

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

**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 as authorized by North Carolina General Statutes Chapter 153A; and

**WHEREAS**, the County's personnel ordinance and personnel system apply automatically only to employees of Wake County government, its agencies and departments; and

**WHEREAS**, the Wake County Board of Elections is an independent governmental unit established pursuant to Article 4 of North Carolina General Statutes Chapter 163; and

**WHEREAS**, Wake County Board of Elections recommends the appointment and removal of the Elections Director and directly appoints and removes staff employees who are supervised by the Elections Director; and

**WHEREAS**, the Wake County Board of Elections does not have a personnel office nor a formal system of personnel administration; and

**WHEREAS**, the Wake County Board of Commissioners may provide personnel administration services to employees of governmental agencies who are not Wake County employees upon written agreement with Wake County, except to the extent that such agreement conflicts with law.

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

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

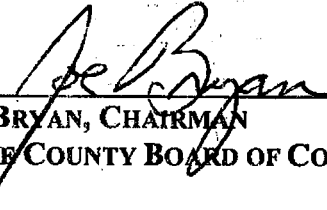
**Section 2.** Upon request for the Wake County Board of Elections, the Wake County Human Resources Department will provide assistance in the position classification plan for the Wake County Board of Elections.

**Section 3.** The Wake County Board of Elections and the Wake County Elections 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.

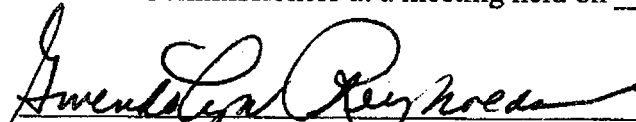
**Section 4.** Wake County's policies and procedures concerning disciplinary actions against employees and employee grievances will govern this aspect of personnel administration; however, any appeals from employment decisions made by the Wake County Elections Director will be heard and disposed of only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

**Section 5.** This Memorandum of 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.

COUNTY OF WAKE, NORTH CAROLINA

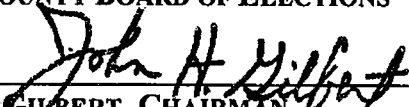
BY:   
JOE BRYAN, CHAIRMAN  
WAKE COUNTY BOARD OF COMMISSIONERS

The signing of this Memorandum of Understanding was authorized by the Wake County Board of Commissioners at a meeting held on May 16, 2005.

  
GWENDOLYN REYNOLDS, CLERK  
WAKE COUNTY BOARD OF COMMISSIONERS

DATE: May 16, 2005


WAKE COUNTY BOARD OF ELECTIONS

  
JOHN H. GILBERT, CHAIRMAN

DATE: June 21, 2005

The signing of this Memorandum of Understanding was authorized by a resolution of the Wake County Board of Elections at a meeting held on June 21 2005.

DIRECTOR OF ELECTIONS

  
CHERIE R. POUCHER

DATE: 6-21, 2005