



Wake County

301 South McDowell Street
Raleigh, NC

Meeting Minutes Board of Commissioners

Monday, September 19, 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: Chairman James West

Items of Business

1. [Approval of Agenda](#)

Commissioner Sullivan moved, seconded by Vice-Chair Hutchinson, to approve the agenda. The motion passed unanimously.

2. [Approval of the Minutes of the Regular Meeting of September 6, 2016](#)

Commissioner Ward moved, seconded by Commissioner Holmes to approve the Minutes of the Regular Meeting of September 6, 2016. The motion passed unanimously.

3. [Proclaim September 22, 2016 as First Responders Appreciation Day](#)

Attachments: [Item Summary First Responders Appreciation Day.docx](#)
[2016 First Responders Proclamation.docx](#)

Ms. Emily Ziegler, Vice-President of Governmental Affairs, Greater

Raleigh Chamber of Commerce, said that she is appreciative of the board supporting first responders each year. She recognized Ms. Abbie Szymanski, Governmental Affairs Events Manager, Greater Raleigh Chamber of Commerce, for assisting with planning events at the Greater Raleigh Chamber of Commerce. She said the 2016 Ninth Annual First Responders Appreciation Breakfast will be held on Thursday, September 22, 2016 from 7:30-9:00 a.m at North Ridge Country Club. She said the event will recognize the Wake County Sheriff's Department, Raleigh-Wake EMS, Raleigh-Wake Communications Center, City of Raleigh Fire Department, City of Raleigh Police Department, and North Carolina Highway Patrol, District C, Troop Three. She thanked the Board of Commissioners for supporting first responders through the years.

Chairman West congratulated her on her new position with UNC/Rex Healthcare. Ms. Ziegler said that Friday will be her last day at the Greater Raleigh Chamber of Commerce.

Commissioner Calabria read the Proclamation aloud.

Vice-Chair Hutchinson congratulated Ms. Ziegler on her new position and said the First Responders Breakfast is a great event to recognize first responders. He complimented her for her work with the Greater Raleigh Chamber of Commerce.

Commissioner Ward thanked Ms. Ziegler for her work with the Greater Chamber of Commerce. She congratulated her on the new job.

Commissioner Holmes complimented Ms. Ziegler's work and congratulated her on her new position.

Commissioner Calabria moved, seconded by Commissioner Ward, that the Board of Commissioners proclaim September 22, 2016 as the Ninth Annual First Responders Day. The motion passed unanimously.

4. [Proclamation Recognizing National Recovery Month](#)

Attachments: [National Recovery Month Proclamation Item Summary 9-19-16.docx](#)
 [Proclamation National Recovery Month 2016.doc](#)
 [Behavioral Health Conditions in the United States.pdf](#)

Mr. Tad Clodfelter, President and CEO, Southlight Healthcare, said that Southlight Healthcare is the longest standing provider for substance abuse treatment since 1970. He thanked the Board of Commissioners acknowledging National Recovery Month an important issue. He gave a special thanks to Commissioner Holmes for her efforts to bring this forward. He said that addiction is one of the most pressing public health

issues of all time. He said that the celebration of recovery is appreciated.

Mr. Mark Ezzel, Executive Director, Addiction Professionals of North Carolina, said there has been much work geared toward working with patients recovering from addiction. He thanked the Board of Commissioners for bringing forward the Proclamation for National Recovery Month.

Mr. Chris Campo, Recovery Coordinator, Addiction Professionals of North Carolina, said that he has recovered from drug addiction and completed his education from NCSU. He said he has received support services from the Addiction Professional of North Carolina. He said that the program provides second chances for those recovering from addiction.

Commissioner Holmes said that it is an honor to present the Proclamation and thanked the professionals that work with those recovering from addiction.

Commissioner Holmes read aloud the Proclamation.

Commissioner Holmes moved, seconded by Commissioner Ward, that the Board of Commissioners proclaims September as National Recovery Month in Wake County. The motion passed unanimously.

5. [Retiree Recognition](#)

Attachments: [Item Summary.docx](#)
 [Phal Parker Bio.docx](#)

Mr. Jim Hartmann, County Manager, recognized Ms. Phal Parker, Human Services Department, for her 27 years of service.

He presented her with a plaque commemorative to her service with Wake County.

The board recognized her for her service.

Commissioner Holmes suggested that the establishment of the Wake County Steering Committee on Affordable Housing be placed on the Regular agenda for discussion.

Commissioner Holmes moved, Commissioner Ward seconded, that the item concerning the establishment of a Wake County Steering Committee on Affordable Housing be placed on the Regular

Agenda for discussion. The motion passed unanimously.

Consent Agenda

Commissioner Burns moved, seconded by Commissioner Ward, to approve the consent agenda. The motion was approved unanimously.

6. [Mass Notification System Replacement](#)

Attachments: [Mass Notification Agenda Item 09122016 edits](#)
 [WakeCounty_Everbridge Quote \(final v2\)](#)

Commissioner Burns moved, seconded by Commissioner Ward, that the Board of Commissioners approve a multi-year contract agreement to purchase and support the Mass Notification tool from Everbridge and authorizes the County Manager to execute a contract on behalf of Wake County for this agreement. The motion passed unanimously.

7. [Approval of Wake County's 2017 State Legislative Goals Submittal to the NC Association of County Commissioners](#)

Attachments: [2017WakeLegislativeGoalsAgendaItemFinal.docx](#)
 [2017LegislativeGoalsMemo.docx](#)

Commissioner Burns moved, seconded by Commissioner Ward, that the Board of Commissioners approve Wake County's 2017 Legislative Goals for submission to the NC Association of County Commissioners. The motion passed unanimously.

Public Comments

Mr. Charles Watson (12604 Six Forks Road Raleigh, NC) asked the board to come and look at his property. He shared photos with the Board of Commissioners. He said that he had been working 20 years to get boat storage on his property.

Commissioner Burns said that there has been a delay about an appointment to the Water Partnership Board. He said that once the last appointment on this board has been confirmed, the Water Partnership Board will be in a position to review Mr. Watson's request.

Chairman West said that he appreciates Mr. Watson's commitment and patience.

Mr. Jonathan Quick (237 Boswell Lane Clayton, NC) said that 400 citizens from eastern Wake County and Johnston County have signed a petition to oppose Shotwell Landfill Inc. request to quadruple tonnage. He said residents oppose the landfill because of the odor, pollution of

water, narrow roads, storage of hazardous materials at the landfill, and their belief that it provides limited economic benefit for the community. He asked the board to deny the request by Shotwell Landfill.

Mr. Matthew Starr, Upper Neuse RiverKeeper, expressed his concern about the homeowners and landowners near the Mark's Creek area. He said that he has walked along Mark's Creek for miles and there are pollutants from the landfill. He said that he is concerned about the water quality near the Neuse River.

Mr. Ron Scott, Wake County Drug Treatment Court Program, he said he appreciated the board recognizing National Recovery Month. He expressed his appreciation for Wake County funding the Wake County Drug Treatment Court Plan this year. He said that the program works with offenders of addiction. He introduced two graduates of the program. He commended Judges Robert Radar and Craig Croom who facilitate the program.

The Clinical Director at Fellowship Resources introduced Ms. Rochell Woodard and Mr. William Hodges who participated in the program.

Ms. Woodard said that she works for Fellowship Resources and that she is a peer support specialist and is thankful for the Drug Treatment Court Program because it has saved her life.

Mr. William Hodges said the Drug Treatment Court Program has saved his life and he now has a relationship with his children and a job. He said the program is about giving back to the community.

Chairman West said the the life saving testimonies about the program are great. Commissioner Ward said that the program is special and makes a difference.

Commissioner Ward said it is great to hear stories about programs that are successful that change lives.

Commissioner Holmes said she had visited the Drug Treatment Court Program and acknowledged the great work of the program. She invited board members to visit the program. She said she is committed to the long-term sustainability of the program.

Ms. Karen Kranbuehl, 4600 Gunston Place, Raleigh, NC, thanked the board for recognizing National Recovery Month. She thanked Commissioner Holmes for participating in the recovery rally on September 10. She said that she has been in long-term recovery since 1995 and is employed as a social worker and attorney. She said that she attended the meeting in the spring when Equal Employment

Opportunity Ordinance was approved by the Board of Commissioners. She said that she shared the ordinance with her students and it was accepted by them. She said that affordable housing is an important issue and brings forward an opportunity on the recovery community.

Chairman West thanked Ms. Kranbuehl for the example of transfer of learning with her students.

Mr. Carl Durr, 114 Youngwood Drive Fuquay-Varina, NC, shared about the poor living conditions at the Wake County Housing Authority. He said there are issues with the HVAC, insects and raw sewage. He said that notices have been sent about the issues and the responses are unpredictable. He said the conditions are unsanitary and problematic. Mr. Durr explained that he has two children that live with him and expressed his concern about their health.

Chairman West asked Mr. David Ellis, Deputy Manager, to obtain Mr. Durr's contact information to assist with his concerns.

Regular Agenda

8. [Establishment of a Wake County Steering Committee on Affordable Housing](#)

Attachments: [Affordable Housing Steering Committee Agenda Item](#)
 [Attachment 1- May Worksession Memo](#)
 [Housing BOC Item Att.2 AH Plan Worksession 9.12.16](#)
 [Membership Categories for Affordable Housing Steering Committee](#)

Ms. Alicia Arnold, Wake County Housing and Transportation Director, thanked the Board of Commissioners for the support toward affordable housing in Wake County. She said that the request is that the Board of Commissioners establish the Wake County Steering Committee on Affordable Housing. Ms. Arnold said the Steering Committee will commit to a 12-month effort with deliverables in the form of a 20-year, comprehensive Affordable Housing Plan to the Wake County Board of Commissioners. She said the membership will be comprised of up to 30 community leaders from government, for-profit, and non-profit entities directly or indirectly influencing housing in Wake County. She said the term of the members will be for 12 months, and it is expected that there will be bi-monthly meetings of the committee. She said that it is expected that staff will bring forward the proposed committee members at the November 7, 2016 Board of Commissioner's meeting.

Chairman West said that fair housing has been a key issue for housing affordability and access. He asked if there has been discussion about representation from the municipalities on the committee. He said the City of Raleigh has a Fair Housing Board. He asked how fair housing fit into Wake County Steering Committee on Affordable Housing's plan.

Ms. Arnold said that staff will be considering how fair housing fits into the plan and the membership will include individuals with great knowledge and a broad perspective on affordable housing.

Chairman West said that a Work Session was held on September 12, 2016 to discuss the anticipated outcomes and timelines for the steering committee. He said that the plan for the committee should include collective leadership as it relates to elected officials representing the municipalities, and the City of Raleigh.

Commissioner Holmes thanked Ms. Regina Petteway, Wake County Human Services Director; Ms. Annemarie Maiorano, Human Services Deputy Director of Operations, Mr. David Ellis, Deputy County Manager; and Ms. Arnold for staff's work toward the committee. She said there has been patience, diligence, and passion toward the work of staff. She thanked them for making her vision tangible.

Vice-Chair Hutchinson said had recently attended a Public Health Law Conference in Washington, DC that discussed zip codes and how affordable housing affects citizens. He said affordable housing is key in affecting citizens and ensuring a healthy environment and community. He commended Commissioner Holmes for the leadership role surrounding affordable housing in Wake County.

Chairman West said that representation of the committee is important. He said the success of the committee will be based on how the vision could be transformed, is shared, and fits into the goals of the Board of Commissioners, non-profits, and the City of Raleigh. He commended Commissioner Holmes for her vision.

Vice-Chair Hutchinson moved, seconded by Commissioner Ward, that the Wake County Board of Commissioners establish a Steering Committee on Affordable Housing with Commissioner Holmes as the Chair of the committee. The motion passed unanimously.

9. [Land Acquisition for an Adaptive Reuse School Site in the Central Raleigh Area \(Second Reading\)](#)

Attachments: [Adaptive Reuse 2nd Reading Item Summary 9-19-16.docx](#)
 [Adaptive Reuse Attachment 1 - Presentation.pdf](#)

Ms. Betty Parker, Director of Real Estate Services, Wake County Public School System, shared the following information about the Infinity Program.

- Long term suspended high school students who demonstrate severe behavioral & social problems with intensity, frequency and long duration (Tier IV).

- Infinity students require selective environments and additional staffing.
- Program is currently located in classrooms in the basement of Longview School
- Relocation need identified in SNAP process (Space Needs Analysis & Prioritization)
- Maintains program stability and centrality
- Relieves crowding/provides additional capacity to serve students in the Infinity Program and at Longview

She shared a map of the school. She shared a site plan, floor plan, and preliminary fit plan for the school. She shared a map of the public transit route. Ms. Parker said that she has addressed the questions that the board had requested previously with a detailed list of answers circulated to the board.

Commissioner Calabria asked about the cost estimate for the program. Ms. Parker said that she has not received information from the facilities staff about the full cost. She said that cost for additional staff to operate the program is not known.

Commissioner Calabria asked if with future projects cost estimate for operations could be obtained in advance to avoid unexpected costs that may arise on projects. Ms. Parker said that there is additional time to provide cost information to the board and she would discuss this with the Core Facilities Team.

Vice-Chair Hutchinson thanked staff for considering the site, transit, and addressing the issues of behavioral problems.

Vice-Chair Hutchinson moved, seconded by Commissioner Holmes, that the Board of Commissioners approve funding of the purchase price together with closing costs in an amount not to exceed \$2,090,378.00, pursuant to NCGS 115C-426. The motion was approved unanimously.

10. [Public Hearing and Adoption of Resolutions Authorizing the Issuance and Sale of \\$190,000,000 of General Obligation Refunding Bonds](#)

Attachments: [Sept 19 Agenda Item](#)
 [Bond Resolution](#)
 [Bond Financing Calendar](#)

Ms. Nicole Kresier, Wake County Debt and Capital Manager, said that the process is the second step in the county's refunding of \$190 million of general obligation refunding bonds. She said the process is to refund the bonds from variable to fixed rate. She said on September 6, 2016,

the Board of Commissioners passed on first reading on the first bond order at a notice of public hearing. She said a public hearing and resolution was necessary to the process. Ms. Kreiser said that due to historic low interest rates for fixed rate debt, the county is in a position to refund its existing variable rate debt to fixed rate debt, and issue ten year fixed rate debt at a projected true interest cost of 1.10 percent. She said as the county issues additional bond anticipation notes and draws down on these notes, the refunding of the county's existing variable rate debt will allow for the county to remain within its policies as it issues additional notes for new programs for Wake County Public Schools, Wake Technical Community College and other county needs.

Chairman West opened the public hearing.

No one came forward.

Chairman West closed the public hearing.

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

1. Conduct a public hearing regarding the issuance of \$190 million of general obligation refunding bonds; and

2. At the close of the public hearing, adopt the attached bond order authorizing \$190 million general obligation refunding bonds. The motion passed unanimously.

11. [Public Hearing under Internal Revenue Code and Approval under Internal Revenue Code of Proposed Issuance by the Housing Authority of the County of Wake of not to Exceed \\$18,100,000 in Multifamily Housing Revenue Bonds \(Sunnybrook Pointe Apartments\), Series 2016](#)

Attachments: [Sunnybrook Pointe Apartments TEFRA Hearing Item Summary 9-19-16.docx](#)
[Sunnybrook Resolution.pdf](#)
[Sunnybrook Notice of Public Hearing.pdf](#)
[City of Raleigh Resolution re TEFRA Hearings.pdf](#)

Mr. Warren said Ms. Mary Nash Rusher, McGuireWoods LLP, Bond Counsel to the Housing Authority, would introduce the item. He said that Mr. Mark Tipton, Carolina Project Equities, Inc., and Mr. Harrison Ellinwood, Ellinwood Investment Properties, LLC, the co-developers, were present. He said Commissioner Calabria has suggested to be recused from both TEFRA items since he is an attorney at the firm and there may be potential conflicts.

Commissioner Burns moved, seconded by Vice-Chair Hutchinson, to be recused from the vote of the two TEFRA items. The motion

passed unanimously.

Ms. Rusher said the next two items are TEFRA Hearings related to tax exempt bonds to be issued by the Wake County Housing Authority. These bonds will be loaned to the developer and be used to develop a 180-unit multi-family residential rental facility know as Sunnybrook Pointe Apartments located at 413 Sunnybrook Road, Raleigh, Wake County, North Carolina. She said the debt is payable from the revenues from the apartment complex. She said that neither the Authority nor the county will have any liability whatsoever for the payment of the principal or interest on the bonds, and the bonds will not affect the county's debt ratios or legal debt limit. She said because no taxes or other revenues of the county are pledged to pay these bonds, the staff of the county has made no financial analysis of the bonds, the company or any affiliate thereof or the development.

Chairman West asked about the jurisdiction of the request. Ms. Rusher said both developments are located in the City of Raleigh and in the County of Wake. She said the two Housing Authorities have overlapping jurisdiction and the state statute provides that if the City Housing Authority is not the issuer of the bonds, then the Wake County Housing Authority can be the issuer. She said that in this situation the City Housing Authority declined to be the issuer of the bonds, but the Wake County Housing Authority can be the issuer. She said the City of Raleigh passed a resolution for the Wake County Housing Authority to exercise its jurisdiction within the city limits

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

Commissioner Burns asked if this pledges the county's credit to the bonds. Ms. Rusher said the county has no obligation to pay the bonds.

Chairman West said there is need for affordable housing in the area.

Commissioner Ward moved, seconded by Commissioner Burns, that the Board of Commissioners, at the conclusion of a public hearing regarding the same, adopt a resolution approving for purposes of meeting the requirements of the Internal Revenue Code of 1986, as amended, the issuance by the Housing Authority of the County of Wake (the "Authority") of not to exceed \$18,100,000 in Multifamily Housing Revenue Bonds (Sunnybrook Pointe Apartments), Series 2016. The motion carried by the following vote:

Aye: 6 - Chairman West, Vice-Chair Hutchinson, Commissioner Burns, Commissioner Holmes, Commissioner Sullivan, and Commissioner Ward

Recused: 1 - Commissioner Calabria

12. [Public Hearing under Internal Revenue Code and Approval under Internal Revenue Code or Proposed Issuance by the Housing Authority of Wake of not to Exceed \\$17,000,000 in Multifamily Housing Revenue Bonds \(The Village at Washington Terrace Apartments\), Series 2016](#)

Attachments: [The Village at Washington Terrace Apartments TEFRA Hearing Item Summary 9-19-16.docx](#)
[Washington Terrace Resolution.pdf](#)
[Washington Terrace Notice of Public Hearing.pdf](#)
[City of Raleigh Resolution re TEFRA Hearings.pdf](#)

Ms. Rusher said that this item is similar to the previous. She said the bonds will be used to finance the Village at Washington Terrace Apartments located at 2001 Booker Drive, 2030 Booker Drive and 1810 Bakers Grove Way, Raleigh, Wake County, North Carolina. She said neither the authority nor the county will have any liability whatsoever for the payment of principal or interest on the bonds, and the bonds will not affect the county's debt ratios or legal debt limit. She said that Mr. Gregg Warren, DHIC, Washington Terrace, is present if there are questions.

Chairman West said there is involvement of the citizens and residents. He said there had been discussion about whether the project would be part of the changes that will be made in the College Park neighborhood, but he understood that this project is different. Ms. Nash Rusher said that the development is north of Oakwood Drive and will be named Washington Terrace, LLC.

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

Commissioner Ward asked if the rental of the apartments income based. Ms. Rusher said the housing is 100 percent affordable housing, 60 percent or less of the median income, and 10 percent of the housing will be 50 percent or less of the median income.

Vice-Chair Hutchinson moved, seconded by Commissioner Burns, that the Board of Commissioners, at the conclusion of a public hearing regarding the same, adopt a resolution approving for the purpose of

meeting the requirements of the Internal Revenue Code of 1986, as amended, the issuance by the Housing Authority of the County of Wake (the "Authority") of not to exceed \$17,000,000 in Multifamily Housing Revenue Bonds (The Village at Washington Terrace Apartments), Series 2016. The motion carried by the following vote:

Aye: 6 - Chairman West, Vice-Chair Hutchinson, Commissioner Burns, Commissioner Holmes, Commissioner Sullivan, and Commissioner Ward

Recused: 1 - Commissioner Calabria

13. [Request from Shotwell Landfill, Inc. for Amendment of Landfill Franchise \(Public Hearing completed; Action to be taken\)](#)

Attachments: [Final BOC 9-19-16 Item Summary Sheet \(with groundwater\).docx](#)
[Shotwell Attachment 1 C&D Landfill Ordinance 2012.pdf](#)
[Shotwell Attachment 2 Shotwell C&D Franchise 2016 Rev Reg.pdf](#)
[Final 9-19-16 Shotwell Proposed Franchise Amendment.docx](#)
[Shotwell Landfill Groundwater Quality Evaluation .docx](#)

Mr. John Roberson, Wake County Solid Waste Manager, said this item has been continued from the September 5, 2016 Board of Commissioner's meeting. He said based on the approval of the original franchise for the Shotwell Landfill in July of 2000, it authorizes Shotwell to accept up to 91, 250 tons of C & D waste per year. He said that if the the tonnage is accepted, that the approval is co-terminous with the previous date of July 2000.

Mr. Roberson said that as it relates to groundwater, Environmental Services has reviewed Shotwells permitting and documents. He said there is a groundwater report included in the board's materials. He read aloud an excerpt from the conclusion of the report.

"While any construction and demolition debris landfill represents a potential threat to groundwater quality, review of available groundwater monitoring data for the Shotwell Landfill does not suggest any groundwater contamination attributable to landfill activities. Permitting and monitoring requirements for the Shotwell Landfill are intended to minimize the risk of releases to groundwater and are consistent with permits for other C & D landfills operating in North Carolina."

Chairman West asked what factors can the board look at related to the approval of the request from Shotwell Landfill. Mr. Roberson said that the tonnage increase annually is a portion of the request, and currently the landfill can only receive 91,250 of tonnage a year. He said currently the landfill can only receive waste from Wake and Johnston Counties.

The request is to include Durham, Orange, Granville, Franklin, Nash, Harnett and Chatham counties in the request. He said the Board of Commissioners has the option to approve or deny the request. Chairman West asked how well the safety, traffic is interrelated to other factors to quality of life in the community. Mr. Roberson said the frequency of waste has little impact to the groundwater. He said traffic is not in the jurisdiction of Wake County.

Vice-Chair Hutchinson thanked the citizens for the emails and contacts regarding the Shotwell Landfill request. He read aloud his comments.

"The board has received numerous comments expressing sincere and honest concern to the request of quadrupling the tonnage capacity for what has historically been a local landfill and not a regional collection site. The concerns expressed here this afternoon and last week as to the public health, safety, water quality issues, increased truck traffic, and the welfare of Wake County citizens far outweighs the request for additional capacity.

This request is also in direct conflict with the financial investment Wake County has made in the Mark's Creek Rural Lands Initiative which along with our other state and local partners, we have preserved over 2200 acres in the Mark's Creek Watershed, including 405 acres at the Walnut Hill Site where in partnership with the Triangle Land Conservancy, Wake county has invested 1.6 million in Wake county Open Space funds and currently holds an easement on the land. In-total more than 24 million dollars have been invested in conserving and in conservation of open space and water quality projects in the Mark's Creek rural land priority area by Wake County and other state and local partners, that serves as a water supply for more than 75,000 downstream users in Wake and Johnston Counties.

This area has also been recognized as a last chance landscape by *Scenic America* as one of the few places in America as one of the few places left still under threat, yet worthy of protection for its scenic beauty, environmental integrity, and agricultural heritage, by which none of this would be enhanced and some could be threatened by expansion. Currently, there is more than enough capacity for C& D waste in Wake County including a facility just four miles away.

This board this afternoon has heard numerous concerns as to the adverse impact to health, safety, welfare and increased traffic to Wake County citizens that will occur if this board both increases the tonnage capacity and the counties that would be added to the service area. While increasing capacity might make good business sense for the repeat applicant and any potential purchaser of this operation in the future, from my perspective it's bad news for the beauty, scenic area of

Wake County where thousands have made the area a life, a home, and ultimately a community. For these reasons and more I move the application as submitted be denied."

Commissioner Burns asked about the confidential environmental due diligence assessment information that was provided to the board. Ms. Yvonne Gilyard, Deputy Clerk, said this information was sent by courier from Shotwell Landfill to the board late Friday afternoon.

Commissioner Ward said that she has heard the concerns from citizens and appreciated hearing the information from the Neuse River Keeper. She said the odor from landfills are of concern including groundwater contamination. She said that she is in favor of the motion.

Commissioner Calabria said that all seven board members have heard the issues about odor, traffic, and groundwater contamination. He said other landfills are below their own threshold. He said that he did not think it was necessary for the landfill to take on additional tonnage and to accelerate the rate whereby waste is brought into the county. He said it is important for the board to look at all proposals brought forward and to look at the impacts to the citizens. He said that all the factors are important, and he supports the motion.

Commissioner Burns said that issues that were brought before the board are traffic, surface water runoff, odor and general quality of life. He said the odor issue is something that every landfill has to deal with. He said traffic and surface water runoff are issues. He said that consideration should be made about where schools are located, the condition of the roads and the rural landscape before learning about unpleasant issues. He said the board should examine not only the landfill's affect but developments role in these issues.

Chairman West said the planning should indicate a better review is needed. Prevention of these types of situations is necessary in the future as more congestion and density moves into Wake County.

A brief recess was taken, then the meeting reconvened.

Vice-Chair Hutchinson moved, seconded by Commissioner Holmes, that the Board of Commissioners denies Shotwell Landfill, Inc.'s request to amend their existing landfill franchise to increase the annual tonnage threshold from 91,250 tons/year to 365,000 tons/year and to increase the service area from Wake and Johnston counties to include Durham, Orange, Granville, Franklin, Nash, Harnett and Chatham counties. The motion passed unanimously.

14. [Approval of Schematic Design for Cary Regional Library](#)

Attachments: [Agenda - Cary Library SD Approval.docx](#)
 [Arch Prog Summary.pdf](#)
 [Site Development Plan.pdf](#)
 [Cary Library Floor Plans.pdf](#)
 [Facade Elevations-Lib & Pkg Deck.pdf](#)
 [Library Streetside Perspective Image.pdf](#)
 [Project Cost Summary_Cary Library.pdf](#)

Mr. Mark Forestieri, Wake County Facilities Design and Construction Manager, introduced Mr. Paul Kuhn, Transportation and Facilities Department, Town of Cary. He shared the memorandum of understanding information from the Town of Cary. Mr. Forestieri said that on March 21, 2016, the board approved a Memorandum of Understanding with the Town of Cary for development of this project. He shared the following information:

March 21, 2016 - MOU Approved by Board

- Town Provides Site for Library via Ground Lease
- Town Rezones Site & Recombines Existing Properties
- County Designs, Builds, Operates, Owns Library
- County & Town Develop Shared Parking Structure
 - Owned & Operated by Town
- Town Funds Majority of Parking Deck Cost
- County Contributes to Development & Operations Costs
- County Manages Design & Construction on Behalf of Town
- Periodic Payments from Town to County - Design/Construction
- This assures an integrated design of the entire development

Mr. Forestieri said the existing library is 11,788 square feet and it was built in 1987. It is owned by the Town of Cary. He said the need for services has outgrown the building. He shared aerial photos of the new site.

Commissioner Ward asked if the square would be related to the arts. Mr. Forestieri said the land to the north would be a future park. He shared the conceptual site plan.

Mr. Steve Shuster, Clearscapes, PA, shared information about the interior of the library. He said the Town of Cary would develop a portion of the library. He shared the character goals of the library which are: transparency/visability, materiality, connectivity, civic presence, and natural materials. He shared information about the elevation and parking structure of the library.

Commissioner Sullivan asked how many parking spaces are in the parking deck. Mr. Shuster said there will be 350 spaces in the parking deck. He indicated that the town has constructed an art piece on the deck.

Mr. Forestieri said for the side facing the park, the Town of Cary has commissioned an artist to design public art which will be integrated into the facade of the parking deck as a nature image.

Mr. Steve Shuster shared information about the integrated art at the library. He shared the sustainability of the building. He said there are lighting controls for the building and art.

Mr. Forestieri said that construction of the library and its associated site development work is estimated to be \$7,600,000. He said the parking deck and its associated site development is budgeted to be \$8,150,000 and Wake County is contributing \$1 million to the parking deck. He said the total cost is \$8.15 million. Mr. Forestieri shared the milestones and next steps.

Commissioner Ward complimented the art and design of the building. Mr. Forestieri said the buildings are free standing and there is a plaza connection from the library and parking deck.

Vice-Chair Hutchinson noted that Mr. Shuster was selected Tar Heel of the Year two years ago. He commended him for that accomplishment. He said that the Town of Cary designates one percent for art for Capital Improvement Projects and asked how this would benefit Wake County. Mr. Shuster said public art brings value and is integrated into the environment. He said that Wake County should consider adding this to this to their projects.

Commissioner Holmes said she is aware of the traffic in downtown Cary as she resides there. She said that she is excited about the public art and the idea of integrating it into the sustainability of downtown.

Commissioner Sullivan asked how similar the site is to North Regional Library. Mr. Mike Wasilick, Wake County Library Director, said the plan is similar to Northeast Regional Library. Commissioner Sullivan asked if there is tutoring space for children. Mr. Wasilick said there would be separate rooms for children and adults for programming.

Commissioner Calabria thanked the staff for the emphasis on sustainability and connection to transportation.

Commissioner Ward said she supported the arts in Wake County and

was in favor of designating one cent toward these efforts.

Commissioner Holmes moved, seconded by Commissioner Sullivan, that the Board of Commissioners approve Schematic Design for the new Cary Regional Library and associated Downtown Parking Deck. The motion was passed unanimously.

15. [Select Projects for Major Facilities Capital Funding Presentations](#)

Attachments: [Major Facilities Item Summary.docx](#)
 [Major Facilities Funding Review Presentation 9-12-2016.pptx](#)
 [Major Facilities Funding Review Project Summaries - Appendix.pptx](#)
 [Summary of Proposals with Review Team Score and Manager Recommendation.pdf](#)

Ms. Denise Foreman, Assistant to the County Manager, said that at the Monday, September 12, 2016, Board Work Session, the board requested presentations from the six projects recommended by the County Manager and staff. She said that the projects will be presented at the Monday, October 10, 2016 Work Session.

Commissioner Burns moved that the the CAP Sports (Capital Athletic Pavilion) and the Hibernian Hospitality (Morgan Street Foodhall and Market) be added to the projects list.

Vice-Chair Hutchinson moved, seconded by Commissioner Ward, that only the six of the projects recommended by the County Manager be included for funding.

Mr. Scott Warren, County Attorney, said that normally a secondary motion is allowed if it moves the primary motion along. He said if the motion has the opposite effect of the the pending motion it is likely out of order. He said that the motion will instruct staff for the Work Session.

Commissioner Burns said additional items could be added prior to an agenda according to the Board of Commissioner rules.

Commissioner Sullivan clarified that the vote would allow for a presentation only. Funding would be decided later.

Commissioner Holmes asked about the process of a commissioner adding or removing an item from an agenda. Mr. Warren said the Rules of Procedure state that any item for action should be given seven days notice before adding the item to an agenda. He said if action is to be taken on an item requested to be added within seven days, a unanimous vote is needed.

Commissioner Sullivan reminded the board that that Naismith Legacy

Park project did not work out and it is reasonable for Commissioner Burns to request that other projects be presented. She suggested that from a time standpoint, is best to have the presentation on the agenda at the same time as the others.

Commissioner Calabria said that if two more projects are added, then there is issue of other projects that were not recommended that were close in scoring.

Commissioner Ward said that \$3.35 million is available to spend and that adding additional projects may limit the funding of the six projects that are recommended.

Mr. Warren clarified the motions on the table.

Chairman West said the item was presented at the Work Session and there was no opposition of adding one or two more projects. He said board flexibility is necessary on forming a decision.

Commissioner Holmes said that staff ranked the projects. She suggested to encourage fairness that each project be given opportunity to present a five minute presentation.

Commissioner Burns said that he would like to know more about the two projects. He said the CAP project scored just below the recommended projects threshold.

Commissioner Sullivan said there is ability to make decisions and hear about projects.

Vice-Chair Hutchinson said that staff has worked hard to bring this information forward and that if the process is opened up to additional presentations then other projects may be slighted. He said that there may not be enough funding for all eight projects. He complimented staff for their work.

Chairman West said that in the past staff's recommendation is a guide that the board follows, but the final decision is for the board to decide. Mr. Warren said that the board has the option of directing staff to hear as many presentation as desired.

Commissioner Calabria asked if all the projects could be heard for fairness.

Commissioner Burns said the CAP Sports and Hibernian Hospitality projects were highly ranked and no commitment is being made toward funding. He asked for clarification of the scoring of these two projects.

Chairman West said the previous process allowed the board to consider other projects outside of recommendations before a decision was made. He said that by not considering the two additional projects it may limit the decision process.

Vice-Chair Hutchinson moved, seconded by Commissioner Ward, that the Board of Commissioners schedule presentations from the six selected proposers of the Major Facilities Capital Funding Process at the October 10, 2016 Work Sessions. The motion passed by the following vote:

Aye: 4 - Vice-Chair Hutchinson, Commissioner Calabria, Commissioner Holmes, and Commissioner Ward

Nay: 3 - Chairman West, Commissioner Burns, and Commissioner Sullivan

16. [Approval of the Wake County Board of Commissioners Town Hall Meeting](#)

Attachments: [Western Wake Town Hall Meeting Item Summary 9-19-16.docx](#)

Mr. David Ellis, Deputy County Manager, said that the request is for approval of a Town Hall meeting for October 17, 2016 from 7:00-9:00 pm at the Hindu Society of North Carolina. He said that board members were contacted by the Hindu Society to hold a community forum. He said that staff has visited the temple and recommended the Town Hall meeting. He said it is anticipated that the total costs will not exceed \$3,000.00.

Commissioner Holmes asked for additional cost detail. Mr. Ellis said that cost would be related to the cost of the audio visual equipment rental, post production associated with recording of the video, and food cost.

Commissioner Holmes moved, seconded by Vice-Chair Hutchinson, That the Board of Commissioners approve a Town Hall Meeting for October 17, 2016 from 7:00 - 9:00 pm at the Hindu Society of North Carolina and expenditures associated with the meeting. The motion passed unanimously.

17. [Growth, Land Use and Environment Committee Update](#)

Commissioner Burns said the Growth, Land Use, and Environment Committee met on September 12, 2016 and there was an update of contaminated wells in East Raleigh. He said that the EPA is working

with the Bond Street residents for sampling of wells. He said the EPA has not discovered contaminants above drinking water.

Commissioner Burns said that information was shared about the Groundwater Management Program. He said an update was given on green initiatives in Wake County.

Chairman West said there was joint meeting between the Public Education and Human Services Committee meeting last week and an update would be shared at a future meeting.

Closed Session

Mr. Warren stated that the motion is pursuant to N. C. G. S. 143-318. 11 (a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by Wake County including an agreement on a tentative list of economic development incentives that may be offered in negotiations by Wake County.

Commissioner Burns moved, seconded by Vice-Chair Hutchinson, to go into Closed Session. The motion passed unanimously.

No action was taken during Closed Session.

Adjourn

Commissioner Ward moved, seconded by Commissioner Sullivan, to Adjourn the meeting. The motion passed unanimously.

Respectfully submitted,

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