699.732

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 21st day of June 2010.

**Approval of the Greater Raleigh Convention & Visitors Bureau's FY 2011
Operating Budget**

Ms. Johnna Rogers, Deputy County Manager, presented a request to approve the Fiscal Year 2011 Operating Budget for the Greater Raleigh Convention and Visitors Bureau. She reported that the Bureau's budget of \$3,570,200 will be offset by an equal amount of revenue, including \$3,416,000 from the Bureau's share of proceeds generated during FY 2011 with \$2.7 million from occupancy tax.

Betty Lou Ward motioned, seconded by Lindy Brown, to approve the Fiscal Year 2011 Operating Budget for the Greater Raleigh Convention and Visitors Bureau in the amount of \$3,570,200.

The motion passed unanimously.

Commissioner Bryan said that a significant amount of time is spent on the Wake County budget and his hope that these remaining budget items be included on their budget work sessions in the future.

Approve Funding Plan for Home and Community Care Block Grants from Triangle J Council of Governments for Meals on Wheels and Resources for Seniors

Ms. Gail Holden said that some of the funding comes from the Home and Community Care Block Grant for older adults is federal monies made available to the local community for through Triangle J Council of Governments Division on Aging. The monies are used to purchase services. The recommendation for the \$2,633,145 is as follows:

- 1) Meals on Wheels - \$911,068 (HCCBG); \$97,565 (County Match)
- 2) Resources for Seniors - \$1,722,077 (HCCBG); \$187,677 (County Match)

Commissioners discussed personal interactions with some of these programs and how important this service is to Wake County's senior citizens. It was noted that the Meals on Wheels helps provide food as well as socialization for some seniors. It is a rewarding program.

Paul Coble motioned, seconded by Betty Lou Ward, to approve the plans submitted by Wake County Human Services, Meals on Wheels and Resources for Seniors and affix required signatures.

The motion passed unanimously.

Approval of Three-Year Contract with Sonoco Recycling to Collect Mixed Paper from Wake County Public Schools

Mr. Matt Roylance indicated the current contract between Wake County and Sonoco Recycling for mixed paper recycling was coming up for renewal. He stated this contract was bid out in conjunction with the Wake County Schools "Feed the Bin" program and thanked the school staff for working with the County. The joint RFP resulted in a favorable pricing for both Wake County and Wake County Public Schools System. He said the evaluation committee recommended the County award a three-year contract with three one-year renewals, to Sonoco Recycling, the County's current vendor and sole bidder in mixed paper, for \$12.00 per pickup. Sonoco Recycling will share a portion of their revenue from the sale of the County's paper. The approximate value of the contract is \$100,000 per year.

Betty Lou Ward motioned, seconded by Lindy Brown, to approve the staff recommendation to contract with Sonoco Recycling to collect mixed paper from Wake County Public Schools Sites. The contract is for a three-year term beginning July 1, 2010, with an option of three one-year renewals.

Commissioner Bryan asked if there was information about the contract and why Sonoco was the only bidder. Mr. Roylance said that they were the only bidder of the combination of services.

Commissioner Norwalk said there was limited value on the uses. He noted that Sonoco has a variety of ready-made products for use.

The motion passed unanimously.

Resolution Authorizing the Issuance and Sale of \$36,000,000 General Obligation Bonds for Wake Technical Community College

Ms. Kreiser asked the Board of Commissioner to approve the resolution authorizing the issuance and sale of general obligation bonds in the amount of \$36.0 million for Wake Technical Community College for the construction of the Health Sciences II facility. Proceeds will be used to fund the last remaining project in the 2007 building program. The county intends to sell the fixed rate bonds competitively on July 22, 2010.

Joe Bryan motioned, seconded by Paul Coble, to approve the Resolution Authorizing the Issuance and Sale of \$36,000,000 General Obligation Bonds for Wake Technical Community College.

The motion passed unanimously.

Ms. Kreiser asked the Board of Commissioner to approve the resolution authorizing the issuance and sale of general obligation bonds in the amount of \$36.0 million for Wake Technical Community College for the construction of the Health Sciences II facility. Proceeds will be used to fund the last remaining

project in the 2007 building program. The county intends to sell the fixed rate bonds, either tax exempt Build America Bonds or taxable Recovery Zone Economic Bonds, competitively on July 22, 2010.

Joe Bryan motioned, seconded by Paul Coble, to approve the Resolution Authorizing the Issuance and Sale of \$36,000,000 General Obligation Bonds for Wake Technical Community College. 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 21, 2010, with Tony Gurley, Chairman, presiding. The following Commissioners were:

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

ABSENT: N/A

ALSO PRESENT: David C. Cooke, County Manager; Scott Warren, County Attorney, Nicole Krieser, County Debt Manager and Susan J. Banks, Clerk to the Board.

* * * * *

Ms. Nicole Kreiser, 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 PROVIDING FOR THE ISSUANCE OF \$36,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS

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

Section 1. The Board has determined and does hereby find and declare as follows:

(a) An order authorizing \$92,000,000 Community College Bonds was adopted by the Board for the County on August 6, 2007, which order was approved by the vote of a majority of the qualified voters of the County who voted thereon at a referendum duly called and held on October 9, 2007. \$56,000,000 of said bonds have heretofore been issued, no further notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds, and it is necessary to issue \$36,000,000 of such Community College Bonds at this time. The maximum period of usefulness of the community college facilities improvements to be provided with the proceeds of said bonds is estimated as a period of forty (40) years from August 3, 2010, the date of the bonds for community college facilities improvements authorized hereby, and that such period expires on August 5, 2050.

(b) The American Reinvestment and Recovery Act of 2009 (the "Recovery Act") added provisions to the Internal Revenue Code of 1986, as amended, that permit state or local governments to issue taxable obligations referred to as "Build America Bonds" and "Recovery Zone Economic Development Bonds" under a program under which the issuer of bonds eligible for exclusion from the gross income of the owners thereof may make an irrevocable election to have such interest not so excluded, and the issuer will receive interest subsidy payments directly from the United States Treasury in an amount equal to 35% of the corresponding interest payable on the bonds designated as Build America Bond and 45% of the interest payable on the bonds designated as Recovery Zone Economic Development Bonds. All of the Bonds are eligible for designation as Build America Bonds and a portion of the Bonds might be eligible for designation as Recovery Zone Economic Development Bonds upon receipt by the County of allocation, if any, by the North Carolina Federal Tax Reform Allocation Committee. Based upon market conditions at the time of the sale of the Bonds, the County may realize economic benefit by having some portion of the Bonds designated as Build America Bonds or Recovery Zone Economic Development Bonds.

Section 2. Pursuant to the bond order described above, there shall be issued bonds in the aggregate principal amount of \$36,000,000 designated "General Obligation Public Improvement Bonds" with such further designation as shall be hereinafter provided. The Bonds shall be dated the date of delivery thereof. The Bonds shall be stated to mature annually (subject to adjustment for "Term Bonds" as described below) on August 1, \$1,890,000 2011, and \$1,895,000 2012 to 2029, inclusive. The Bonds shall bear interest at a rate or rates to be determined by the Local Government Commission of North Carolina (the "Commission") at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on each August 1 and February 1, beginning February 1, 2011, until payment of such principal sum.

The Interim Finance Director of the County is hereby authorized to determine on behalf of the County, prior to the time of sale of the Bonds, whether the County will recognize economic benefit by the issuance of all or some portion of the Bonds as Build America Bonds or Recovery Zone Economic Development Bonds. If the Interim Finance Director so determines that such designation is in the best interest of the County, which determination shall be conclusive, then the Interim Finance Director may designate all or a portion of one or more maturities of the Bonds set forth above as Build America Bonds or Recovery Zone Economic Development Bonds and such Bonds shall be so sold to investors as such. In such event, the Bonds so designated may be designated as a Series 2010E series, a Series 2010F Series and a Series 2010G series as shall be desirable in order to distinguish the Build America Bonds and Recovery Zone Economic Development Bonds from the other Bonds.

Principal of the Bonds shall be due on August 1 in the amounts set forth above. Upon the request of the purchaser of the Bonds, any consecutive maturities of the Bonds of a series bearing interest at the same rate may be combined at the time the Bonds are sold into a Term Bond in the aggregate principal amount of the combined maturities, subject to mandatory redemption on August 1 in the amounts set forth above for the respective year, as determined by the Interim Finance Director of the County, in her discretion after consultation with the Commission. Bonds to be retired on account of the maturity thereof on a designated date are herein referred to as "Serial Bonds" and Bonds to be retired on multiple dates on account of mandatory redemptions and maturity are herein referred to as "Term Bonds." The Interim

Finance Director may do all things necessary, including modification of the form of Bonds set forth herein in Section 3 and the redemption provisions set forth in Section 4 in order to conform any Bonds to the requirements of Term Bonds.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated, unless it is (a) authenticated upon an interest payment date, in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The Bonds shall be issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as hereinafter provided. One Bond certificate for each series of Bonds with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds of such series stated to mature on such date and registered in the name of Cede & Co., a nominee of The Depository Trust Company, New York, New York ("DTC"), shall be issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any whole multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The principal of each Bond shall be payable to Cede & Co. or any other person appearing on the registration books of the County hereinafter provided for as the registered owner of such Bond or his registered assigns or legal representative at such office of the Bond Registrar mentioned hereinafter or such other place as the County may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by said Bond Registrar on each interest payment date to the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on such registration books; provided, however, that for so long as the Bonds are deposited with DTC, the payment of the principal of and interest on the Bonds shall be made to DTC in same-day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The County shall not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Finance Director of the County determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests

of the beneficial owners of the Bonds, the County will discontinue the book-entry system with DTC. If the County identifies another qualified securities depository to replace DTC, the County will make arrangements with DTC and such other depository to effect such replacement and deliver replacement Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Bonds, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or its nominee. If the County fails to identify another qualified securities depository to replace DTC, the County shall deliver replacement Bonds in the form of fully-registered certificates in denominations of \$5,000 or any whole multiple thereof (“Certificated Bonds”) in exchange for the outstanding Bonds as required by DTC and others. Upon the request of DTC, the County may also deliver one or more Certificated Bonds to any participant of DTC in exchange for Bonds credited to its account with DTC.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Bonds issued or issuable hereunder, whether initially or in replacement thereof.

Section 3. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board and the Clerk to the Board and the official seal or a facsimile of the official seal of the County shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Commission to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of said Commission and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided hereinafter.

In case any officer of the County or the Commission whose manual or facsimile signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds to be registered in the name of Cede & Co. and the endorsements thereon shall be in substantially the following form:

No. R_-.....

\$.....

United States of America

State of North Carolina

COUNTY OF WAKE

GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND

SERIES 2010_

<u>Maturity Date</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
August 1, 20__	_____%	_____

The County of Wake, a body corporate and politic in the State of North Carolina, is justly indebted and for value received hereby promises to pay to

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of said County (the "Bond Registrar"), in Wake County, North Carolina, the principal sum of

_____ DOLLARS

and to pay interest on such principal sum from the date hereof or from February 1 or August 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is February 1 or August 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on each February 1 and August 1, beginning February 1, 2011, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of said County; provided, however, that for so long as the Bonds (hereinafter defined) are deposited with The Depository Trust Company, New York, New York ("DTC"), the payment of the principal of and interest on the Bonds shall be made to DTC in same day funds by 2:30 p.m. or otherwise as determined by the rules and procedures established by DTC. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said County are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "General Obligation Public Improvement Bonds, Series 2010_" (the "Bonds") and issued by said County for the purpose of providing funds, with any other available funds, for community college improvements, and this bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, orders adopted by the Board of Commissioners for said County, which orders were approved by the vote of a majority of qualified voters who voted thereon at a referenda duly called and held, and a resolution adopted by said Board of Commissioners (the "Resolution").

The Bonds maturing on or prior to August 1, 2020 are not subject to redemption prior to maturity. The Bonds maturing on August 1, 2021 and thereafter will be subject to redemption

prior to their maturity, at the option of said County, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than August 1, 2020, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest to the date fixed for redemption.

[If any Bonds are Term Bonds, the following paragraph shall be applicable:]

The Bonds maturing August 1, ____ shall be subject to mandatory redemption in part by lot on August 1 in the years and amounts set forth below at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, all in the manner provided in the Resolution:

<u>Year</u>	<u>Amount</u>
-------------	---------------

*Maturity]

If less than all of the Bonds of this series of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as said County in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. So long as a book-entry system with The Depository Trust Company, New York, New York ("DTC"), is used for determining beneficial ownership of Bonds, if less than all of the Bonds within the maturity are to be redeemed, DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called such manner as the County may determine.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, said County shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part to his address appearing upon the registration books of said County, provided that such notice to Cede & Co. shall be given by certified or registered mail. On the date fixed for redemption, notice having been given as aforesaid, the Bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of such Bonds or portions thereof on such date and, if moneys for payment of such redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the Bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this Bond shall be called for redemption, a new Bond or Bonds in principal amount equal to the unredeemed portion hereof will be issued to Cede & Co. or its legal representative upon the surrender hereof.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the County on or prior to the redemption date of moneys sufficient to pay the principal of and interest on the Bonds to be redeemed, and that if such moneys are not so received, such notice shall be of no force or effect and such Bond shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the redemption price and interest on such Bonds are not received by the County on or prior to the redemption date, the redemption shall not be made and the County shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Resolution. One bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., a nominee of DTC, is being issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any whole multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. Said County will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In certain events, said County will be authorized to deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any whole multiple thereof in exchange for the outstanding Bonds as provided in the Resolution.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at his office the books of said County for the registration of transfer of Bonds. The transfer of this bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of

business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said County sufficient to pay the principal of and the interest on this bond as the same shall become due; and that the total indebtedness of said County, including this bond, does not exceed any constitutional or statutory limitation thereon.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County of Wake, North Carolina, by resolution duly adopted by its Board of Commissioners, has caused this bond to be manually signed by the Chairman of said Board and the Clerk to said Board for said County and its official seal to be impressed hereon, all as of the ____ day of August, 2010.

Chairman

[SEAL]

Clerk to the Board

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

Finance Director, as Bond Registrar

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto _____

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____

_____,
attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

In the presence of:

NOTICE: The signature must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration of enlargement or any change whatever.

Certificated Bonds issuable hereunder shall be in substantially the form of the Bonds registered in the name of Cede & Co. with such changes as are necessary to reflect the provisions of this resolution that are applicable to Certificated Bonds.

Section 4. Based upon the advice of the County's financial advisor and counsel, the Interim Financial Director, Debt Manager and the County Manager are each hereby authorized to determine at or prior to the sale date of the Bonds that all or some portion of the Bonds shall not be subject to redemption prior to their maturities, and the form of the Bonds contained in this resolution shall be amended accordingly. If the Bonds shall be determined to be subject to redemption, at the option of the County, prior to their maturities, such redemption shall be as provided in the following paragraph.

The Bonds maturing on or prior to August 1, 2020 are not subject to redemption prior to maturity. The Bonds maturing on August 1, 2021 and thereafter will be subject to redemption

prior to their maturity, at the option of said County, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than August 1, 2020, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, plus accrued interest to the date fixed for redemption.

If the Interim Finance Director of the County determines that all or a portion of the Bonds shall be Term Bonds, then such Term Bonds shall be subject to mandatory redemption in the amount necessary to retire principal of the Bonds on each April 1 as set forth in Section 2 of this resolution, without premium. In the event that any of the Term Bonds is redeemed pursuant to the optional redemption provisions set forth in the preceding paragraph, the mandatory redemption requirements for the remaining Term Bonds of the same maturity shall be reduced in an aggregate amount equal to the amount of Term Bonds of the same maturity so redeemed in the years and amounts designated by the County to the Bond Registrar.

If the Interim Finance Director determines at the time of the sale of the Bonds that are designated as Build America Bonds or Recovery Zone Economic Development Bonds that it is in the best interest of the County to include within the terms of such Bonds the right of the County to redeem such Bonds prior to August 1, 2020 in the event the United States of America discontinues the Build America Bond program or the Recovery Zone Economic Development Bond program as the same relate to the Bonds, then the Interim Finance Director may designate on behalf of the County additional redemption procedures and rights of the County upon the occurrence of such an event under such terms as determined by the Interim Finance Director of the County, in her discretion after consultation with the Commission. In such event, the form of the Bonds contained in this resolution shall be amended accordingly.

If less than all of the Bonds of a series of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such series and maturity to be redeemed shall be selected by lot in such manner as said County in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. So long as a book-entry system with DTC, is used for determining beneficial ownership of Bonds, if less than all of the Bonds of a series within the maturity are to be redeemed, DTC and its participants shall determine which of the Bonds within a series and maturity are to be redeemed by lot. If less than all of the Bonds of a series stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called such manner as the County may determine.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part to his address appearing upon the registration books of the County, provided that such notice to Cede & Co. shall be given by certified or registered mail. Failure to mail such notice or any defect therein shall not affect the validity of the redemption as regards registered owners to whom such notice was given as required hereby. Each such notice shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. In the event that

Certificated Bonds are outstanding, each such notice to the registered owners thereof shall also set forth, if less than all of the Bonds of any maturity then outstanding shall be called for redemption, the distinctive numbers and letters, if any, of such Bonds to be redeemed and, in the case of any Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of such Bond will be issued.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the County on or prior to the redemption date of moneys sufficient to pay the principal of and interest on the Bonds to be redeemed, and that if such moneys are not so received, such notice shall be of no force or effect and such Bond shall not be required to be redeemed. In the event that such notice contains such a condition and moneys sufficient to pay the redemption price and interest on such Bonds are not received by the County on or prior to the redemption date, the redemption shall not be made and the County shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of and the redemption premium, if any, on the Bonds or portions thereof called for redemption as well as the interest accruing thereon to the redemption date thereof.

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof to be redeemed, interest on the Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender such Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the redemption premium, if any, on such principal amount, and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

Section 5. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered

owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same series and maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the County upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be canceled by the Bond Registrar. The County or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made by the County or the Bond Registrar for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the date of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to Section 4 of this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the redemption premium, if any, and interest thereon, to the extent of the sum or sums so paid.

The County shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to then current commercial standards and for the timely payment of principal, interest and any redemption premium with respect to the Bonds. The Finance Director of the County, or any person at any time acting in such capacity, is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively the "Bond Registrar"), subject to the right of the Board of the County to appoint another Bond Registrar, and as such shall keep at his office in the County, the books of the County for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 6. The County covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue

Code of 1986 (the “Code”), as amended or as may be amended from time to time, and any Treasury regulations now or hereafter promulgated thereunder, to the extent necessary so that interest on the Bonds that is intended to be excluded from the gross income of the owners thereof will not be included in gross income of the owners of the Bonds for purposes of federal income tax.

Section 7. All actions of the Chairman of the Board, the County Manager, the Interim Finance Director, the Debt Manager and the Clerk to the Board for the County and other officers of the County in applying to the Commission to advertise and sell the Bonds are hereby approved, ratified and confirmed, and the Commission is hereby requested to ask for sealed bids for the Bonds by publishing notices and printing and distributing a Preliminary Official Statement relating to the sale of the Bonds. The County Manager, the Interim Finance Director and the Debt Manager are hereby authorized to assist the Commission in preparing such Preliminary Official Statement, to be dated the date of delivery thereof, and such Preliminary Official Statement may be used in relation to the offering and sale of the Bonds.

The preparation of a final Official Statement (the “Final Official Statement”), which will be in the form of the Preliminary Official Statement, but will include certain pricing and other information to be made available to the successful bidder for the Bonds by the Commission, is hereby approved, and the Chairman of the Board, the County Manager and the Interim Finance Director of the County are hereby authorized to execute such Final Official Statement for and on the behalf of the County, and such execution shall be conclusive evidence of the approval of the Board of the Final Official Statement.

Section 8. The County hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide:

(a) by not later than seven months from the end of each fiscal year of the County, beginning with the fiscal year ending June 30, 2010, to the Municipal Securities Rulemaking Board (the “MSRB”), audited financial statements of the County for such Fiscal Year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the County are not available by seven months from the end of such fiscal year, unaudited financial statements of the County for such fiscal year to be replaced subsequently by audited financial statements of the County to be delivered within fifteen (15) days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the County, beginning with the fiscal year ending June 30, 2010, to the MSRB, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the headings “THE COUNTY - Debt Information and - Tax Information” (excluding any information on underlying units) in the Final Official Statement relating to the Bonds and (ii) the combined budget of the County for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, to the MSRB, notice of any of the following events with respect to the Bonds, if material:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions or events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds;
- (8) bond calls, other than mandatory sinking fund redemptions;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds; and
- (11) rating changes; and

(d) in a timely manner, to the MSRB, notice of a failure of the County to provide required annual financial information described in (a) or (b) above on or before the date specified.

All information provided to the MSRB as described in this Section shall be provided in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The County may meet the continuing disclosure filing requirements described above by complying with any other procedure that may be authorized or required by the United States Securities and Exchange Commission.

If the County fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The County reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the County, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the County;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 (“Rule 15c2-

12”) as of the date of the Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners of the Bonds, as determined either by parties unaffiliated with the County (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this resolution, as this resolution may be amended from time to time, at the time of such amendment.

In the event that the County makes such a modification, the annual financial information containing the modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 9. The Chairman of the Board, the Vice Chairman of the Board, the County Manager, the Interim Finance Director, the Debt Manager and the Clerk to the Board for the County and the other officers of the County are hereby authorized and directed to execute and delivery such closing and other documents necessary for the purpose of facilitating the sale and issuance of the Bonds in a manner consistent with the terms of this resolution.

Section 10. Waters and Company, LLC is hereby appointed to serve as a financial consultant to the County in connection with the issuance of the Bonds

Section 11. This resolution shall take effect upon its passage.

Upon motion of Commissioner Joe Bryan, seconded by Commissioner Paul Coble, the foregoing resolution entitled “RESOLUTION PROVIDING FOR THE ISSUANCE OF \$36,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS” was passed by the following vote:

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

Norwalk.

Noes: _____

* * * * *

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 and complete copy of so much of the proceedings of said Board of Commissioners at a regular meeting held June 21, 2010, as relates in any way to the passage of the foregoing resolution providing for the issuance of general obligation bonds of said County

as described in such proceedings 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 seal of said County, this 21st day of June, 2010.

[SEAL]

Clerk to the Board

Land Acquisition for a High School in the Rolesville Area (H-6) (First Reading)

Mr. Don Haydon, Chief Facilities and Operations for Wake County Public Schools, presented the background on the task of building a new high school in the northeastern part of Wake County, referred to as H-6. Mr. Haydon said the Board of Education approved a site on Forestville Road in March 2008. The Board of Commissioners approved the site purchase in October 2008. In December 2009, the Board of Education directed staff to explore alternate sites. County and Schools staff worked to identify 38 sites. In February 2010, the sites were narrowed down to two sites and began negotiation with property owners to get the best deal. During those negotiations, another site was recognized as available and included in the negotiations and was the most favorable on price. In June of 2010, the Board of Education approved the purchase of Site U for the H-6 high school and possibly a future elementary school in the Rolesville area for a total price of \$4,297,800, subject to approval of the Board of Commissioners. He said this process usually takes longer because during that time due diligence is done but in this case the owner had completed much of the due diligence. The appraisal must be completed and it is in currently process. He said this could possibly enable this high school to be opened in 2013, instead of 2014, if the site planning and building design can be worked out. He said that more work has to be done with the North Carolina Department of Transportation.

Ms. Parker gave information on the site and contractual terms. She said the site is 143.26 acres that is partially wooded, with road access on the north and western boundaries. She said that water and sewer are available north of the Rolesville bypass. She said that the tract is owned by St. Lawrence Homes Inc. and has been approved for a subdivision by the Town of Rolesville. The tract is located in the southeast quadrant of the intersection of Rolesville Road and Quarry Road, is east of the planned Highway 401 Rolesville Bypass and within

the Town of Rolesville. The water line will be run south of the site so the distance will be shortened to about 1600 feet for the school to run the water line. Sewer was already run by the current owner and is available. Concept plans for a high school and an elementary school have been looked at resulting in the possible surplus of 52 acres. The contract price is \$30,000 per acre with the standard \$5,000 earnest money. The purchase price represents a short sale and is less than what the owner owes on the site. The owner has spent quite a bit on the site, which is beneficial to the purchaser.

Commissioner Brown asked how many miles this site is from the target circle for the H-6 site. Ms. Parker said that the site is two miles from the edge of the ring.

Vice Chair Ward asked about how much funding has been spent on the original H-6 site that is not retrievable. Commissioner Norwalk estimated somewhere from \$1.5 million to \$2.0 million has probably been spent. Chairman Gurley asked that staff have that information for the commissioners before the next meeting. Mr. Haydon said he could get the total amount for the Board of Commissioner members.

Commissioner Norwalk asked about the due diligence done by the owner and if it would be enough borings done for a four story high school. Ms. Parker said they ordinarily they will do one boring over each acre. Specific borings are also done where the footings will be done. There is sufficient information comparable to where they normally are in the process.

Commissioner Bryan asked if the background material can be brought for the second reading for the public's information. The site, location, circles, layout costs should be shared. He spoke to the chart comparing the Forestville Road site to the Site U or new site with total development of Forestville Road site costing \$20,647,842 and the Site U costing \$15,381,443. There is over a \$5.0 million savings in this project using the newly proposed site. He asked for the vote from the school board. Ms. Parker said that the vote was 5-2 for the new site. Commissioner Bryan stated the vote reflected the Board of Education members' see this as a logical move to purchase this site.

Commissioner Norwalk said he talked with the Schools Inspection who said they did not see there was a possibility of going to the Forest Ridge Site and this was the best site at this time. Chairman Gurley agreed.

Commissioner Brown asked if the presentation included the Forest Ridge site or was this site just presented. Ms. Parker said in the presentation to the Board of Education, they provided a comparison of three other sites including the Forest Ridge site, for the Board of Education. She said with land costs, initial site development costs, and infrastructure costs helped reduce this site by \$5 million. This site has no streams or no need for retaining walls and no

additional infrastructure costs for roads included. There are no public roads that cross this site.

Commissioner Brown asked if there would be additional acreage left over after the high school and elementary school were built. Ms. Parker said 52 acres would be left over that could be sold as surplus. Commissioner Brown asked if the additional acreage could be used for a middle school and what development is located near the site. Ms. Parker said the only restraint from using the site for a middle school is not enough area for a tract and there is a most residential development near the site. It was also noted that there is not a need for a middle school in this area since one was recently built.

Commissioner Bryan said it is a spectacular site and it would be great to have a third school on the site with the high school and middle school sharing athletic fields. In addition, he said if the elementary school was shifted to the back of the acreage, there could be 54 acres of commercial property available on a road. The property could be land banked allowing for flexibility of the site. He asked about the comments concerning 212 high school students in Rolesville mentioned by the public. He for the population in this area and have the circles been changed and could addresses affect the attendance areas. Mr. Haydon said that the current 3 year assignment plans indicate the nodes that alleviate the crowding including some from Knightdale and Wake Forest areas. Ms. Parker said this site is located centrally between Wakefield, Heritage and Knightdale high schools. It could potentially relieve some crowding from Millbrook High since it has magnet status. She said the current three year assignment plan is what was used to guide them to this area for a high school but that could change with a new assignment plan.

Commissioner Norwalk said that a consultant, OR/Ed was used to determine the location of circles by statistical data. He said that Forest Ridge was at the center of the circle for this area. He commended Mr. Cooke on his initiative in appointing a task force including staff from Wake Forest, Rolesville, School System, City of Raleigh, North Carolina Department of Transportation, headed up by Ms. Johnna Rogers, to research and evaluate the sites. He said that the Forestville Road site was still the number one site in the task force's evaluation. He said politics has influenced two major decisions. He said the Board of Education has chosen to ignore the task force's number one recommendation of the Forestville Road site and to ignore the growth circle recommended by the consultant. He said that there is now a map with a growth circle around the Town of Rolesville, which he did not know where it came from. He said this School Board had said they were against forced busing and for neighborhood schools but has sited a location where there is no neighborhood. Busing will be at a maximum. He contended that the area around the new site is mostly farm land with very low population density in the area. Rolesville has the smallest town and the lowest number of students of any town in the county. He questioned why a school would need to be put in

Rolesville and stated there was closed door politics and this was not a logical decision. Commissioner Norwalk said there is a huge problem at Wakefield with 9th graders with no sports facilities and 39 older trailers with air conditioning and mold problems, and lack of bus parking. There were deficiencies in the Forestville Road site for an access road that DOT required off of Canyon Drive. He said there would be ripple effects in delaying construction that will affect the magnet program at Millbrook. There may be long distance busing required with the delay of construction. He said if the board had not delayed a decision on this site, there would be school construction going on now. He said that this site may be one for the future. With thousands of students in mobile units, the county is trying to catch up on the needed facilities. He said that there would be distances for the children to drive from the Wakefield attendance area. He asked the Board of Education to land bank this site and continue to move forward with the Forestville Road site. He said that this is a site for the future and politics should not play a part in the decision.

Chairman Gurley stated that Commissioner Norwalk's charge of closed door politics was very serious and asked who was committing the illegal acts. Commissioner Norwalk said it was the newspaper's interpretation. Commissioner Bryan asked Commissioner Norwalk how he could make statements without backing up his information. Commissioner Norwalk said there was no other explanation for abandoning a school site and supporting a school site that is outside the target circle. Commissioner Bryan suggested Commissioner Norwalk's statements were irrational about how this decision was made by the Board of Education. Commissioner Norwalk stated his comments about this decision were based on common sense but it would be up to the public to decide.

Chairman Gurley asked about Commissioner Norwalk's comment about the students from Wakefield High School, if reassigned to the H-6 school, would have to drive 15 miles. Mr. Haydon said it would be a domino effect in reassignment but they did ask staff to look at the center of the nodes to the Forestville Road site and to the Rolesville site (new site). Mr. Haydon said that the average would be 7 miles Forestville Road and 9 miles to the Rolesville site so there is a two miles difference for students to travel.

Chairman Gurley recapped that the Board needs an accounting of what has been spent on the Forestville Road site that cannot be recovered. Commissioner Brown asked for a list of high schools that would be impacted that would fill this high school. Commissioner Bryan asked for mapping information on this presentation that could be projected for the public's benefit. Chairman Gurley asked for Mr. Haydon and Ms. Parker to find out who on the Board of Education was colluding on this decision. Mr. Haydon said that he would confirm the Board of Education's vote on this item.
Chairman Gurley

Commissioner Bryan asked Mr. Haydon to check with the academic staff on the question about foreign languages in the schools.

No action was taken on the first reading of the H-6 school site. Action will be considered on the second reading.

**Consideration of Administrative Office Space Lease for Wake County
Public School System (Second Reading)**

Mr. Don Haydon, Chief Facilities Officer Wake County Public Schools, provided information about lease terms for the Wake County Public Schools Administrative Office space at the Crossroads location.

Commissioner Bryan said that recommendations have been made by Wake Education Partnership and the Greater Raleigh Chamber of Commerce about the County taking over the building and maintenance of school facilities. He said that this would eliminate the financial responsibility by the Public Schools and suggested this be an item on the joint meeting. Commissioner Brown asked what would need to be done in order to take over the building of schools. Mr. Warren said it could be allowed by consent of both boards. Commissioner Norwalk supported a discussion on the topic of the county taking over the schools facilities.

Commissioner Coble noted that the Board of Education has done a good job in answering the questions asked at the last meeting. Commissioner Brown indicated there was a flood plain at the Rock Quarry Road site and there would be requirements if building were to occur. She thanked Mr. Haydon and staff for answering the questions.

Commissioner Bryan complimented staff.

Joe Bryan motioned, seconded by Paul Coble, to adopt the resolution approving a Wake County Public School System administrative office space lease and direct staff to submit an application to the Local Government Commission for approval of the lease; to approve the \$13.2 million of cash from the Wake County Public School System capital projects fund to finance the operating budget increases over the term of the lease; and further, to refurbish the cash used from the Wake County Public School System's capital projects fund with the funds received from sale of the 3600 Wake Forest Road, 2302 Noble Road, and 4600 New Bern Avenue properties.

Commissioner Webb expressed his concern over the location of the Crossroads lease being in the western part of the county.

Commissioner Brown asked the County Attorney if he had any reservations over the recommendation. Mr. Warren said that he did not have any reservations.

Commissioner Bryan said that this is a central location for the offices based on population and geography of the county.

Vice Chair Ward asked if there were potential buyers for the Wake Forest Road site. Mr. Haydon said there are potential buyers for the Wake Forest Road site and Noble Road site but no offer to purchase has been made.

Commissioner Norwalk said that he would like to make amendments to the motion. He suggested a sinking fund. He asked if the Board of Commissioners and the Board of Education could have assurance that the funds are met. He said the \$50 million should come from capital reserves.

Mr. Cooke said that the capital reserves cannot be used unless the Board of Commissioners approves the use. Commissioner Webb asked how this proposal came about. Mr. Cooke said that at the last meeting it was decided not to obligate future boards on funding this proposal.

Commissioner Webb asked about the population. Mr. Cooke said that he addressed the funding of the lease. Commissioner Webb said that the cost to citizens having to travel to the central administrative offices should be considered. Chairman Gurley said that there should be less travel based on population.

Vice Chair Ward asked about bus services to this area. Mr. Haydon noted that there would be travel routes in this area. He said that morning and afternoon there is a five minute difference in commuting, but double the time during the middle of the day.

Commissioner Brown asked about short term leases verses long term leases. She asked if the Wake Forest Road site could be used for other administrative uses.

Amended Motion:

Joe Bryan motioned, seconded by Paul Coble to adopt the resolution approving a Wake County Public School System administrative office space lease and direct staff to submit an application to the Local Government Commission for approval of the lease; Of the funds being appropriated to meet the PFRS Crossroads Corporation lease obligations, \$13.2 million shall come from current funds in the Wake County Public Schools System capital projects fund. Those dollars being set aside from the Wake County Public Schools System capital projects fund plus interest earned shall be used

towards the increased operating costs of the lease. Upon sale of existing administrative spaces (3600 Wake Forest Road, 2302 Noble Road, and 4600 New Bern Avenue) projects that were deferred in order to fund the increased operating costs of the lease would be funded and able to move forward

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

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

Crossroads Administrative Space Lease

WHEREAS, the Wake County Board of Education wishes to enter into a 15-year lease with PFRS Crossroads Corporation for administrative space under N.C. General Statute 115C-530; and,

WHEREAS, the Wake County Board of Education is obligated to pay Police and Fire Retirement System (PFRS) Crossroads Corporation, \$119,447 during fiscal year 2011, approximately \$1.4 million during fiscal year 2012, approximately \$1.7 million during fiscal year 2013, and an average of \$3.7 million per year for the 12 following fiscal years, for a total of approximately \$66.1 million over the 15-year lease period for the new lease; and,

WHEREAS, North Carolina General Statutes §115C-530 requires that operational leases for school buildings and school facilities be approved by the Board of County Commissioners and Local Government Commission;

NOW, THEREFORE, BE IT RESOLVED that the Wake County Board of Commissioners hereby agrees to appropriate sufficient funds to the Wake County Board of Education to meet the PFRS Crossroads Corporation lease obligations. Said funds shall be a part of, and not in addition to, regular appropriations made to the Wake County Board of Education. Of the funds being appropriated to meet the PFRS Crossroads Corporation lease obligations, \$13.2 million shall come from current funds in the Wake County Public Schools System capital projects fund. Those dollars being set aside from the Wake County Public Schools System capital projects fund plus interest earned shall be used towards the increased operating costs of the lease. Upon sale of existing administrative spaces, projects that were deferred in order to fund the increased operating costs of the lease would be funded and able to move forward.

Adopted this the 21st day of June 2010.

Wake County Board of Commissioners

Tony Gurley, Chairman

Appointment of 2010 NACo Annual Conference Voting Delegate for Wake County Board of Commissioners

Vice Chair Ward nominated Commissioner Bryan. Commissioner Bryan nominated Vice Chair Ward.

A roll call vote reflected the following votes:

Commissioner Bryan - Betty Lou Ward
Commissioner Norwalk- Betty Lou Ward
Commissioner Coble - Joe Bryan
Commissioner Brown - Betty Lou Ward
Commissioner Webb - Betty Lou Ward
Commissioner Ward - Joe Bryan
Commissioner Gurley- Betty Lou Ward

Commissioner Ward was voted to serve as the Voting Delegate for the Wake County Board of Commissioners at the National Association of Counties in Washoe, Nevada on July 16 - 21, 2010.

Appointments

Wake County Open Space and Parks Advisory Committee

Chairman Gurley nominated Stan Latta for the District 3 position. Vice Chair Ward nominated Sara Robertson, Margaret Newbold, Sig Hutchinson, all with suspension of the rules regarding term limits and Carlyle Teague of Soil and Water Conservation District.

Wake Technical Community College Board of Trustees

Vice Chair Ward nominated Ms. Merrie Hedrick a former Wake County Commissioner.

Commissioner Brown nominated Mr. Keith Shackelford. She said she had spoken with the Chairman of the Wake Technical Community College Board of Trustees in addition to Dr. Stephen Scott and the vacancy report is a misrepresentation. She said there were two emergency called meetings that Mr. Shackelford was not notified and the last meeting of the three missed was in reference to him having to go to the courthouse because his law partner was no longer in the firm. Chairman Gurley asked if of the three meetings missed, two were emergency meetings, because this board normally meets once a month. Commissioner Brown affirmed that they were emergency called meetings. She said that was why Mr. Jim Perry and Dr. Stephen Scott wrote and reiterated in their letter that Mr. Shackelford was an asset to this board and had only missed one meeting in 2009 and none in

2008. Chairman Gurley questioned Commissioner Brown's comments stating she was making it up. Commissioner Brown asked why he would say that she was making it up. Commissioner Brown said she spoke with Jim Perry of Waste Industries and Wake Tech Community College President Dr. Stephen Scott, and in previous materials there was a letter from the Chairman of the Wake Tech Community Board of Trustees. She asked why he thought she was making this up. Chairman Gurley said it does not say what Commissioner Brown said. Commissioner Brown said she went back and verified the letter. She asked why Chairman Gurley was being disrespectful to her. Chairman Gurley stated she was making things up and asked for documentation where the two meetings were emergency meetings. Commissioner Brown said she already said she contacted Mr. Perry and Dr. Scott. She said Chairman Gurley did not listen to her and that was totally disrespectful and unprofessional. She said she did not expect him or anyone else to be disrespectful to her when it is unfounded. Chairman Gurley said if it was unfounded, he apologized but to show him where two of the Wake Tech Board of Trustees meetings were emergency meetings. Commissioner Brown said, she said at the beginning of her comments, she contacted Mr. Jim Perry, Chairman of Waste Industries and Dr. Stephen Scott who verified that those were called meetings. Chairman Gurley asked if they were called emergency meetings and not regularly scheduled meetings. Commissioner Brown responded, yes. Commissioner Brown said he could go contact Mr. Perry. Chairman Gurley said he did not have Mr. Perry's number on his phone. Commissioner Brown asked Chairman Gurley to read the letter provided by Dr. Scott and Mr. Perry.

Chairman Gurley read the letter of recommendation supporting the reappointment of Mr. Richard Keith Shackelford to the Board of Commissioners from Mr. Jim Perry, Chairman of the Wake Technical Community College Board of Trustees and Dr. Stephen Scott, President of Wake Technical Community College. Commissioner Brown said when the issue came up about Mr. Shackelford's absences, she got on the phone and called Dr. Scott and Mr. Perry and she was telling the board what they told her. Chairman Gurley looked to Commissioner Brown and asked that she was saying that they told her that two of the three absences were emergency called meetings and she affirmed that was correct.

Commissioner Webb said that he appointed Mr. Shackelford originally and that he was qualified and the only African American on the board of trustees.

Vice Chair Ward said she nominated Ms. Merrie Hedrick because of her long term interest in serving on this board but felt she should back away from the nomination. She asked when the next appointment would come up for the Wake Tech Board of Trustees. Chairman Gurley said if Commissioner Ward was proposing to change her nomination because of Commissioner Brown's assertion those were called meetings. Commissioner Brown took offense to

Chairman Gurley's comment about her assertion. Chairman Gurley said he claimed that she talked to them. Commissioner Brown questioned his comment that she claimed she talked to them and asked if he did not believe her. He said it makes no sense. She said she had never misputed or claimed that she had talked to someone, never.

Vice Chair Ward said she was staying with her nomination. Commissioner Norwalk asked to call the vote. Chairman Gurley asked the Clerk to do a roll call vote.

There was a roll call vote as follows:

Commissioner Brown - Robert Keith Shackelford
Commissioner Webb - Robert Keith Shackelford
Commissioner Ward - Merrie Hedrick
Commissioner Bryan - Merrie Hedrick
Commissioner Norwalk - Robert Keith Shackelford
Commissioner Coble - Merrie Hedrick
Commissioner Gurley - Merrie Hedrick

Ms. Merrie Hedrick won the nomination.

Betty Lou Ward motioned, seconded by Joe Bryan, to accept the nominations for board and committee appointments by acclamation passed with a 6 to 1 vote:

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

Other Items

Committee Reports

Commissioner Brown provided the following activity report:

Wake County Commissioner Lindy Brown Committee Report
June 7, 2010 – June 18, 2010

1. Wake County Class of 2010 High School Graduations
Garner Magnet High School – 404
Apex High School- 478
East Wake High School (Wendell)-316
Wakefield High School-552
Athens Drive High School- 341
Fuquay-Varina High School- 376
Wake Early College of Health and Sciences- 39
Southeast Raleigh Magnet High School- 342

Leesville Road High School-496
Millbrook High School-512
Green Hope High School- 434
Wake Forest-Rolesville High School-427
Sanderson High School-410
Middle Creek High School-335
Holly Springs High School-343
Panther Creek High School- 485
Cary High School- 366
Enloe Magnet High School-404

2. Guest Speaker for Charles R. Bugg Magnet Elementary School (5th Grade Class of 2010)
3. Wake County Housing Authority Board Meeting
4. W. E. Dubois Board Meeting
5. Library Commission Board Meeting
6. Wake County Affordable Housing Board Meeting
7. Wake County 2010 Census Celebration
8. Community Meeting for Barwell Road Residents

Commissioner Brown noted that she has attended 18 of the 22 high school graduations. She was guest speaker for Bugg Magnet Elementary.

She noted there were other meetings she attended as well.

Other Business

Commissioner Bryan said that he and Commissioner Ward attended the North Carolina Association of County Commissioners (NCACC) Board meeting last weekend. He stated the importance of recognizing how hard the agencies such as the NCACC work for the counties and school boards. He spoke of the Legislature's proposal to take \$9.0 million in lottery funds and the NCACC is looking at protecting county revenues. He said there was a discussion about "comparative fault" and the cost that could have been placed on counties. There was the potential of the counties losing ABC revenues which has been protected this year. He noted that Deputy Manager Joe Durham is serving on the 911 Committee and there has been expanded flexibility in the use of 50% of the fund balance of 911 funds for safety needs. The NCACC staff, Kevin Leonard and Sharon Scudder, has been working on Wake County's behalf at the Legislature.

Vice Chair Ward noted that the NCACC Board of Directors took action to allow all County Commissioners and County Managers, who register before the July 29th deadline to have no fee for registration.

Adjourn

Stan Norwalk motioned, seconded by Paul Coble, to adjourn at 6:50 p.m.

The motion passed unanimously.

Respectfully submitted,

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