

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT BETWEEN FORSYTH COUNTY AND FORSYTH COUNTY DEVELOPMENT CORPORATION, AS PROPERTY OWNER, AND WINSTON-SALEM BUSINESS, INC., AS PRIVATE DEVELOPER, TO HELP FUND THE DESIGN AND CONSTRUCTION OF A ROAD WITHIN UNION CROSS BUSINESS PARK

WHEREAS, N.C.G.S. 153A-451 authorizes Counties to enter into reimbursement agreements with private developers and property owners for the design and construction of municipal infrastructure, which includes streets or roads; and

WHEREAS, N.C.G.S. 153A-451 further provides that the design and construction of municipal infrastructure be included on the County's Capital Improvement Plan and serve the developer or property owner; and

WHEREAS, a developer and property owner, who are parties to a reimbursement agreement authorized under this N.C.G.S. 153A-451 are required to solicit bids in accordance with Article 8 of Chapter 143 of the General Statutes when awarding contracts for work that would have required competitive bidding if the contract had been awarded by the County; and

WHEREAS, Winston-Salem Business, Inc. and Forsyth County Development Corporation have requested that Forsyth County enter into a Reimbursement Agreement to reimburse expenditures for the design and construction of a road within Union Cross Business Park in an amount up to \$500,000, which amount is not reimbursed by any other source; and

WHEREAS, the proposed road construction project within Union Cross Business Park will provide an additional entrance and exit to the said Business Park for increased safety and will provide access to additional lots to facilitate future development within the Park; and

WHEREAS, Forsyth County's execution of the said Reimbursement Agreement with Winston-Salem Business Inc. and Forsyth County Development Corporation in the amount up to \$500,000 is contingent upon the City of Winston-Salem's contribution toward the road design and construction project in at least the same amount.

WHEREAS, the Forsyth County Board of Commissioners has determined that the proposed project to help fund the design and construction of a road within Union Cross Business Park meets the criteria established by the Forsyth County Board of Commissioners by Ordinance under which Reimbursement Agreements may be authorized pursuant to the provisions of N.C.G.S. 153A-451; and

WHEREAS, the County's Chief Financial Officer has determined that sufficient funds are available to fund the County's share of the road design and construction project within Union Cross Business Park;

NOW, THEREFORE, BE IT RESOLVED that the Forsyth County Board of Commissioners hereby authorizes the Chairman or County Manager and Clerk to the Board to execute, on behalf of Forsyth County, a Reimbursement Agreement with Winston-Salem Business, Inc. and Forsyth County Development Corporation to help fund the design and construction of a road within Union Cross Business Park in an amount up to \$500,000.

BE IT FURTHER RESOLVED that Forsyth County's share of the proposed design and construction of the said road within Union Cross Business Park is hereby included on the County's Capital Improvement Plan created for the design and construction of municipal infrastructure pursuant to the provisions of N.C.G.S. 153A-451.

BE IT FURTHER RESOLVED that Winston-Salem Business, Inc. and Forsyth County Development Corporation shall solicit bids in accordance with Article 8 of Chapter 143 of the General Statutes when awarding contracts for work on the proposed road construction that would have required competitive bidding if the contract had been awarded by the County.

Adopted this 28th day of September 2015.

**FORSYTH COUNTY, NORTH CAROLINA
AMENDMENT TO
2015-2016 BUDGET ORDINANCE**

FROM: BUDGET & MANAGEMENT

MEETING DATE: September 28, 2015

EXPLANATION:

Forsyth County received a request from Winston-Salem Business, Inc. to contribute \$500,000 toward the design and construction of a road in Union Cross Business Park. The road would provide an additional entrance and exit to the said Business Park for increased safety and would provide access to additional lots to facilitate future development within the Park.

This Budget Ordinance Amendment appropriates funds for the reimbursement of road design and construction expenditures in the 2015-2016 fiscal year. The County's contribution toward the proposed road will be by a reimbursement for expenditures which are not reimbursed by any other source, upon execution of a Reimbursement Agreement and after actual costs are incurred by the owner or private developer for the said road design and construction.

**BE IT ORDAINED BY THE FORSYTH COUNTY BOARD OF COMMISSIONERS THAT THE
2015-2016 BUDGET ORDINANCE IS HEREBY AMENDED AS FOLLOWS:**

INCREASE:	<u>SECTION 1. REVENUES.</u>	
	GENERAL FUND	
	UNRESERVED FUND BALANCE	<u>\$500,000</u>
INCREASE:	<u>SECTION 2. EXPENDITURES.</u>	
	GENERAL FUND	
	ECONOMIC DEVELOPMENT	<u>\$500,000</u>

NATURE OF TRANSACTION:
 Additional Revenue Available
 Transfer within Accounts of
Same fund
 Other:

APPROVED BY BOARD OF COUNTY
COMMISSIONERS AND ENTERED ON
MINUTES DATED _____
AGENDA ITEM NUMBER _____
