

**Item Title:** Amend the Fiscal Year 2023 Budget to Appropriate General Fund Fund Balance and Town of Cary Municipal Reimbursement for Wake County Second Primary Election and Town of Cary Municipal Runoff Election

**Specific Action Requested:**

**That the Board of Commissioners appropriates \$843,521 of General Fund fund balance and \$260,790 of Town of Cary Municipal reimbursement for the July 26<sup>th</sup>, 2022 Wake County 2nd Primary Election and Town of Cary Municipal Runoff Election.**

**Item Summary:**

**Purpose:** In accordance with the North Carolina Local Government Budget and Fiscal Control Act, the Board of Commissioners must approve all amendments that increase the budget for a fund.

**Background:** Wake County budgets annually for known elections. The Board of Elections FY 2023 budget included funding for the fall 2022 General Election. Neither funding for the Wake County Second Primary Election nor funding for the Town of Cary Municipal Runoff Election was included since these elections were not known and were contingent upon the results of the Primary Election held in May.

**Board Goal:** This action supports routine County operations.

**Fiscal Impact:** The cost of the Wake County Second Primary and Town of Cary Runoff elections for the Board of Elections is estimated at \$1,104,311. The Town of Cary will provide reimbursement for \$260,790 associated with costs from the Town of Cary Runoff election. The remaining \$843,521 will be appropriated from General Fund fund balance. This use of fund balance will not cause the fund balance to drop below the General Fund policy minimum of 30%.

**Additional Information:**

Due to the delay in census data, the Town of Cary Municipal Election was held in May at the same time as the May Primary Election.

Results from the Primary met the threshold for a Second Primary for the Wake County Democratic Sheriff Contest and a Runoff in the Town of Cary Town Council At-Large and District C contests.

N.C.G.S. §163-111: Second Primary

If a nominee for a single office is to be selected, and there is more than one person seeking nomination, the substantial plurality shall be ascertained by multiplying the total vote cast for all

aspirants by thirty percent (30%). Any excess of the sum so ascertained shall be a substantial plurality, and the aspirant who obtains a substantial plurality shall be declared the nominee. If two candidates receive a substantial plurality, the candidate receiving the highest vote shall be declared the nominee.

**N.C.G.S §163-293: Municipal Runoff**

If no candidate for a single office receives a majority of the votes cast, or if an insufficient number of candidates receives a majority of the votes cast for a group of offices, a runoff election shall be held as herein provided: (1) If no candidate for a single office receives a majority of the votes cast, the candidate receiving the highest number of votes shall be declared elected unless the candidate receiving the second highest number of votes requests a runoff election in accordance with subsection (c) of this section. In the runoff election only the names of the two candidates who received the highest and next highest number of votes shall be printed on the ballot. No space for write-in votes shall be included on the ballot for the runoff election.

**Attachments:**

1. Budget Memo- FY 23 General Government