

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE WAKE COUNTY BOARD OF
ELECTIONS AND WAKE COUNTY**

WHEREAS, the County of Wake (hereinafter "the County") is a body politic and corporate; and

WHEREAS, the County has a personnel ordinance and a system of personnel management and administration for County employees, its agencies and departments, as authorized by North Carolina General Statutes Chapter 153A; and

WHEREAS, the Wake County Board of Elections ("BOE") is an independent governmental unit established pursuant to Article 4 of North Carolina General Statutes Chapter 163 that receives operational funding from the County in accordance with G.S. 163-37; and

WHEREAS, the BOE recommends the appointment and removal of the BOE's Director of Elections ("Director" or "BOE Director") in accordance with G.S. 163-35 and has authority to hire its own employees in accordance with G.S.163-33; and

WHEREAS, G.S. 163-35 requires the County to appropriate funds for the salary and benefits of the BOE Director comparable to that provided to other county employees; and

WHEREAS, the BOE does not have a personnel office separate from the County nor a formal system of personnel administration and has operated under a Memorandum of Understanding ("2005 MOU") with the County since May 16, 2005 which authorizes the County to implement a uniform personnel system and carry out certain personnel duties on behalf of the BOE, to the extent permitted by law.

THEREFORE, the Wake County Board of Elections and the County mutually agree as follows:

Section 1. The County will, by and through its Human Resources department and other resources, provide assistance to the BOE Director in administering a uniform system of leave, compensation, and benefits to BOE employees under the same procedures applicable to County employees. It is understood that BOE employee leave scheduling and all other matters concerning supervision or management of BOE employees are within the supervisory authority of the BOE Director.

Section 2. The Wake County Board of Elections will conduct annual performance reviews of the BOE Director and recommend the amount of salary compensation to be paid to the Director to the Wake County Board of Commissioners for approval in accordance with G.S. 163-35(c) which shall be commensurate with the salary paid to directors in counties similarly situated and similar in population of registered voters and to salaries paid to other Wake County senior leadership positions. Upon request of the Wake County Board

of Elections, the County will provide assistance in the position classification plan for the Wake County Board of Elections.

Section 3. The Wake County Board of Elections and the BOE Director will observe Wake County's policies and procedures concerning employee personnel review, general employment rules and employee selection and separations in a manner consistent with the Board's enabling legislation. This agreement does not affect the Wake County Board of Election's statutory authority to appoint and remove employees.

Section 4. Wake County's policies and procedures concerning disciplinary actions against employees and employee grievances will govern this aspect of personnel administration; however, any appeals from employment decisions made by the BOE Director will be heard and disposed of only by the Wake County Board of Elections.

Section 5. This Memorandum understanding will be effective when signed by both parties involved. It will continue in force from year to year until modified or terminated by written mutual agreement of the parties hereto or upon ninety (90) days written notice by either party.

Section 6. This Agreement supersedes the 2005 MOU in its entirety and shall be effective upon the last date of execution by the parties as noted in the signatures below.

(SIGNATURE PAGES TO FOLLOW)

WAKE COUNTY

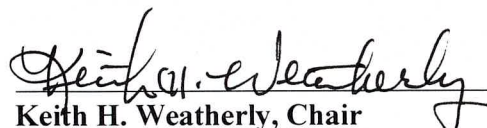
Don Mial, Chair
Wake County Board of Commissioners

DATE: _____

The execution of this Memorandum of Understanding was authorized by the Wake County Board of Commissioners at a meeting held on _____, 2026.

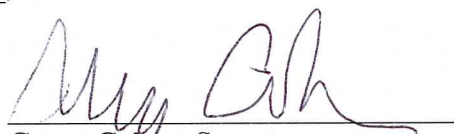
Yvonne Gilyard, Clerk
Wake County Board of Commissioners


WAKE COUNTY BOARD OF ELECTIONS


Keith H. Weatherly, Chair
Wake County Board of Elections

DATE: 6/12/26

The execution of this Memorandum of Understanding was authorized by the Wake County Board of Elections at a meeting held on June 12th, 2026.


Gerry Cohen, Secretary
Wake County Board of Elections


Olivia S. McCall, Director
Wake County Board of Elections