

Wake County

*301 South McDowell Street
Raleigh, NC*



Meeting Minutes

Monday, September 16, 2019

2:00 PM

Wake County Justice Center

Board of Commissioners

Meeting Called to Order: Chair Jessica Holmes

Present: 7 - Chair Jessica Holmes, Vice-Chair Greg Ford, Commissioner Vickie Adamson, Commissioner Matt Calabria, Commissioner Susan Evans, Commissioner Sig Hutchinson, and Commissioner James West

Others Present: David Ellis, County Manager; Scott Warren, County Attorney; Denise Hogan, Clerk to the Board; Yvonne Gilyard, Deputy Clerk to the Board; Johnna Rogers, Chief Operating Officer; Bill Greeves, Chief Information and Innovation Officer; Ben Canada, Assistant to the County Manager

Pledge of Allegiance

Invocation: Commissioner James West

Items of Business

1. Approval of Agenda

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

2. Approval of the Minutes of the Regular Meeting of September 3, 2019

Commissioner Adamson moved, seconded by Commissioner West, to approve the minutes of the Regular Meeting of September 3, 2019. The motion passed unanimously.

3. Proclamation Recognizing National Hispanic Heritage Month

Attachments: [Hispanic Heritage Month Item Summary 9-16-19.docx](#)
[Proclamation National Hispanic Heritage Month 9.16.19.docx](#)

Vice-Chair Ford said that Wake County is a capital county that embraces diversity as a virtue and strength. He said this includes diversity of people, ideas, and cultures. He said that every year local governments and partners across the state recognize Hispanic and Latino Americans that have enriched society and made contributions to communities, classrooms, culture, inventions, and politics.

The following individuals introduced themselves.

Mr. Carlos Liriano, President, NC Hispanic Chamber of Commerce Board; Anne Marie Tamayo, Instepp, Inc., and Ms. Seling Walker, Hispanic Chamber.

Vice-Chair Ford read aloud the Proclamation.

Mr. Liriano thanked the Board of Commissioners for recognizing the Hispanic community.

Commissioner West said on Friday he participated in a symposium on farming. He said that Farm Bureau and Cooperative Extension for NC A & T University and N.C. State University members were present. He said it was good to see the collaboration for the Hispanic community.

Commissioner Hutchinson said the Hispanic population provides contributions to Wake County with their entrepreneurship, diversity, and economic development. He said that he enjoys the Hispanic food choices that restaurants have to offer.

Ms. Tamayo, Instep Inc., shared information about the programs her organization provides to Latino immigrant women; citizenship education, green card classes, and immigration and legal services. She shared the contact information for Instep, Inc. 919-680-8000 or www.instepp.org

Commissioner Hutchinson asked if the information about the program could be distributed through Wake County Human Services.

Commissioner Adamson shared information about a family green card process. She said that legal counsel assisted. She thanked Ms. Tamayo and her organization for the work they provide for families.

Chair Holmes thanked the organizations represented for their work. She said that Wake County is a community that values and celebrates diversity. She said that she would like the Hispanic community and all residents to thrive and be successful. She said that the board looks forward to celebrating National Hispanic Month.

Vice-Chair Ford moved, seconded by Commissioner Hutchinson, that the Board of Commissioners recognize September 15th through October 15th, 2019 as National Hispanic Heritage Month. The motion passed unanimously.

4. Retiree Recognition

Attachments: [Item Summary 9.16.2019.docx](#)
 [Janet Burdick.docx](#)
 [Greg Newkirk.docx](#)

Mr. David Ellis, County Manager, recognized Ms. Robin Pleasant, Senior Human Resources Consultant, for coordinating retiree recognitions and working with retirees.

Mr. Ellis recognized Ms. Jan Burdick, 30 years of service, Wake County Human Services; and Major Greg Newkirk, 27 years of service, Sheriff's Office.

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

Consent Agenda

Commissioner West moved, seconded by Vice-Chair Ford, to approve the consent agenda. The motion passed unanimously.

5. Proposed Series 2019C Parks, Greenways, Recreation and Open Space General Obligation Bonds not to exceed \$41,730,000

Attachments: [20190916 - Item Summary - 2019C GO Bonds Issuance.docx](#)
 [20190916 - Attachment 1 - Issuance Resolution - 2019C PGROS Bonds.doc](#)

Commissioner West moved, seconded by Vice-Chair Ford, that the Board of Commissioners adopt and authorize a resolution providing for the sale and issuance of not to exceed \$41,730,000 General Obligation Parks, Greenways, Recreation and Open Space Bonds, Series 2019C. The motion passed unanimously.

6. Award Construction Contract in the Amount of \$1,529,432.96 for Restroom and Entrance Accessibility Improvements to Five County Stadium

Attachments: [01 Agenda Item 5 County ADA.docx](#)
 [02 Bid Tabulation.pdf](#)
 [03 5Cnty_AERR_PostBid_Add.pdf](#)
 [04 Five County ADA Project Cost Summary.pdf](#)

Commissioner West moved, seconded by Vice-Chair Ford, that the Board of Commissioners:

- 1. Award a construction contract to Salisbury & Moore Construction Inc. of Raleigh, NC in the amount of \$1,529,432.96, for the renovation of**

restrooms and entrance plazas to current accessibility standards.

2. Authorize the County Manager to execute a construction contract with Salisbury & Moore Construction Inc. for the referenced renovations to Five County Stadium, subject to conditions acceptable to the County Attorney. The motion passed unanimously.

7. Approval of First Amendment to Memorandum of Understanding with the Town of Morrisville for the Joint Use Master Plan and Feasibility Study of Wake County Convenience Center #3 and Morrisville Public Works Facility

Attachments: [Agenda Item MOU Amendment.docx](#)
[Original MOU.pdf](#)
[Estimate of probable construction cost.pdf](#)
[First Amendment to Memorandum of Understanding.docx](#)

Commissioner West moved, seconded by Vice-Chair Ford, that the Board of Commissioners:

1. Authorize the County Manager to execute the First Amendment to Memorandum of Understanding with the Town of Morrisville for the Joint Use Master Plan and Feasibility Study of Wake County Convenience Center #3 and the Morrisville Public Works Facility, subject to conditions acceptable to the County Attorney; and

2. Accept up to the amount of \$222,187.50 from the Town of Morrisville for their share for the schematic design phase. The motion passed unanimously.

8. Approval of Multi-Year Funding Agreements with Garner Volunteer Fire-Rescue for Cost Share Payments on a Fire Engine and Ladder/Rescue Apparatus

Attachments: [Garner Apparatus Funding Agreement Agenda Item.docx](#)
[Garner Fire Department Engine Funding Agreement.docx](#)
[Garner Fire Department Ladder-Rescue Funding Agreement.docx](#)

Commissioner West moved, seconded by Vice-Chair Ford, that the Board of Commissioners approve the following multi-year funding agreements with Garner Volunteer Fire-Rescue, Inc. for fire apparatus to be utilized in fire protection services in Wake County:

a. Multi-Year Funding Agreement to make one hundred-twenty (120) monthly payments to the Garner Fire Department for a Fire Engine,

and

b. Multi-Year Funding Agreement to make one hundred-twenty (120) monthly payments to the Garner Fire Department for a Ladder/Rescue. The motion passed unanimously.

9. Approval of an Interlocal Agreement (ILA) between Wake County and the City of Raleigh Governing the Shared Use of the Master Address Repository (MAR)

Attachments: [Item Summary - MAR ILA](#)
 [Attachment 1 - MAR Letter of Intent](#)
 [Attachment 2 - MAR Letter of Intent Amendment](#)
 [Attachment 3 - MAR Interlocal Agreement](#)

Commissioner West moved, seconded by Vice-Chair Ford, that the Board of Commissioners authorizes the County Manager to execute an ILA between Wake County and the City of Raleigh governing the shared use of the Master Address Repository (MAR). The motion passed unanimously.

10. Approval of a Multi-Year Agreement for Website Modernization and Hosting Services with Interpersonal Frequency

Attachments: [BoC Agenda Item - Interpersonal Frequency Multi-year contract - WakeGOV.docx](#)

Commissioner West moved, seconded by Vice-Chair Ford, that the Board of Commissioners authorize the County Manager to execute a three-year agreement with two (2) one-year renewal options with Interpersonal Frequency, subject to terms and conditions acceptable to the County Attorney. The motion passed unanimously.

11. Petitions from Property Owners in the Crooked Creek and West Oaks Subdivisions Requesting County Financing by Special Assessment to Improve Subdivision Roads for Acceptance into the NC Department of Transportation Maintained Highway System

Attachments: [Agenda Sum - Preliminary Assessment Resolution combined.docx](#)
[Crooked Creek Petition Sample.docx](#)
[West Oaks Petition Sample.docx](#)
[Petition Summary File 9-16-19.pdf](#)
[Crooked Creek Map.pdf](#)
[West Oaks Map.jpg](#)
[Policy Assessment - Status Report.docx](#)
[Required Steps.docx](#)
[financial policy adopted 1.22.19.pdf](#)
[Preliminary Assessment Resolution - crooked creek.docx](#)
[Preliminary Assessment Resolution - west oaks.docx](#)

Commissioner West moved, seconded by Vice-Chair Ford, that the Board of Commissioners:

1. Accept the petitions from property owners in the Crooked Creek Subdivision and authorize a Preliminary Assessment Resolution for County financing by special assessment to improve the subdivision roads for acceptance into the NC Department of Transportation Maintained Highway System.

And, by separate motion;

2. Accept the petitions from property owners in the West Oaks Subdivision and authorize a Preliminary Assessment Resolution for County financing by special assessment to improve the subdivision roads for acceptance into the NC Department of Transportation Maintained Highway System. The motion passed unanimously.

12. Wake Technical Community College Capital Improvement Program Appropriations

Attachments: [9.16.2019 WTCC Capital Improvement Program Item Summary.docx](#)
[Resolution.docx](#)

Commissioner West moved, seconded by Vice-Chair Ford, that the Board of Commissioners appropriate a total of \$28,857,920 for construction of an Automotive and Collision Repair Facility at the Scott Northern Wake Campus and exterior chilled and hot water piping infrastructure at the Scott Northern Wake Campus. The motion passed unanimously.

13. Plan Year 2020 Benefit Plans, Rates, and Contract Extension

Attachments: [2020 Plan Rates.docx](#)

Commissioner West moved, seconded by Vice-Chair Ford, that the Board of Commissioners:

1. Approve Plan Year 2020 benefits and rates for the medical plan; benefit changes and rates for the dental plan; and benefits and rates for the vision plan.

2. Authorize the County Manager to enter a five-year agreement with Marsh and McLennan Agency to assist in the ongoing management of the County's health and benefit plans, subject to terms and conditions acceptable to the County Attorney. The motion passed unanimously.

- 14. Approval of Modifications to the Wake County Board of Commissioners Rules of Procedure**

Attachments: [Item Summary - Proposed Changes to Rules of Procedure.docx](#)
 [Proposed Rules of Procedure \(no markup\).docx](#)
 [Current Rules of Procedure.docx](#)

Commissioner West moved, seconded by Vice-Chair Ford, that the Board of Commissioners approve modifications to the Wake County Board of Commissioners Rules of Procedure. The motion passed unanimously.

Regular Agenda

- 15. Town of Fuquay-Varina Extra Territorial Jurisdiction Extension Request**

Attachments: [Item Summary.docx](#)
 [Fuquay ETJ Presentation 9-16-19.pdf](#)
 [Staff Report.doc](#)
 [Wake County Resolution.docx](#)
 [Fuquay-Varina ETJ Expansion Request.pdf](#)
 [Fuqua-Varina Request Area Maps.pdf](#)
 [ETJ Evaluation Criteria.pdf](#)
 [Fuquay-Varina 5-Yr Utility CIP Map.pdf](#)
 [Planning Board Recommendation Map.pdf](#)
 [Public Feedback.pdf](#)
 [Public Feedback Map.pdf](#)
 [Agricultural Parcels Map.pdf](#)
 [Wake County & Fuquay-Varina Code Comparision Table.pdf](#)
 [Wake Tech Community College Letter.pdf](#)
 [citizen public comments.pdf](#)

Mr. Tim Maloney, Planning, Development and Inspections Director, shared a map of the area being requested for the ETJ extension.

He shared the request of the Town of Fuquay-Varina.

- Town of Fuquay-Varina requested 22,038 acres, divided into five (5) areas.
- Areas are within 3-miles of current core corporate limits.

He shared the staff findings.

1. The Town's ETJ request is in accordance with North Carolina State law.
2. The Town's ETJ request is large but includes portions consistent with the County's criteria for ETJ expansion.
3. The Town is actively preparing for growth prompted by future NC 540 and the availability of land with municipal services.
4. The Town's CIP provides a 5-year plan for infrastructure improvements in the recommended area.
5. The Town is experiencing growth pressure by recent annexations and municipal utility extensions.
6. Staff and the Planning Board both recommend granting ETJ area less than the Town's request.

Mr. Maloney shared the planning board recommendations.

The Planning Board recommended at their May 1, 2019 meeting, by

a unanimous vote, that the Board of Commissioners adopt the Town of Fuquay-Varina ETJ request by granting a reduced area totaling 11,870 acres.

Staff is in concurrence with this recommendation.

He shared the options for consideration today.

1. Approve the Planning Board recommendation in accordance with the attached resolution.
2. Deny the Town's Request to extend their ETJ.
3. Table the request and direct staff to evaluate alternative recommendation(s) for consideration at a future meeting.

Mr. Jason Barron, Wake County Planning Board member, said there was a significant effort from the Wake County Planning Board and staff and the recommendation was a unanimous decision. He noted that the Wake County Planning Board recommendation was based on the rules in place that have been approved by the board. He said there has been discussion among planning board members about the need to revise those rules.

Chair Holmes asked that the recommended changes to the rules be shared with the board in the near future.

Mayor John Byrne, Town of Fuquay-Varina, said that the town has deliberated the ETJ expansion for 18 months. He said the town has spent significant time and money on this process. He asked the board to approve the request.

Vice-Chair Ford said all of the board members were moved by the comments made by the citizens and acknowledged the tone of the respectful requests and humility. He said the topic is sensitive and governmental. He said that the board does need to follow the law. He said the over time changes have occurred and these type items are not new.

Vice-Chair Ford asked Mr. Scott Warren, County Attorney, if there is a need to take action urgently. Mr. Warren said there is no urgency.

Vice-Chair Ford asked Mr. Ellis if there is a reason to take action urgently on the item. Mr. Ellis said there is no urgency.

Commissioner Hutchinson thanked Mayor Byrne and staff for their efforts. He said he has been advocating for municipal growth, but tabling this is the right thing to do at this time.

Commissioner Evans said the board would like to receive additional

information. She said that she understands the purpose and request from the Town of Fuquay-Varina.

Commissioner Calabria said that considering all sides seriously is necessary in order to make a decision. He thanked the staff and citizens for their information.

Commissioner West said that the qualitative and quantitative aspects are important. He said the values and culture can assist with moving to a desired future. He said the process should not be mechanical and the citizen quality of life issue should be considered.

Commissioner Adamson agreed that tabling this item is the right thing to do. She said that further information needs to be evaluated before a decision can be made.

Chair Holmes commended the citizens for the way they have addressed the board about this issue. She said it is very important to make the right decision. She thanked Mayor Byrne and the Town of Fuquay-Varina for their patience and transparency.

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

1) Table consideration of the Town of Fuquay-Varina's ETJ request until the regular meeting on October 21, 2019; and

2) Instruct the County Manager to provide additional information responding to the board's question about this topic. The motion passed unanimously.

Public Comments

Ms. Joy Daubenspeck, 2505 Johnny Baker Road, Willow Springs, NC, thanked the board of commissioners for their time and service. She shared information regarding the Board of Commissioners goals and initiatives. (see document handed to the clerk). She asked that the board follow their goals and initiatives when considering the ETJ expansion. She thanked the board for taking the time to review the ETJ request and for listening to the citizens of Fuquay-Varina. (comments attached)

Ms. Jane Poole, 8301 Kennebec Road, Willow Springs, NC, thanked the board for listening to the Fuquay-Varina citizens. She said if the ETJ expansion is granted, she will no longer have a voice. She said that adjustments may be needed for the rules that have been made by the town. She asked to be allowed to voice her vote for the town officials who govern

her land. She said she is not an enemy of the town, but she does not need the services they offer. She thanked the Board of Commissioners for their continued service.

Chair Holmes asked for citizens to e-mail her personally with their addresses to determine where their properties are located in the Fuquay-Varina area.

Mayor Frank Eagles, Town of Rolesville, said he is disappointed with the board for not approving the ETJ request. He said ETJ is important to towns and he has dealt with many issues related to the Rolesville ETJ. He said that ETJ expansion requests have been difficult to work through in the Town of Rolesville. He said there is a school with no sidewalks due to an ETJ issue.

Ms. Joanie Bowden, 7130 Turner Fish Road, Willow Springs, thanked the board for delaying the vote on the ETJ expansion. She said the expansion would put all of her farm land in the Fuquay-Varina ETJ. She said much of the land bordering her property is in voluntary ag district and she referenced the county ordinance regarding the voluntary ag district. She asked the board to consider passing a resolution to work with the General Assembly to get voting rights for ETJ members.

Chair Holmes asked that staff note Ms. Bowden's request to pass a resolution.

Ms. Mary Ann Wortham, 625 Aiken Parkway, Fuquay-Varina, said she has lived at her property 57 years and she also owns property in area 4 of the ETJ proposed expansion. She asked that all her land remain in the Wake County jurisdiction.

Mr. Steve Rao, Town of Morrisville, Councilman, said that he has received concerns from his citizens about the RDU Quarry project and said he would be following up for more information. He commented on a recent US Open tennis event in Cary and said it was outstanding. He thanked all those involved in bringing the event to Wake County. He commended Wake County for receiving a recent NACo technology award. He invited the board to an upcoming event at Koka Booth Amphitheater in Cary.

Mr. Tom Flynn, 1814 Chris Drive Raleigh, shared a petition with additional residents in his neighborhood that are opposed to the ETJ expansion. He said the Fuquay-Varina Town Manager said portions of the ETJ expansion request is compliant with Wake County rules. He said the entire thing should be in compliance. He said if the expansion is granted, he will be governed by the rules of the town, but have no voting rights for their elected officials. He said that is taxation without representation. He said he bought

his house two years ago because it was in Wake County jurisdiction.
(petition attached)

Mr. Scott Rowland, 7704 Minnows Way, Fuquay-Varina, said he owns several trailer parks in Fuquay-Varina. He shared information about the restrictions of the town ordinances and said many people cannot comply for financial reasons.

Chair Holmes requested that staff provide additional information to the board about the citizens concerns that have been raised today.

Mr. Adam Mitchell, Town Manager, Fuquay-Varina, said that Mr. Maloney made the comment about only a portion of the ETJ request being compliant.

16. Public Hearing on the Proposed Schedules, Standards and Rules to be used in Conducting the 2020 County-Wide Real Property Reappraisal

Attachments: [Public Hearing on SOV](#)
 [Reappraisal Standards Presentation 9-16-19.pdf](#)
 [2020 Schedule of Values.docx](#)

Mr. Marcus Kinrade, Tax Administrator, shared the schedule of values for the 2020 County-Wide Real Property Reappraisal. He said the rules were provided to the board on September 3rd. He said the next step is to hold a public hearing on the proposed rules.

Chair Holmes opened the Public Hearing.

No one came forward.

Chair Holmes closed the Public Hearing.

Mr. Kinrade said the rules have been on display in his office as well as on the county website since September 3rd. He said he has received no questions or comments from the public.

Chair Holmes said the board will consider adopting the rules at their meeting on October 7th.

17. Public Hearing and Consideration of Business Development Grant Agreement for Xerox Corporation

Attachments: [Xerox Agreement Item Summary.docx](#)
[Xerox Presentation 9-16-19.pdf](#)
[09.10.19 MES review Wake County grant agreement for Xerox final \(002\).docx](#)
[WakeCountyEconomicDevelopmentPolicyOctober2018Final.pdf](#)

Mr. Chris Dillon, Assistant County Manager, shared the purpose of today's hearing.

He shared information about the Xerox Corporation.

- Xerox is an American global corporation that sells print and digital document products and services in more than 160 countries.
- Xerox has over 35,000 employees globally and \$10.88 billion in revenue.
- Due to market demand, customer proximity and access to talent pool, the company is creating a new Research and Development and Information Technology center.

He shared information on "Project Wildflower."

- Location of a Center of Excellence hub to Cary to develop innovative solutions in areas such as predictive analytics, 3D printing, and automation.
- Creation of 600 new jobs.
- Average salary of \$112,818 annually.
- Estimated \$18.4 million in new investment.

He shared the recommended for the Business Development Grant Agreement.

- Wake County Economic Incentive Grant State Match Tier
 - 35% of new tax growth over 5 years
 - Total Wake County incentive grant of \$232,060
- State of NC awarded a \$12.3 million Job Development Investment Grant (JDIG)
- Other partners include:
 - Town of Cary
 - North Carolina Community College System
 - Capital Area Workforce Development Board
 - Wake County Economic Development

Mr. Dillon shared the Xerox Company will receive the incentive after their taxes are paid and they show proof of compliance with the agreement.

Chair Holmes opened the public hearing.

No one came forward.

Chair Holmes closed the public hearing.

Commissioner Hutchinson moved, seconded by Commissioner Adamson, that the Board of Commissioners hold a public hearing and approve a Business Development Grant Agreement with Xerox Corporation, subject to terms and conditions acceptable to the County Attorney. The motion passed unanimously.

18. Public Hearing on a Request for Disinterment, Relocation, and Reinterment of Approximately Twelve (12) Graves Located at 2726 Derby Glen Way to Wake Union Baptist Church Cemetery and the Town of Wake Forest Cemetery (Petition GR-01-19)

Attachments: [GR-01-19 Item Summary.docx](#)
[Grave Relocation Presentation 9-16-19.pdf](#)
[Griffin Cemetery Final Report 09-10-19.pdf](#)
[Griffin Cemetery Letter from Descendents.pdf](#)

Mr. Keith Lankford, Planner III, shared the purpose of the grave removal request. He shared a map of the cemetery location.

He shared a summary of what staff learned about the cemetery.

- There is one grave marked by an inscribed tombstone (Richard Nowell Griffin, 1834-1929).
- The petitioner conducted extensive genealogical research of the Griffin family in an effort to identify who may be buried in this cemetery.
- The petitioner confirmed the names of 5 descendants buried, somewhere, in this cemetery based upon death certificates.
- 6 other possible graves identified.

He shared information about the cemetery history.

- No records of historical significance were found.
- Resources Consulted:
 - Wake County Cemetery Census
 - Wake County GIS/Revenue Database
 - Capital Area Preservation
 - Irene Kittinger, Wake County Cemetery Survey Group
 - Town of Wake Forest Planning Staff

He shared a map of the existing sites.

He shared the location of where the remains will be relocated.

He shared the staff findings.

1. The petitioner has fulfilled all of the requirements as outlined by the North Carolina General Statutes.
2. Removal is necessary to accommodate the residential development of the adjacent lots and to provide better protection of the burials by relocating them to perpetual care cemeteries.
3. In accordance with the family's wishes, the remains will be reinterred at Wake Union Baptist Church Cemetery and at the Town of Wake Forest Cemetery, where they will receive perpetual care.
4. All required public notifications were complied with by the petitioner and Wake County planning staff (i.e. legal ads in the newspaper and public hearing sign posted at the site).
5. No opposition to the removal and relocation of the cemetery.
6. No evidence of any historical significance and its removal and relocation would not be detrimental to the general welfare of the county.

Commissioner West asked who is financially responsible for the cost of the relocation. Mr. Lankford said the developer is responsible.

Chair Holmes opened the public hearing.

Mr. Joe Cebina of Silvermist Investments LLC, owner representative, said that his company works with the descendants and hires the appropriate persons for the grave removal.

Ms. Lynda Hicks Creutzburg, one of the living descendants, said that she was responsible for requesting that the family relocate the remains to Wake Union Church. She said her great grandfather was a member of the Wake Union Church. She said keeping relatives together was of importance to the family.

Chair Holmes closed the public hearing.

Vice-Chair Ford thanked Mr. Lankford and staff for their professionalism in handling these types of situations. He said that he was appreciative of Ms. Cruetzburg's earlier comments. He said he remains opposed to moving family members, but he understands the need for the request.

Chair Holmes said she feels a final resting place should be final. She said she will support the motion since the family has given their approval.

Commissioner West asked if any disinterment, relocation, and reinterment has been rejected.

Mr. Lankford said that he was not aware that such a request has been denied.

Chair Holmes said the process that is in place abides by the statutes that are currently in place.

Mr. Scott Warren, County Attorney, said that is correct and he was not aware such a request has been denied.

Chair Holmes said that the board has ensured that perpetual care will be given.

Commissioner Adamson asked Ms. Creutzburg to clarify her position on the request.

Ms. Creutzburg said that the family is comfortable with the process for the grave removal.

Commissioner Evans moved, seconded by Commissioner Hutchinson, that the Board of Commissioners approve the disinterment, relocation, and reinterment of approximately twelve (12) graves from a 0.05-acre property located at 2726 Derby Glen Way to Wake Union Baptist Church Cemetery and the Town of Wake Forest Cemetery. The motion carried by the following vote:

Aye: 6 - Chair Holmes, Commissioner Adamson, Commissioner Calabria, Commissioner Evans, Commissioner Hutchinson, and Commissioner West

Nay: 1 - Vice-Chair Ford

- 19.** Public Hearing on Land Use Plan Amendment #01-19 to Amend the Wake County Land Use Plan

Attachments: [LUPA01_19 Summary.docx](#)
[Lupa 01-19 Presentation 9-16-19.pdf](#)
[Staff Report LUPA 01-19.docx](#)
[LUPA 01-19 Resolution.docx](#)
[LUPA #01-19 Map.jpg](#)
[Swift Creek overview map.jpg](#)
[Swift Creek Performance Standards.doc](#)

Ms. Terry Nolan, Planner III, shared a map of the amendment being requested. She shared the reason for the request.

- Reclassify the Rural Non-Critical (12.2 acres) to New Urban Town of Cary Short Range Urban Service Area.

She shared information about the Swift Creek Land Management Plan.

- Guides development in the watershed to protect water quality.
- Includes land use classifications and performance standards for density, impervious limits, storm water, and utilities.
- Rural classification prohibits municipal utilities.
- Changes to the Plan are governed by an of Apex, Cary, Garner. Interlocal Agreement between Wake County, City of Raleigh, and Towns
 - **Wake County Board of Commissioners** took action on **5/6/19** to advance ILA amendment on behalf of the Board of Education.

She shared a map of the parcel.

She shared information about the performance standards for the proposed WCPSS school.

Agreed upon performance standards:

- Storm water runoff and nutrients from the school development will be less than or equal to what is currently being contributed from the parcels.
- School development will not result in an exceedance of watershed development limitations required by the Swift Creek Land Management Plan for the Town of Cary service area.

She shared the purpose of the Land Use Plan.

- To maintain and enhance the quality of public water resources, allowing no further degradation of water quality, while allowing

limited development in water supply watersheds.

Commissioner West asked about the alternative schools and decisions.
Ms. Nolan said the decision will be made by Wake County Public Schools.

Chair Holmes opened the public hearing.

No one came forward.

Chair Holmes closed the public hearing.

Ms. Nolan shared the staff recommendation.

That the Board of Commissioners approve the proposed Land Use Plan Amendment LUPA 01-19 to:

- **Reclassify 12.2 acres** from Rural Non-Critical Water Supply Watershed to New Urban Water Supply Watershed on the Wake County Land Use Plan General Classifications Map.

Ms. Nolan shared the Wake County Planning Board recommendation.

- On August 7, 2019, the Planning Board voted 9-0 to recommend that the Board of Commissioners approve Land Use Plan Amendment #01-19.

Vice-Chair Ford moved, seconded by Commissioner Hutchinson, that the Board of Commissioners amend the Wake County Land Use Plan General Classifications Map to reclassify 12.2 acres (7 parcels) from Wake County Rural Non-Critical Water Supply Watershed to New Urban. The motion passed unanimously.

20. Public Hearing on Land Use Plan Amendment #02-19 to Amend the Wake County Land Use Plan

Attachments: [LUPA 02 19 summary.docx](#)
 [Lupa 02-19 Presentation 9-16-19.pdf](#)
 [LUPA 02-19 Staff Report.doc](#)
 [FuquayGarner Land Use Map.jpg](#)
 [LUPA 02-19 Resolution.docx](#)

Ms. Nolan shared the reason for the reclassification of land uses.

To Amend the Wake County Fuquay-Garner Area Land Use Plan as follows:

1. Reclassify (90 acres of the 221 acre) Community Activity Center

- (CAC) to Residential Less than 1.5 units per acre;
2. Reclassify (7.44 acres) as Industrial/Employment from Residential Less than 1.5 units per acre.

She shared information about a Community Activity Center (CAC).

Wake County Land Use Plan

A group of contiguous neighborhoods make up a "community," at the center of which is located an activity center that meets the community's large-scale shopping, social, educational, cultural, spiritual, and civic needs-and thus also serves as a significant center of employment.

A Community Activity Center was intended to be a combination of retail and personal services, and local job base; moderate-scale urban commercial, office, institutional, industrial, and residential land uses.

She shared a map of the amendment area.

She shared the background of the request.

- Current CAC is roughly 221-acres along NC 50 North of Future NC 540. Standard CAC is 120 acres.
- Located within the Town of Garner's Long Range Urban Services Area.
- Location is roughly 2 miles from Interstate 40 (40-42 Interchange).

She shared a map of the CAC classification.

She shared the staff analysis information.

- Proposed Amendment does not change current zoning of the 68 parcels included.
- Current CAC contains a mix of commercial uses along NC 50 such as retail, gas station, and climate controlled storage.
- Heather Glen subdivision is still under construction.
- Parcel at the intersection of Cleveland School/NC 50 roughly 7.44 acres.
- Split zoned General Business/Highway District.
- Currently classified as Residential within the Area Plan.
- Town of Garner is supportive of LUPA amendment.

Commissioner Evans asked about the area with residential homes.

Ms. Nolan said the nature of the CAC includes residential.

Commissioner West asked for clarification of industrial classification.

Ms. Nolan said warehousing and industrial classification is included.

Chair Holmes opened the public hearing.

No one came forward.

Chair Holmes closed the public hearing.

Ms. Nolan shared the staff recommendation.

That the Board of Commissioners approve the proposed Land Use Plan Amendment LUPA 02-19 to:

- **Reclassify (90 acres of the 221 acre) Community Activity Center (CAC) to Residential Less than 1.5 units per acre;**
- **Reclassify (7.44 acres) as Industrial/Employment from Residential Less than 1.5 units per acre.**

Ms. Nolan shared the Wake County Planning Board recommendation.

- On August 7, 2019, the Planning Board voted 9-0 to recommend that the Board of Commissioners approve Land Use Plan Amendment #02-19.

Commissioner Evans moved, seconded by Commissioner Adamson, that the Board of Commissioners amend the Wake County Fuquay-Varina/Garner Area Land Use Plan to reclassify 90 acres from Community Activity Center (CAC) to Residential less than 1.5 units per acre and classify 7.44 acres as Industrial/Employment from Residential less than 1.5 units per acre. The motion passed unanimously.

21. Public Hearing on a request from Meraki HealthFirst Transport, LLC for a Non-Emergency Ambulance Franchise (First Reading)

Attachments: [Public Hearing - Meraki HealthFirst LLC Non-Emergency Ambulance Franchise.docx](#)
[ORDINANCE GRANTING FRANCHISE TO MERAKI HEALTHFIRST Transport LLC.docx](#)
[WC Code of Ordinances Chapter 111 Emergency Medical Services and Ambulance Services 20150803.docx](#)

Mr. Demetric Potts, Deputy Director Business Operations, Wake County

EMS, shared information on Meraki HealthFirst Transport, LLC. He said staff has reviewed their application and found them to be in compliance.

Commissioner West asked if the transportation franchise request goes through a bidding process.

Mr. Potts said it is done through an application process. He said all applications are reviewed by staff before recommendations are made.

Commissioner West asked if these vendors are new or if this is a renewal of an existing agreement.

Mr. Potts said Meraki FirstHealth Transport, LLC is fairly new, but the other two have been in business for several years. He said the franchise agreement must be renewed because there was a change in ownership.

Mr. Ellis said the county does not contract with these organizations and there is no business process. He said the businesses apply to do business with the county.

Chair Holmes opened the public hearing.

No one came forward.

Chair Holmes closed the public hearing.

Commissioner West moved, seconded by Commissioner Calabria, that the Board of Commissioners hold a public hearing to grant a non-emergency ambulance franchise to Meraki HealthFirst Transport, LLC for the operation of a medical transportation service in Wake County effective October 8, 2019 for a five-year period. The motion passed unanimously.

22. Public Hearing on a request from First Choice Medical Transport, LLC for a Non-Emergency Ambulance Franchise (First Reading)

Attachments: [Public Hearing - First Choice Medical Transport LLC Non-Emergency Ambulance Franchise Renewal.docx](#)
[ORDINANCE GRANTING FRANCHISE RENEWAL TO FIRST CHOICE MEDICAL TRANSPORT LLC 2019.docx](#)
[WC Code of Ordinances Chapter 111 Emergency Medical Services and Ambulance Services 20150803.docx](#)

Mr. Potts said that First Choice Medical Transport, LLC, has requested a renewal of their franchise agreement.
He said staff has reviewed the application and found it to be in compliance.

Chair Holmes opened the public hearing.

No one came forward.

Chair Holmes closed the public hearing.

Commissioner Adamson moved, seconded by Commissioner Hutchinson, that the Board of Commissioners hold a public hearing to grant a non-emergency ambulance franchise to First Choice Medical Transport, LLC for the operation of a medical transportation service in Wake County effective October 8, 2019 for a five-year period. The motion passed unanimously.

23. Public Hearing on a request from North State Medical Transport for a Non-Emergency Ambulance Franchise (First Reading)

Attachments: [Public Hearing - North State Medical Transport Non-Emergency Ambulance Franchise Renewal.docx](#)
[ORDINANCE GRANTING FRANCHISE RENEWAL TO NORTH STATE MEDICAL TRANSPORT 2019.docx](#)
[WC Code of Ordinances Chapter 111 Emergency Medical Services and Ambulance Services 20150803.docx](#)

Mr. Potts shared the request from North State Medical Transport. He said staff has reviewed the application and found it to be in compliance.

Commissioner Adamson asked if staff would follow up throughout the five year contract to ensure the companies stay in compliance.

Mr. Potts said that staff does review the providers records and ensure compliance throughout the terms of the contract.

Chair Holmes opened the public hearing.

No one came forward.

Chair Holmes closed the public hearing.

Chair Holmes noted for the record that a second vote is required for all three agreements and that vote will be conducted at the October 7, 2019 meeting.

Chair Holmes asked Mr. Warren if the hearings are advertised and why there is not public participation.

Mr. Warren said these agreements are properly advertised. He said public participation is rare, but has happened in the past.

Commissioner West asked how he can be sure residents get proper care from these franchise companies.

Mr. Warren said he is not aware of any complaints against any franchise, but the Medical Director would be the one to address such issues. He assured Commissioner West that if a complaint was made, the Board of Commissioners would be notified.

Commissioner Hutchinson moved, seconded by Commissioner Calabria, that the Board of Commissioners hold a public hearing to grant a non-emergency ambulance franchise to North State Medical Transport for the operation of a medical transportation service in Wake County effective October 8, 2019 for a five-year period. The motion passed unanimously.

Other Business

Commissioner Adamson said the Census Complete County Committee meeting was well attended and there are only 51 counties that have these committees. She said Wake County is being used as an example across the state.

She shared information on census jobs that will be needed in order to complete this task. She said the number to call for employment information is 1-855-JOB-2020. She said the average pay for these jobs will be \$17.00 per hour.

Commissioner Hutchinson commended Commissioner Adamson for her work on the Census committee.

Chair Holmes thanked Commissioner Adamson for her leadership on the Census committee.

Commissioner West asked if there has been discussion about the recent legislation changes for Latinos.

Commissioner Adamson said the citizenship question was struck down by the Supreme Court. She said there is a focus group working with Latinos to encourage their participation. She said county and school funding is based on the Census.

Closed Session

Mr. Warren said the closed session was pursuant to N. C. G. S. 143-318 11 (a) 4, to discuss matters related to the location or expansion of industries or other business in the area served by Wake County including an agreement of economic development incentives that may be offered by

Wake County in negotiations.

Vice-Chair Ford moved, seconded by Commissioner Evans, to enter into closed session. The motion passed unanimously.

The meeting went in recess and reconvened. No action was taken by the board.

Adjourn

Commissioner Calabria moved, seconded by Vice-Chair Ford, to adjourn the meeting. The motion passed unanimously.

Respectfully submitted,

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