



Wake County

301 South McDowell Street
Raleigh, NC

Meeting Minutes Board of Commissioners

Monday, April 18, 2016

2:00 PM

Wake County Justice Center

Meeting Called to Order: Chairman James West

Present: 7 - Chairman James West, Vice-Chair Sig Hutchinson, Commissioner John D. Burns, Commissioner Matt Calabria, Commissioner Jessica Holmes, Commissioner Caroline Sullivan, and Commissioner Betty Lou Ward

Others Present: Jim Hartmann, County Manager; Scott Warren, County Attorney; Denise Hogan, Clerk to the Board; Yvonne Gilyard, Deputy Clerk to the Board; David Ellis, Deputy County Manager; Johnna Rogers, Deputy County Manager

Pledge of Allegiance

Invocation: Commissioner Matt Calabria

Items of Business

1. [Approval of Agenda](#)

Commissioner Sullivan moved, seconded by Commissioner Ward to approve the agenda. The motion passed unanimously.

2. [Approval of Minutes of the Regular Meeting of April 4, 2016 and Work Session Minutes of April 11, 2016](#)

Commissioner Ward moved, seconded by Commissioner Holmes, to approve the Minutes of the Regular Meeting of April 4, 2016 and Work Session Minutes of April 11, 2016. The motion passed unanimously.

3. [Proclamation of May 2016 as National Historic Preservation Month in Wake County](#)

Attachments: [ItemSummary](#)
[Preservation Month Proclamation](#)

Vice-Chair Hutchinson read the proclamation aloud.

Mr. C Edward "Ed" Morris, Chair, Wake County Historic Preservation

Commission, said that May is Historic Preservation month in the United States and Wake County. He said that Wake County Historic Preservation Commission is made up of twelve citizens. He introduced the following members of the Wake County Historic Preservation Commission: Mr. Marshall Harvey, Ms. Camille Morrissey, Mr. Jeff Hastings, and Mr. Wes Tripp. He also introduced Mr. Gary Roth, President and CEO, Capital Area Preservation, and Mr. Jeremy Bratham, staff for Capital Area Preservation. Mr. Morris said that thirteen years ago Capital Area Preservation entered into an agreement to provide staffing for the county's preservation program and that the program was the first in the United States. He said it won Wake County a National award. He said that it has become a model for public/private partnerships across the United States. He said that Wake County's landmarks have increased from 24 to 73. He said this past year the Wake County Historic Preservation Commission partnered with the North Carolina State Historic Preservation office and the Department of Cultural Resources to update its survey in the planning districts of Apex, Fuquay-Varina and Holly Springs. He said the survey updates will provide information about the history of architecture in these communities. The surveys are maintained as a permanent record of properties for the National Register of Historic Places and for the designation of historic landmarks. He said it is funded from the National Preservation Fund. He said that two years in a row Capital Area Preservation has been chosen to receive one of these grants.

Mr. Gary Roth, President and CEO, Capital Area Preservation, shared information about This Place Matters Campaign. He said that it is partnership between Wake County Historic Preservation and the National Trust for Historic Preservation. He said the program's purpose is to highlight the important historic resources noticed around America. He shared a flier that has been developed for the program. He said that the twitter hashtag #thisplacematters would allow for sharing of the program. He asked the board to go to the PreservationNation.org website to print the banner.

Chairman West expressed his appreciation for Wake County Historic Preservation in Wake County.

Vice-Chair Hutchinson moved, seconded by Commissioner Burns, that the Board of Commissioners proclaim May 2016 as National Historic Preservation Month in Wake County. The motion passed unanimously.

4. [Recognition of Recent Award Winner](#)

Attachments: [awards--April.docx](#)

Mr. Jim Hartmann, Wake County Manager, said on March 10, 2016, the Government Finance Officers Association of the United States and Canada awarded a Certificate of Achievement for Excellence in Financial Reporting to Wake County for its comprehensive annual financial report for the fiscal year ending June 30, 2015.

The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. He said this marks the 32nd consecutive year in which the county has received this prestigious recognition.

Mr. Hartmann said to be awarded a Certificate of Achievement, a governmental unit must publish an easily readable and efficiently organized comprehensive annual financial report, the contents of which conform to program standards. Such reports must satisfy both generally accepted accounting principles and applicable legal requirements.

Mr. Hartmann said the annual financial report for the fiscal year ending June 30, 2015 was judged by an impartial panel, which determined that the report met the high standards of the program by demonstrating a constructive "spirit of full disclosure" to clearly communicate the financial story of Wake County.

He congratulated Finance staff and management involved in producing the annual financial report. He recognized Mr. John Stephenson, Internal Audit Director; Ms. Kim Lorbacher, Financial Services Manager; Ms. Nicole Kreiser, Debt Manager; Ms. Sonya Hicks, Senior Accountant; Mr. Spencer Phillips, Senior Accountant; and Ms. Susan McCullen, Finance Director.

5. [Retiree Recognition](#)

Attachments: [Item Summary.docx](#)
 [Linda Buie.docx](#)
 [Terry Chappell.docx](#)
 [Angela David.docx](#)
 [Benjie Hester.docx](#)
 [Anita Smith.docx](#)

Mr. Hartmann recognized the following retirees for their service to Wake County:

Ms. Linda Buie - Human Services, 28 years of service
Mr. Terry Chappell - Environmental Services, 27 years of service
Ms. Angela David, Sherriff's Department, 28 years of service
Ms. Mary "Benjie" Hester, Community Services, 33 years of service
Ms. Anita Smith, CCBI, 29 years of service

He presented them with plaques commemorative to their service to Wake County.

Chairman West said that Commissioner Caroline Sullivan has a young man shadowing her.

Commissioner Sullivan introduced Mr. Duwan Troop. She said he is attending Acceleration Academy and will graduate in January.

Public Comments

Ms. Miera Walker, 3332 Marshlane Way, Raleigh, NC, said the lack of work can create a sense of poverty. She said that persons that have a criminal record and how the Background Ordinance being considered by the board will help citizens be considered for employment in Wake County.

Mr. Tyrone Sanders, Franklin County, said the background checks are important. He said that he has a criminal background but is able to work with senior citizens in the community. He spoke in support of the Background Ordinance being considered by the board.

Ms. Lynn Burke, Knightdale, NC, said she is a convicted felon. She spoke of never being granted an interview for a job, so she started her own business to avoid a background check. She spoke of the struggles to care for her family. She asked the board to approve the Background Ordinance on the agenda.

Mr. Daniel Bose, Second Chance Initiative, thanked the board for looking at a fair chance employment opportunity. He said the ordinance should recognize that a criminal record is not the only thing that

matters. He said the Background Ordinance being considered by the board will allow the decision makers to look at individual skills to provide a chance for a job.

Mr. Sherwood Jackson, Smithfield, NC, said that he provides Re-entry in the prisons. He said that prisoners are concerned about being hired for jobs. He thanked the board for considering the Background Ordinance on the agenda.

Mr. Jamie Almond, Step Up Ministry, said that the question on the Wake County application is a hindrance to the hiring process. He said that 67 percent of individuals that have a criminal history. He asked the board to consider passing the Background Ordinance being considered by the board.

Ms. Jennifer Jackson, Interfaith Prison Ministries, said that that she is in support of the fair chance hiring process. The Capital Area Re-Entry program helps citizens receive a second chance. Formerly incarcerated citizens can be productive.

Ms. Karen Kranbuehl, 4600 Gunston Place, Raleigh, commended the board for considering the Background Ordinance being considered by the board. She said that she teaches self advocacy skills as a social worker. She said that she is advocating for her clients.

Mr. Gregory Mosley, Knightdale, said that opportunities for the offenders are limited. He asked the board to consider the Background Ordinance on today's agenda.

Reverend Portia Rochelle, 2605 Adcox Place, Raleigh-Apex NAACP, said that Wake County should help persons get on their feet that are offenders. She said that women need to know there is hope. She asked the board to support the Background Ordinance on the agenda today.

Commissioner Holmes said that listening to the comments by citizens gives her pause and that the citizens are seen and heard.

Commissioner Ward echoed the comments in support of the Background Ordinance.

Vice-Chair Hutchinson honored his fellow commissioners for considering approval of the Background Ordinance and said that everyone deserves a second chance.

Consent Agenda

Commissioner Holmes moved, seconded by Commissioner Ward, to approve the Consent Agenda. The motion passed unanimously.

6. [Approval of a Funding Agreement to Reimburse the Town of Garner for Construction of a Parking Area Expansion for Southeast Regional Library](#)

Attachments: [Agenda Item - Funding Agreement Town of Garner](#)
 [Proposed Parking Expansion Plan](#)
 [Funding Agreement with Town of Garner](#)

Commissioner Holmes moved, seconded by Commissioner Ward, that the Board of Commissioners:

1) Approve the attached funding agreement with the Town of Garner to construct an expansion to the parking area for the adjacent Southeast Regional Library, subject to terms and conditions acceptable to the County Attorney and

2 Authorize the Board Chairman to execute and record a Cross Easement, License, and/or such other documents deemed necessary by the County Attorney to facilitate this transaction.
The motion passed unanimously.

7. [Revised Loan Terms for an Affordable Housing Development](#)

Attachments: [Item Summary.docx](#)
 [CASA Hester St. Agenda Item 5-15-06.pdf](#)
 [Recommended Monthly Payment Schedule.pdf](#)

Commissioner Holmes moved, seconded by Commissioner Ward, that the Board of Commissioners approve the revised loan terms and repayment schedule for Hester Street Apartments subject to terms and conditions acceptable to the County Attorney. The motion passed unanimously.

8. [Ratification of Application to Local Government Commission and Scheduling of Public Hearing for Limited Obligation Refunding Bonds](#)

Attachments: [Agenda Item](#)
 [Draft Resolution](#)
 [Summary of Responses to Request for Proposal](#)

Commissioner Holmes moved, seconded by Commissioner Ward, that

the Board of Commissioners adopt the attached resolution which:

- 1. Ratify an application to the Local Government Commission for the issuance of Limited Obligation Refunding Bonds; and**
- 2. Make findings and determinations regarding the proposed refunding; and**
- 3. Schedule a public hearing for May 2, 2016 regarding the County's issuance of Limited Obligation Refunding Bonds.**

The motion passed unanimously.

Regular Agenda

9. [Public Hearing on Proposed Town of Holly Springs Extra Territorial Jurisdiction \(ETJ\) Request of 6,125 Acres](#)

Attachments: [Item Summary](#)
[Holly Springs ETJ Presentation](#)
[Town of Holly Springs ETJ Request Resolution](#)
[Wake County ETJ Criteria](#)
[Holly Springs ETJ Staff Report](#)
[Holly Springs ETJ Request Map](#)
[Town of Holly Springs CIP \(2015-2020\)](#)
[Town of Holly Springs Future Land Use Map](#)
[Holly Springs Water Service Map](#)
[Holly Springs Wastewater Map](#)
[ETJ Frequently Asked Questions](#)
[Planning Board Minutes 12-2-15](#)
[Communications](#)
[Wake County Resolution](#)
[GLUE-Minutes](#)

Mr. Bryan Coates, Wake County Planner, shared a staff report of the recent background of the Holly Springs ETJ.

- Board of Commissioners held a public hearing on January 19, 2016
- Board of Commissioners referred the Holly Springs ETJ to the Growth, Land Use & Environment Committee (GLUE)
- GLUE met on February 8, 2016 and discussed the following items;
 - ❖ Purpose of ETJ's
 - ❖ Harris Lake Study & Southwest Area Land Use Plan
 - ❖ State Law on Annexation
 - ❖ Transportation & Traffic

❖ Property Impact

He shared the State Law and ETJ information.

State Law & ETJ

State law authorizes municipalities to have ETJ areas based upon existing or projected urban development and areas of critical concern to the town that are expected to come within their corporate limits in the near future and allow for a smoother transition from county to municipal services

ETJ as a Planning Tool

The prevalence and use of municipal extraterritorial jurisdiction with respect to community planning and infrastructure development is widespread in North Carolina.

Mr. Coates shared the purpose of the ETJ.

To plan for the long-term growth of the Town and its surrounding lands including:

- Land Use Planning
- Zoning/Development Review
- Utility Infrastructure Planning and Construction
- Transportation Planning and Construction
- Public Safety Planning - Fire and Police
- Parks & Recreation Planning and Construction

He shared the benefits of the ETJ.

Extraterritorial Jurisdiction (ETJ) provides municipalities control over development in areas expected to be within their jurisdictions in the near future

- Applies consistent guidelines for development
- Avoids a mix of standards for streets, water, and sewer
- Provides transition from rural, suburban to urban
- Allows for expansion of municipal services

Mr. Coates said that Wake County does not provide water, sewer nor maintain public roads and sidewalks.

He shared maps of the Wake County Land Use Plan and Holly Springs Planning Jurisdiction and Short and Long Range Urban Services Areas.

Mr. Coates shared the Town of Holly Springs ETJ Request Timeline.

- April 15, 2015 - Community Meeting with Property Owners
- April 21, 2015 - Town Board adopts resolution requesting ETJ
- June 3, 2015 - Holly Springs Planning staff submitted ETJ report
- August 2015 - Holly Springs notified property owners of upcoming meetings with Wake County Boards
- September 2nd- November 4th, 2015- Planning Board Land Use Committee Meetings
- December 2, 2015- Wake County Planning Board Meeting
- January 19, 2016- Wake County BOC Public Hearing

He shared information on the municipal population requirement.

MUNICIPAL POPULATION REQUIREMENT

With approval of the board of county commissioners: 25,000 or more people = ETJ extension up to 3 miles from current corporate limits [satellites excluded]
Certified 2014 Population- 28,832

Note: Annual population estimate certified by the State

Mr. Coates said that the Town of Holly Springs projects 41,000 residents by 2020.

He shared a map of the amended request. He shared the Holly Springs ETJ request.

- Public input is gathered throughout the process from town meetings, Planning Board and BOC
- Wake County Land Use Plan encourages municipal growth outside of water supply watersheds
- Wake County Land Use Plan contains seven criteria used to evaluate ETJ proposals

Mr. Coates shared the Wake County adopted criteria.

- Criterion 1- Classification as Urban Services Area (Long-Range, Short-Range, Annexation Boundaries)
- Criterion 2- Commitment to Comprehensive Planning (Land Use Planning & Capital Improvement Plan)
- Criterion 3- Adoption of Special Regulations (Watershed, Highway Overlays, Historic Preservation)
- Criterion 4- Municipal Water and Sewer Service (Water & Sewer service planning and construction)
- Criterion 5- Evidence of Feasibility for Urban Density (Land Use Plans, Development Patterns, Growth)

- Criterion 6- Annexation within Ten Years (Annexation Policies and History)
- Criterion 7- Existing ETJ's (Recent Annexations/Current ETJ)

Mr. Coates shared the impacts on property owners.

- ETJ Extension is NOT Annexation
- Property owners can petition for voluntary annexation
- ETJ residents DO NOT pay Town taxes
- ETJ residents can join Holly Springs Planning Board & BOA
- ETJ residents cannot vote in Holly Springs Town elections
- Property converts from Wake County Zoning to Town of Holly Springs Zoning
- Bona-fide farms are exempt from municipal and county zoning until the farm use ceases operation
- Residents can continue using private wells and septic
- Valid plans approved by Wake County may be developed as designed within the Holly Springs ETJ
- All new additions or development would need to comply with Holly Springs regulations
- Home Occupations have 6 months to register with Holly Springs if they have legal permits from Wake County.

He shared the staff findings.

1. The Town of Holly Springs request for 6,125 acre ETJ Extension is in accordance with North Carolina State Law 160A-360 Article 19
2. The Town of Holly Springs request of 6,125 acre ETJ Extension complies with Wake County Land Use Plan's seven criteria for ETJ Extensions
3. The Town is experiencing growth in its Short & Long Range Urban Services Areas
4. The Towns of Holly Springs and Fuquay-Varina have amended their annexation agreement to address PIN 0658304164 owned by Mr. Richard Mullen

Chairman West opened the public hearing.

Mr. Glen Seitchele, Holly Springs New Hill Road, said he is concerned about the neighbors property. He expressed his concern about the R30 rezoning. He expressed his concern about the Town of Holly Springs zoning of the property without the landowner's consent.

Mr. Paul Brewer, 2613 Wingate Hill Court, Raleigh said he owns Harris Lake Boat Storage. He asked why the Town of Holly Springs wanted to

zone the property. He said the extension of water and sewer is being forced and his business does not need water and sewer. He said that he does not want to be part of Holly Spring's ETJ.

Mr. Charles Pullium, 9390 Holly Spring Road, said he owns ten acres is not sure about the definition a bonafide farm.

Mr. Joe Thompson, 9520 Penny Road, Raleigh, said he was a retired engineer, surveyor, planner. He said the law is intended to protect cities when there was no zoning outside the city. He complimented Wake County's Planning Board and said that Wake County residents are protected by the Wake County Planning Board. He said residents in an ETJ have no representation and will not be able to have a say in the zoning regulations for the town. He said in order to have a bonafide farm, there must be at least ten acres of open agriculture area.

Mr. Chuck Simmons, Holly Springs Town Manager, said the process started a year ago and is consistent with Wake County's Land Use Policies. He said the condition was that parts of the plan would become urbanized to extend utilities and growing congestion. He said the public comments from the January public hearing brought out concerns with traffic. He said the town's regulations on development require transportation improvements. He said more transportation concerns can be addressed if this recommendation is approved. The plan by the Town of Holly Springs is consistent with the Wake County Land Use Plan. He said the Town of Holly Springs is the number one job creator per capita. He asked the board to consider the land use policies to accommodate more businesses and growth.

Ms. Gina Clapp, Holly Springs Planning Director, Town of Holly Springs, clarified a previous question from a property owner. She said that all the land has transitional zoning of R-30. She said an applicant would keep the same zoning. If there is an existing plan to be approved, that will be honored for the same period of time.

Ms. Tammy Jo Parker, 3525 Bartley Holleman Road, said she lives adjacent to the storage facility. She said continued development will cause traffic to worsen.

Mr. Mike Andreas, 7617 Woods Creek Road, Apex, NC, expressed his concern over his farm and animals.

Mr. Michael Honer, 3516 Bartley Holleman Road, said he has animals and if the ETJ moves forward residents do not have a vote. He expressed his concerns about representation for the future. He expressed his concern about fire, police protection, sewer, and water.

Chairman West closed the public hearing.

Mr. Coates said that staff recommends that the Board of Commissioners approve the Town of Holly Springs ETJ request of 6,125 acres with the removal of PIN 0658304164 owned by Mr. Richard Mullen.

Mr. Alan Swanstrom, Wake County Planning Board Chairman, said the Planning Board recommended at their December 2, 2015 meeting by a vote of 7 to 2, that the Board of Commissioners adopt the Town of Holly Springs ETJ request of 6,125 acres with the removal of PIN 0658304164 owned by Mr. Richard Mullen. He said the concern by two of the the Planning Board members was whether this meets the criteria.

He noted that at their last meeting the Wake County Planning Board also discussed support for non-discrimination of its citizens. He acknowledged the Board of Commissioner's stand on this issue.

Commissioner Ward said she understands the concerns that have been raised and asked whether the town manager and staff have discussed this issue with the residents.

Ms. Clapp said none of the speakers at today's public hearing have raised questions to town staff.

Mr. Coates said there are bonafide farms less than an acre. There are many criteria that qualify a bonefied farm based on the state's definition and Wake County Soil and Water Conservation standards. Ms. Clapp said that farm related business activities are exempt from the bonefide farm criteria.

Commissioner Calabria said those citizens that are in process now can continue through the Wake County process. Mr. Coates said Mr. Brewer (former speaker) was approved in the process in December and is working for the construction stormwater erosion control phase of his property.

Mr. Scott Warren, Wake County Attorney, said Wake County should be careful not to represent the property vested rights to a site specific plan. Commissioner Calabria asked for clarification from the Town of Holly Springs about whether citizens that have already started a process are grandfathered in the process. Ms. Clapp said that any prior approved plans by Wake County are considered. She said staff is working to help with to ensure that Mr. Brewer's approvals are honored.

Mr. Warren said there is no representation by Wake County once the ETJ is being released to the municipality, Wake County's jurisdiction ceases for land use purposes.

Commissioner Burns asked about the process by the Town of Holly Springs for those that are in the midst of a planning process. Mr. Coates said there is nothing currently that is in review. Ms. Clapp said Mr. Brewer's request is in the process.

Vice-Chair Hutchinson said he is supportive to the growth and local healthy food initiatives. He asked for clarification of growing of local healthy food. Ms. Clapp said the zoning district is R30 in the agriculture district that allows for farms and farm animals.

Commissioner Burns asked about the restrictions for roosters. Ms. Clapp said ETJ residents are not subject to the town's animal code.

Commissioner Calabria asked about the appointments for the Town of Holly Springs Planning Board and Board of Adjustment and the contact information for those that live near the ETJ. Mr. Coates said that the town boards must have representation and it is based on the percent of population in the ETJ. Mr. Coates said that the Board of Commissioners appoint the ETJ members. Ms. Clapp said that there are three year terms on these boards and all the residents in the ETJ are sent notification about serving.

Chairman West asked for clarification of the water and sewer comments that were made earlier by a citizen.

Mr. Coates said that ETJ's do not have to be contiguous with town limits but need to be within the three miles. Ms. Clapp said the extension of water does not have to be within the ETJ to request or receive an easement. She said that it does not limit the ability to extend utilities across property.

Ms. Kendra Parrish, Director of Engineering, Town of Holly Springs, said there are easements that are not in the town limits. She said there are obstacles when the ETJ is not granted.

Commissioner Sullivan asked for clarification of annexation and the process. Mr. Coates said residents in the ETJ are not taxed by the Town of Holly Springs unless they are annexed.

Commissioner Burns thanked the residents of the area and said that the process has been a model of how the government is addressed. He said that the Town of Holly Springs is working with Wake County staff to address concerns. He said that many that spoke moved to Wake County for the quality of life. He said there are parts of Wake County that are rural in character. He said that he supports a land use plan that is in the scope of the Board of Commissioners. He asked that the agricultural and rural parts of the town be preserved.

Commissioner Ward said she has served on the City of Raleigh Planning Board and it is challenging to accept the changes. She said the mayor and staff have tried to work out the issues that exist.

Commissioner Sullivan said the Board of Commissioners had lunch with Wake County Farm Bureau, and she is supportive of farms. She said that it is good to hear that the zoning is protective of farms. She asked the town to work hard to address the concerns of the citizens.

Vice-Chair Hutchinson thanked the urban farmers for coming forward. He is thankful that the Town of Holly Springs is sensitive to the issues.

Commissioner Holmes said she is sensitive to the issues and the town has made clear they are a resource to the citizens. She asked the citizens to reach out to the town with their concerns.

Commissioner Calabria said the decision is between haphazard growth and thoughtful managed growth. He said expanding so the quality of life continues is important ensuring there is not forced annexation or taxation. He said it is important to preserve and not hinder growth. He said staff will continue to be a resource to the citizens. He asked that the clarity continues.

Chairman West said looking about both sides is important for the process. He encouraged the Town of Holly Springs to operate on the spirit of the law.

Commissioner Burns moved, seconded by Commissioner Ward, That the Board of Commissioners hold a public hearing and adopt the attached resolution granting the Town of Holly Springs ETJ Extension on a date 60 days from today's date. The motion passed unanimously.

10. [Public Hearing on Proposed Land Use Plan Amendment 02-15 to reclassify 12,798 Acres of Town of Holly Springs Long Range Urban Services Area to Town of Holly Springs Short Range Urban Services Area](#)

Attachments: [Item Summary](#)
[LUPA02-15 Presentation](#)
[Town of Holly Springs Request Resolution](#)
[LUPA 02-15 Request Map](#)
[Wake County Land Use Plan Goals](#)
[Town of Holly Springs Future Land Use Map](#)
[Holly Springs Utility Map](#)
[Planning Board Minutes 12-2-15](#)
[Wake County Resolution](#)

Mr. Brian Coates said the request is to amend the General Classification Map of the Wake County Land Use Plan. He said the reclassification is for 12.798 acres of Town of Holly Springs Long Range Urban Services Area (LRUSA). to Town of Holly Springs Short Range Urban Services Area (SRUSA). He shared a map of the area. He said that boundary changes between LRUSA and SRUSA reflect urbanization and the extension of municipal water and sewer service. He shared the goals of Wake County Land Use Plan.

- Goal #1- To guide growth throughout the County in conjunction with affected local governments. To achieve consistency between the County and municipal plans, urban service area boundaries are periodically amended.
- Goal #2- To encourage growth close to municipalities to take advantage of existing and planned infrastructure, such as transportation, water and sewer facilities.
- Short Range Urban Services classification applies to all land in the County's jurisdiction that is intended to be urbanized and served by municipal services in the next 10 years.

He shared information about the Land Use Plan Amendment.

- The request would convert all of the Holly Springs Urban Service Area to Short Range Urban Services Classification
- The Town has annexed roughly 670 acres of its existing LRUSA
- Currently in western Holly Springs, LRUSA and Town limits abut each other. Very little transition between urban and rural areas
- Western Wake has seen urbanization as NC 540 extends southeast
- Municipal Water and Sewer service will exist in portions of the area west of New Hill Holleman Road in Spring of 2017
- An existing waterline is along Buckhorn Duncan Road that connects with Fuquay-Varina's urban service area and Harnett County.
- The Town has within its Capital Improvement Plan to have water

service along Cass Holt Road to Sweet Springs Road south.

- Short Range Urban Service Area maintains Wake County Zoning

He shared a map of the growth patterns and future water service of Western Wake County. He shared LUPA findings.

He shared Holly Springs growth information and a map of the Future Land Use Plan.

- April 1, 2000 - April 1, 2010 (9,192 residents to 24,661)
- April 1, 2010 to July 1, 2014 (Additional 5,496 residents)
- 2005-2015 New Single Family Permits (5,077 new permits (507 a year average)
- Large undeveloped parcels close to transportation and public sewer and water utilities

Mr. Coates shared the findings.

- The Town of Holly Springs has infrastructure plans for thoroughfares, water lines, and sewer lines in the requested area.
- The reclassification of the area will reflect the Town of Holly Spring's current and anticipated growth patterns
- The request to reclassify Town of Holly Springs LRUSA to Holly Springs SRUSA is consistent with the Wake County Land Use Plan policies

Chairman West opened the public hearing.

No one came forward.

Chairman West closed the public hearing.

Mr. Coates said that the Wake County Planning staff recommends approval of the request.

Mr. Swanstrom said the Wake County Planning Board unanimously approved the request.

Commissioner Sullivan moved, seconded by Vice-Chair Hutchinson, that the Board of Commissioners hold a public hearing and adopt the attached resolution reclassifying 12,798 acres of Town of Holly Springs Long Range Urban Services Area (LRUSA) to Town of Holly Springs Short Range Urban Services Area (SRUSA). The motion passed unanimously.

11. [Criminal History Inquiries and Background Check Ordinance](#)

Attachments: [Item Summary.docx](#)
 [Criminal Histories and Background Check Policy Ordinance.docx](#)
 [Ban the Box Considerations.pdf](#)
 [Criminal Histories and Background Check Human Resources Policy.docx](#)

Ms. Angela Crawford, Wake County Human Resources Director, said that Commissioner Holmes asked that research and information be made on a question on the employment application which asks candidates if they have ever been convicted of a crime other than a minor traffic violation. She said that the question on the application is not used to screen applications but only for information. She said research pointed to the fact that applicants may not apply for a job because of the question. She said the county does not require a background check for all positions. She said that positions that require safety or financial obligations require background checks. She said that excluding the question from the application and performing the background check later in the process would give applicants a fair chance when applying and being considered for positions. She said that a disclosure would be made on the posting of positions indicating that the position may require a background check and a conviction would not exclude applicants from consideration.

Chairman West said the board would recess for a press conference.

The meeting went into recess briefly and the meeting reconvened.

Commissioner Holmes moved, seconded by Commissioner Ward, that the Board of Commissioners amends the Personnel Ordinance to establish a Criminal History Inquiries and Background Check provision. The motion passed unanimously.

12. [Public Hearing on Parks and Recreation Trust Fund Grant Application for Robertson Millpond Preserve](#)

Attachments: [PARTF_RMP_BOC_Item_2016_04_18](#)
 [RMP_PARTF_PP_2016_04_18](#)
 [RMP Area Map](#)
 [20160330_RobertsonMill-SchematicPlan](#)

Mr. Matt Roylance, Deputy Director, Wake County Parks, Recreation and Open Space, said that Robertson Millpond Preserve project is the first of three nature preserves. He said that the North Carolina General Assembly established the Parks and Recreation Trust Fund (PARTF) to fund improvements to develop parks and recreational projects that serve

the general public. He said that staff has prepared a PARTF grant application for the Robertson Millpond Preserve project. He said the Robertson Millpond is an 84.6-acre open space tract along Buffalo Creek, near the towns of Wendell, Knightdale, and Zebulon. The site includes a black water swamp, which is unusual this far from the coast and the county's only known bald cypress habitat. He said that Wake County purchased the property with open space bond funds in 2013, and this property is one of the three being developed as a nature preserve for the public to enjoy.

He said the first phase of Robertson Millpond Preserve focused on water access to allow visitors to canoe and kayak on the 61-acre pond. Facilities include a parking lot, a dock, and a shoreline put-in area. The second phase of Robertson Millpond Preserve is the focus of the PARTF grant. This phase will provide amenities for non-paddling visitors, including a raised walkway over the pond, interpretive signage describing the unique cypress habitat, a walkway to the historic mill foundation, interpretive signage describing the unique cypress habitat, a walkway to the historic mill foundation, and educational signage explaining the history of the mill. He said the estimated project cost is \$536,032.

Mr. Roylance shared the following next steps:

- PARTF application due May 2, 2016
- PARTF Authority meets early fall 2016 to evaluate applications
- Grant recipients selected
- Grant contracts signed winter 2016/2017

Mr. Roylance said a public hearing is necessary to complete the application process.

Chairman West opened the public hearing.

No one came forward.

Chairman West closed the public hearing.

Mr. Roylance said that the staff recommendation is that the Board of Commissioners authorize the Chair to sign the completed Parks and Recreation Trust Fund Grant Application.

Vice-Chair Hutchinson moved, seconded by Commissioner Ward, that the Board of Commissioners:

- 1. Hold a public hearing regarding the Parks and Recreation Trust Fund grant application for the Robertson Millpond Preserve project; and**

2. Authorize the Chair to sign the completed Parks and Recreation Trust Fund grant application. The motion passed unanimously.

13. [Public Hearing on Parks and Recreation Trust Fund Grant Application for Turnipseed Nature Preserve](#)

Attachments: [PARTF TNP BOC Item 2016 04 18](#)
 [TNP PARTF PP 2016 04 18](#)
 [Turnipseed Area Map](#)
 [Turnipseed Rendering with phases](#)

Mr. Roylance said the Turnipseed Preserve is a 265-acre open space tract along Mark's Creek, near the towns of Wendell and Knightdale. Staff has prepared a PARTF grant application for the Turnipseed Nature Preserve project. The site includes a stand of Michaux's Sumac, a federally endangered species, as well as exceptional and outstanding natural characteristics as defined by WakeNature.

He said the first phase of Turnipseed Nature Preserve is focused on access, trail development, and a pedestrian bridge crossing the Gin Branch water system. This phase of the project is expected to be completed in the summer of 2015 and will be paid for with county open space funds. The second phase of Turnipseed Nature Preserve is the focus of the PARTF grant. If approved, Phase II will continue development with a secondary access, expanded trails, and picknicking. He shared a map of the property.

Mr. Roylance shared the proposed schedule as follows:

- June 2016 - Construction bids due
- July 2016 - BOC construction contract approval
- August 2016 - Construction starts
- Spring 2017 - Phase I complete

He said the estimated cost of the project is \$724,141.

He shared the next steps.

- PARTF application due May 2, 2016
- PARTF Authority meets early fall 2016 to evaluate applications
- Grant recipients selected
- Grant contracts signed winter 2016/2017

Chairman West opened the public hearing.

No one came forward.

Chairman West closed the public hearing.

Mr. Roylance said the staff recommendation is to hold the public hearing and authorize the chairman to sign the completed Parks and Recreation Trust Fund Grant Application..

Commissioner Ward moved, seconded by Vice-Chair Hutchinson, that the Board of Commissioners:

- 1. Hold a public hearing regarding the Parks and Recreation Trust Fund grant application for the Turnipseed Nature Preserve project; and**
- 2. Authorize the Chair to sign the completed Parks and Recreation Trust Fund Grant Application** The motion passed unanimously.

14. [Public Hearing on MedEx Medical Transportation Inc. for a Non-Emergency Ambulance Franchise \(First Reading\)](#)

Attachments: [MedEx Medical Transportation Non-emergency Ambulance Franchise Request Agenda Item Public Hearing 2016.docx](#)
[ORDINANCE GRANTING FRANCHISE TO MedEx Medical Transportation.docx](#)

Dr. Jose Cabanas, Wake County Medical Director, said MedEx Medical Transportation, Inc. of Ahoskie, North Carolina, is requesting the issuance of a non-emergency ambulance franchise for operation of a non-emergency medical transport service pursuant to the provisions of Chapter 111 of the Wake County Code of Ordinances. He said that award of a non-emergency ambulance franchise represents permission to deliver non-emergency ambulance transportation services, and does not involve county subsidies or payments. He said two readings are necessary to finalize the process.

Chairman West opened the public hearing.
No one came forward.
Chairman West closed the public hearing.

Dr. Cabanas said that staff recommends the franchise.

Commissioner Sullivan moved, seconded by Commissioner Burns, that the Board of Commissioners grants a non-emergency ambulance franchise to MedEx Medical Transportation Inc. for operation of a non-emergency ambulance service in Wake County effective May 9, 2016 for a period of five years. The motion passed unanimously.

15. [Wake Technical Community College 2012 Building Program Appropriation Request](#)

Attachments: [WTCC Item Summary 4.18.16](#)
 [Appropriation Summary 2012 Bldg Program 04.18.16](#)
 [BOC Resolution Reallocation and Appropriation WTCC 04.18](#)
 [RTP Campus Map Master Plan update](#)

Dr. Stephen Scott, President, Wake Technical Community College, said that the bids for RTP Campus Morrisville first phase came in lower than expected. He asked the board to adopt the resolution and appropriate \$40,398,976 to fund the construction of the RTP Campus Building 1 as part of the Wake Tech 2012 building program. He said this will include improvements to infrastructure, roads, water, sewer and parking lot improvements to the land

Commissioner Sullivan asked if this is the end of the CIP 2012 funding. Dr. Scott said the Wake Tech 2012 building program includes the construction of 4 new buildings on the Northern Wake Tech Campus, the expansion of the Public Safety Education Campus, repairs and renovations on the Main and Health Sciences Campuses and the first phase of projects on the new RTP Campus in Morrisville.

Dr. Scott said the RTP Campus Morrisville will open in the fall of 2017. He said there would be eleven programs which include Information Technology Programs to assist with job expansion in RTP and the western portion of Wake County.

Commissioner Ward moved, seconded by Commissioner Sullivan, that the Board of Commissioners adopts the attached resolution and appropriates \$40,398,976 to fund the construction of the RTP Campus Building 1 as part of the Wake Tech 2012 Building Program. The motion passed unanimously.

16. [Approval of Major Facilities Fund Capital Projects Process](#)

Attachments: [Approval of Major Facilities Fund Capital Projects Process.docx](#)
 [FY 2016 Process RFP.docx](#)

Ms. Denise Foreman, Assistant to the County Manager, said as a result of the interlocal agreements governing the proceeds of the occupancy and food/beverage taxes, the Board of Commissioners has \$3,350,000 of funding available for award to projects that enhance Wake County's sports, cultural, convention or arts facilities and services. She said the recommendation is for a competitive process that would begin in the spring and would be completed in the summer. She shared the guidelines.

To be considered, proposals must:

- Be consistent with legislation...enhance sports, cultural, convention or arts facilities

- Propose funding for capital only...no operational expenses
- Cap request at \$1,500,000 per project
- Demonstrate non-county funding for at least 65% of the total project capital budget

Ms. Foreman shared information about the criteria required to submit a proposal.

Proposals will be evaluated based on the following information:

- Unmet need addressed
- Alignment with Board goals
- Residential and non-residential impact
- Community partnerships and collaborations
- Need for County investment
- Mix of funding sources and funding commitments
- Project timeline and schedule
- Track record/ability to execute plan
- Sustainable operating plan/long-term viability
- Mechanism to measure and track success

She shared the process timeline.

April 18, 2016	Process to Board of Commissioners
May 2, 2016	Request for Proposals Distributed
June 15, 2016	Proposals Due
June/July 2016	Proposals Evaluated by Committee
August 8, 2016	Top Projects Presented to Board of Commissioners
August 2016	Decision by Board of Commissioners

Commissioner Burns asked who would be on the committee to evaluate proposals. Ms. Foreman said the makeup of the committee has not yet been determined but would be county staff from the Arts and Convention and Tourism business. She said there would be eight members on the committee. Commissioner Burns asked about the scoring process. Ms. Foreman said there are five categories of scoring and there would be a top score per category.

Commissioner Burns moved, seconded by Commissioner Sullivan, that the Board of Commissioners approves the process for selection of capital projects to receive Occupancy and Food/Beverage Tax Funding. The motion passed unanimously.

17. [Approval of Wake County's 2016 State Legislative Goals](#)

Attachments: [2016WakeLegislativeGoalsAgendaItemFinal.docx](#)
 [2016BoardLegislativeGoalsFinal.pptx](#)
 [2016legislativepriorities.docx](#)
 [2015NCACCLegislativeGoals.pdf](#)

Mr. Chris Dillon, Wake County Intergovernmental Relations Manager, shared the amended goals that were formed after the April 11 2016 Work Session.

He read aloud the following draft of Wake County 2016 Legislative Goals.

1. Protect Local Revenues
2. Retain Local Government Authority
3. Increase Funding for Education
4. Restore Funding for Mental Health
5. Protect Clean Water
6. Reinstate Maintenance Bonds
7. Opioid Initiative
8. Ensure Community Access to Broadband Systems

Mr. Dillon said that the Opioid Initiative and Ensuring Community Access to Broadband Systems was added after the Work Session. He shared a brochure that would be given to the Wake Legislative Delegation and partners.

Commissioner Ward complimented the brochure.

Vice-Chair Hutchinson complimented the brochure, Mr. Dillon and his work.

Vice-Chair Hutchinson moved, seconded by Commissioner Burns, that the Board of Commissioners approves Wake County's 2016 Legislative Goals. The motion passed unanimously.

Committee Reports

18. [Budget, Audit and Finance Committee Report](#)

Commissioner Sullivan reported that the Budget/Audit/Finance Committee met on April 13, 2016 to discuss long-term capital planning. She said this was a follow-up from the March 9, 2016 Budget/Audit/Finance Committee meeting. She said that staff has calculated the maximum debt and capital capacity that can be accomplished and comply with the county's fiscal policies. The county's fiscal policies are designed to ensure that the county maintains its AAA bond ratings. She said that the revised requests from Wake County Public Schools and Wake Technical Community College were

presented. She said that no recommendations were made by staff. She said that the Facilities Committee of the Board of Education received the same presentation later that day.

Chairman West thanked Commissioner Sullivan for her leadership on that committee. He thanked the commissioners that participated in the grand opening and ribbon cutting at the Northeast Regional Library on Saturday, April 16, 2016.

Commissioner Burns said that he is the liason for the Greater Raleigh Convention and Visitor's Bureau Board of Directors. He said that he would provide updates to the board regarding HB2 after tomorrow's meeting.

Vice-Chair Hutchison said Commissioner Holmes was recently presented the Child Care Public Service Award by the Childcare Services Association. The board members applauded her for the award.

Other Business

Chairman West commended the commissioners that attended the Northeast Regional Library Grand Opening and Ribbon Cutting on Saturday, April 16.

Commissioner Burns said the Greater Raleigh Convention and Visitor's Bureau Board of Directors hold their annual meeting tomorrow. He will report out to the board about the impacts of HB2 on the Convention and Visitor's Bureau.

Vice-Chair Hutchinson said Commissioner Holmes was presented a public service award at the Triangle Child Care Awards Breakfast on April 15.

Closed Session

Mr. Warren said there was not a need for a closed session.

Adjourn

Commissioner Sullivan moved, seconded by Commissioner Burns, to Adjourn. The motion passed unanimously.

Respectfully submitted,

Denise M. Hogan, NCCCC
Clerk to the Board
Wake County Board of Commissioners