

MEMBERS

Counties
Alamance
Caswell
Davidson
Davie
Forsyth
Montgomery
Randolph
Rockingham
Stokes
Surry
Yadkin

Municipalities

Archdale
Asheboro
Bermuda Run
Bethania
Biscoe
Boonville
Burlington
Clemmons
Coolemeec
Danbury
Denton
Dobson
East Bend
Eden
Elon
Franklinville
Gibsonville
Graham
Green Level
Greensboro
Haw River
High Point
Jamestown
Jonesville
Kernersville
King
Lewisville
Lexington
Liberty
Madison
Mayodan
Mebane
Midway
Mocksville
Mount Airy
Mt. Gilead
Oak Ridge
Pilot Mountain
Pleasant Garden
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Randleman
Reidsville
Rural Hall
Seagrove
Staley
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Stoneville
Summerfield
Thomasville
Tobaccoville
Trinity
Troy
Village of Alamance
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Wentworth
Whitsett
Winston-Salem
Yadkinville
Yanceyville



PIEDMONT TRIAD REGIONAL COUNCIL

BOARD OF DELEGATES

A-G-E-N-D-A

TRIAD PARK
WOODLAND HALL

9652 E. MOUNTAIN STREET, KERNERSVILLE

OCTOBER 19, 2011

12:00 NOON

WELCOME INVOCATION PLEDGE

A. PUBLIC HEARING

- Request for approval of Public Hearing concerning loan - Matthew L. Dolge (*attachment*)

B. APPROVAL OF MINUTES

- Request for approval of August 17, 2011, PTRC Board of Delegates Minutes (*attachment*)

C. CONSENT ITEMS

1. Request for approval to make application to the NC Local Government Commission for an Installment Purchase Contract for a loan to purchase office space for the PTRC – Matthew L. Dolge, PTRC Executive Director (*attachment*)
2. Request for approval of resolution to proceed with the application, appoint an authorized representative and direct staff to contact banks for price quotes on loans – Matthew L. Dolge (*attachment*)
3. Information Only PTRC Staff Attorney Opinion Letter– Matthew L. Dolge (*attachment*)
4. Request for approval of agreement to provide additional security – Matthew L. Dolge (*attachment*)
5. Request for approval to receive NC Workforce Development Funding under contractual agreement between NW Piedmont Council of Governments (Piedmont Triad Regional Council) and the NC Department of Commerce, Division of Workforce Development – William Pass, PTRC Workforce Development Program Assistant Director/Mobile Unit Manager (*attachment*)
6. Request permission to enter into contact with the North Carolina Department of Water Quality beginning October 1, 2011 in the amount of \$15,743 – Cy Stober, PTRC Water Resources Manager

D. EXECUTIVE DIRECTOR'S REPORT

E. OLD BUSINESS

F. NEW BUSINESS

G. CHAIRMAN'S REMARKS AND ANNOUNCEMENTS

- **DECEMBER PTRC Board of Delegates meeting – Wednesday, December 21, 2011, 12 NOON**, Paul J. Ciener Botanical Gardens, 215 S. Main Street, Kernersville, NC

H. ADJOURNMENT

I. INFORMATION ITEMS

M-E-M-O-R-A-N-D-U-M

TO: PTRC Board of Delegates
FROM: Matthew L. Dolge, PTRC Executive Director
DATE: October 12, 2011
RE: Request for approval of Public Hearing concerning loan
ITEM #: A

Under the provisions of the State of North Carolina Department of Treasurer, State and Local Finance Division and the Local Government Commission, when applying for an installment purchase the Board of Delegates must conduct a public hearing to inform the public of intent to apply for an installment loan and any other financial matters that the public may wish to discuss concerning the loan.

The attached Notice of Public Hearing provides the public notice.

Staff recommendation is that the PTRC Executive Committee approve the public hearing, direct staff to publish notice and place the public hearing on the Board of Delegates agenda for October 19, 2011.

NOTICE OF PUBLIC HEARING

The public will take notice that the Board of Delegates for the Piedmont Triad Regional Council will conduct a public hearing at Woodland Hall, Piedmont Triad Park, 9652 East Mountain Street, Kernersville, North Carolina at 12:00 Noon, on October 19, 2011. The purpose of the public hearing is to allow citizen input on an application to the Local Government Commission for the financing of the purchase of office space for the Piedmont Triad Regional Council. All interested citizens are invited to attend the meeting.

Matthew L. Dolge, PTRC Executive Director
Clerk to the Board of Delegates
Piedmont Triad Regional Council
Winston-Salem, NC

M-E-M-O-R-A-N-D-U-M

TO: PTRC Board of Delegates

FROM: Matthew L. Dolge, PTRC Executive Director

DATE: October 12, 2011

RE: Request for approval to make application to the NC Local Government Commission for an Installment Purchase Contract for a loan to purchase office space for the PTRC

ITEM #: C1

PTRC staff has been vigorously perusing locations for a consolidated office space to more economically serve the member governments. Specifically staff representatives examined properties that are central to the region, historic district if possible, "walkable" for staff, sufficient parking and may assist in developing a mitigated Brownfield site.

Although there has been no decision on a specific site, PTRC needs to move forward in applying to the Local Government Commission for consideration of such a purchase in order to provide said office facility in a timely manner.

G.S 159-149 provides that an application for approval must follow a timely sequence of events as described herein, with staff recommendations:

1. Resolution by the Board of Delegates giving approval to proceed with the application, appoint an authorized representative and direct staff to contact banks for price quotes on loans. Recommend adoption of the Resolution by Board of Delegates.
2. Conduct a public hearing to announce that PTRC is considering applying for loan to purchase. Recommend that Executive Committee approve conducting public hearing on October 19, 2011 and direct staff to advertise same.
3. Provide opinion letter from PTRC Attorney that the proposed acquisition of property is authorized by law. Opinion letter attached at Tab indicates that the PTRC is authorized by law to acquire said property.
4. Resolution by the Board of Delegates authorizing filing of the application with the Local Government Commission. This resolution requires specific contract provisions, appraisals and debt management procedures. Recommend this resolution be adopted when information is available.
5. Resolution supporting the filing of the application which provides specific terms of the contract and justification for the project. Recommend that this Resolution be adopted when information is available.
6. Agreement made and entered into with several local governments where member governments agree with each other and PTRC to join in and provide additional security for financing secured by PTRC to acquire real estate for an office facility, by expressing intent to continue to remain members of the PTRC and continue to pay annual dues. Recommend this Agreement be considered for adoption and Board of Delegates direct staff to present the agreement to several local governments for consideration.

M-E-M-O-R-A-N-D-U-M

TO: PTRC Board of Delegates

FROM: Matthew L. Dolge, PTRC Executive Director

DATE: October 12, 2011

RE: Request for approval of resolution to proceed with the application; appoint an authorized representative and direct staff to contact banks for price quotes on loans

ITEM #: C2

Under the provisions of the State of North Carolina Department of Treasurer, State and Local Finance Division and the Local Government Commission, when applying for an installment purchase the Board of Delegates must adopt a resolution giving approval to proceed with the application, appoint an authorized representative and direct staff to contact banks for price quotes on loans.

The attached Resolution gives PTRC staff approval to proceed with the application, appoints Mathew Dolge as the authorized representative with alternate Finance Director Robin Shelton and directs staff to contact at least three banks for loan quotes.

Staff recommendation is that the PTRC Board of Delegates adopt the Resolution.

RESOLUTION

RESOLUTION AUTHORIZING THE APPROVAL TO PROCEED TO ACQUIRE OFFICE SPACE FOR THE PIEDMONT TRIAD REGIONAL COUNCIL, APPOINT AN AUTHORIZED REPRESENTATIVE TO REPRESENT THE PTRC AND DIRECTING PTRC STAFF TO REQUEST PROPOSALS FROM BANKS TO SECURE A LOAN FOR PURCHASE OF SAID OFFICE SPACE

WHEREAS, the Piedmont Triad Regional Council, Winston-Salem, North Carolina desires to secure financing for the purchase of an office facility (the "Project") to better serve the citizens and local governments; and

WHEREAS, the Piedmont Triad Regional Council desires to finance the Project by the use of an installment contract (or such other instrument necessary to pledge real property as security for indebtedness) authorized under North Carolina General Statute 160A-475; and

WHEREAS, The State of North Carolina Department of State Treasurer requires in their Application for Approval of Installation Purchase or Lease Contract that the PTRC Board of Delegates adopt a resolution giving their approval to proceed, appoint an authorized representative and directing staff to request proposals from banks;

NOW, THEREFORE, BE IT RESOLVED that the Board of Delegates of Piedmont Triad Regional Council, Winston-Salem, North Carolina, at the regularly scheduled meeting of the 19th day of October, 2011, direct the following:

1. Approval to proceed with the acquisition of office space suitable to accommodate the PTRC staff, allow for expansion and provide necessary space to provide services to member governments.
2. Mathew Dolge, Executive Director, PTRC, is appointed as the authorized representative of the PTRC to accomplish tasks necessary to acquire said property and Robin Shelton, Finance Director is appointed as alternate with same powers, in the absence of Mathew Dolge.
3. Mr. Dolge is directed to request proposals from at least three banks or other appropriate lending institutions to finance the purchase of said property.

This resolution is effective upon its adoption this 19th day of October, 2011.

ATTEST

Executive Director

Clerk

This is to certify that this is a true and accurate copy of a Resolution adopted by the Board of Delegates of Piedmont Triad Regional Council on the 19th day of October, 2011.

Clerk

Date

M-E-M-O-R-A-N-D-U-M

TO: PTRC Board of Delegates
FROM: Matthew L. Dolge, PTRC Executive Director
DATE: October 12, 2011
RE: Information Only PTRC Staff Attorney Opinion Letter
ITEM #: C3

Under the provisions of the State of North Carolina Department of Treasurer, State and Local Finance Division and the Local Government Commission, when applying for an installment purchase, the PTRC Staff Attorney must provide an opinion letter that the proposed acquisition of property is authorized by law and does constitute a public purpose under the Constitution of the State of North Carolina.

Attached is the opinion letter.

No action is required by the Board of Delegates. This is for information only and will be included in the application to the Local Government Commission.



PIEDMONT TRIAD REGIONAL COUNCIL

400 WEST FOURTH STREET, SUITE 400
WINSTON-SALEM, NC 27101
(336) 761-2111

2216 WEST MEADOWVIEW ROAD, SUITE 201
GREENSBORO, NC 27407
(336) 294-4950

MATTHEW L. DOLGE • EXECUTIVE DIRECTOR

September 28, 2011

Department of State Treasurer
Local Government Commission
325 North Salisbury Street
Raleigh, North Carolina 27603-1385

Re: Piedmont Triad Regional Council – Authorization to finance acquisition of office space pursuant to G.S. 160A-475

Gentlemen:

In my capacity as counsel for the Piedmont Triad Regional Council (PTRC), Winston-Salem, North Carolina, I am familiar with its organization and operation. The PTRC is a regional council of governments organized pursuant to G.S. 160A, Article 20, Part 2.

The PTRC Board of Delegates is considering the purchase and improvement of property for office space and program needs. Accordingly, the necessary actions and resolutions for will be forthcoming in order to make application to the Local Government Commission under G.S. 159-149.

The purpose of this letter is to render my opinion:

- (1) That Piedmont Triad Regional Council has the power and authority to enter into the transaction to finance the project under the provisions of G.S. 160A-475;
- (2) That the proposed undertaking by the Piedmont Triad Regional Council is authorized by law and does constitute a public purpose under the Constitution of the State of North Carolina.

I am a member of the Bar of the State of North Carolina and I do not purport to express any opinion except as to the laws of the State of North Carolina.

Sincerely,

Virginia G. Booker
Legal Counsel



PIEDMONT TRIAD
REGIONAL COUNCIL

M-E-M-O-R-A-N-D-U-M

TO: PTRC Board of Delegates
FROM: Mathew L. Dolge, PTRC Executive Director
DATE: October 12, 2011
RE: Request for approval of agreement to provide additional security
ITEM #: C4

Under the provisions of the State of North Carolina Department of Treasurer, State and Local Finance Division and the Local Government Commission, when applying for an installment purchase the staff at the Local Government Commission requires that a portion of the member governments agree to provide additional security to any loan by agreeing to remain members, under the bylaws of the PTRC and continue to remain members and pay dues.

Staff has reviewed population numbers and recommends that the following members, constituting over seventy percent of the population, be asked to adopt said agreement: Counties: Alamance, Davidson, Forsyth and Randolph and Cities: Greensboro, High Point and Winston-Salem.

We request the Executive Committee endorse a process of obtaining the necessary agreements from the Local Government Commission in support of additional security. The Board chair will issue a letter of conveyance asking for their adoption of an agreement. An example of the agreement is attached.

AGREEMENT – PIEDMONT TRIAD REGIONAL COUNCIL (PTRC) BUILDING ACQUISITION PROJECT

THIS AGREEMENT made and entered into this the ___ day of ___, 2011, by and between Alamance County, Davidson County, Forsyth County, Randolph County, City of Greensboro, City of High Point and City of Winston-Salem, all bodies politic and corporate and all being political subdivisions of the State of North Carolina (hereinafter referred to as "Members"). Said Members comprising over seventy percent of the total population of the PTRC:

And Piedmont Triad Regional Council of Governments, a government entity under G.S. 160A-470 with municipal and county membership inclusive of seventy-two local governments (hereinafter referred to as "PTRC");

WITNESSETH:

THAT WHEREAS, the Northwest Piedmont Council of Governments (NWPCOG) and the Piedmont Triad Council of Governments (PTCOG) merged into the Piedmont Triad Regional Council (PTRC) on July 1, 2011; and

WHEREAS, the PTRC plans to acquire real estate to serve as its central office facility; and

WHEREAS, the members regularly use the services and resources provided by the PTRC to help promote the public good and welfare; and

WHEREAS, these councils have had the full participation and membership of its Members for more than forty years; and

WHEREAS, before merger the NWPCOG and PTCOG rented office space since formation in 1968; and

WHEREAS, PTRC continues to pay rent for facilities; and

WHEREAS, it is in the best interest of PTRC and its Members to acquire centralized office space for PTRC staff; and

WHEREAS, PTRC office space in Winston-Salem will expire on September 20, 2011 and lease in Greensboro will expire on June 1, 2013; and

WHEREAS, PTRC is allowed by its duly approved Charter and Bylaws and by North Carolina General Statute 160A-475, to own real property for use as its office facility; and

WHEREAS, in accordance with G.S. 160A-475, the PTRC shall use the acquired real estate facility as security for the loan to be obtained; and

WHEREAS, the PTRC Board of Delegates has approved borrowing up to \$__ from the ___ bank to acquire the office facility; and

WHEREAS, the PTRC current dues structure and other revenues are adequate to service the proposed debt; and

WHEREAS, the Members have agreed by resolution to assist PTRC in obtaining needed financing for the acquisition of real estate for an office facility by entering into this Agreement; and

WHEREAS, the Agreement is being entered into in order for this project, proposed by the PTRC to receive all necessary approvals from the Local Government Commission; and

NOW, THEREFORE, in consideration of the foregoing premises and the following covenants and conditions, the parties thereto agree as follows:

1. PTRC shall continue to operate for the benefit of its local government members;
2. The Members agree, with each other and with PTRC to join in and provide additional security for financing secured by PTRC to acquire real estate for an office facility, by expressing intent to continue to remain members of PTRC and continue to pay annual dues and operate under the provisions of the PTRC Charter.

IN WITNESS WHEREOF, this agreement has been approved by Resolution of the Members and the PTRC a copy of said Resolution has been spread across the minutes of their respective meetings, that this agreement has been duly signed, sealed, and delivered by the Members and PTRC the day and year as written.

Piedmont Triad Regional Council

By: _____
Dillard Burnette, Co-Chair

Larry Beck, Co-Chair

ATTEST:

By: _____
Matthew L. Dolge, Executive Director

This instrument has been pre-audited
In the manner required by the
Local Government Budget and Fiscal Control Act.

Robin Shelton, Finance Director for Piedmont Triad Regional Council



M-E-M-O-R-A-N-D-U-M

TO: PTRC Board of Delegates

FROM: William Allen Pass, PTRC Workforce Development Program Assistant
Director/Mobile Unit Manager

DATE: October 12, 2011

RE: Request permission to receive NC Workforce Development Funding under Contractual Agreement between NW Piedmont Council of Governments (Piedmont Triad Regional Council) and The NC Department of Commerce, Division of Workforce Development

ITEM #: C5

The NW Piedmont Council of Governments (Piedmont Triad Regional Council) and The NC Department of Commerce, Division of Workforce Development, entered into a contractual agreement for use of the State's JobLink Mobile Unit and the Piedmont Triad Regional Council's JobLink Mobile Unit for Rapid Response services that are defined as activities under the WARN Act; as well as related activities for Local Workforce Development Boards. Services for the 23 Workforce Development Board areas are divided between both JobLink Mobile Units and compensation for use of the Piedmont Triad Regional Council's JobLink Mobile Unit is rendered based on the type of event as well as mileage reimbursement. The Contractual Agreement extends for the period of July 1, 2011-June 30, 2014 (or until services are complete, whichever occurs first).

Costs related to this contractual agreement are as follows:

Rapid Response-5- full days @ \$500.00 per full day-----\$2,500.00 annually
Rapid Response-5-½ days @ \$250.00 per ½ day-----\$1,250.00 annually
Employer Job Fairs-5 per year @ \$250.00 per event-----\$1,250.00 annually
Mileage Reimbursement-10,000 miles @ \$.51 per mile----\$5,100.00 annually

Total reimbursement cost approved annually-----**\$10,100.00**
Total reimbursement cost approved for three year contract period--**\$30,300.00**

M-E-M-O-R-A-N-D-U-M

TO: PTRC Board of Delegates

FROM: Cy Stober, PTRC Water Resources Manager

DATE: October 12, 2011

RE: Request permission to enter into contact with the North Carolina Department of Water Quality beginning October 1, 2011 in the amount of \$15,743

ITEM #: C6

On May 3, 2011, the Piedmont Triad Council of Governments' Planning Department submitted a project proposal to the NC Department of Environment and Natural Resources, Division of Water Quality 205j program, for \$15,743 to support the outreach program Davidson County Citizens for Improving Stream Health (DC FISH). On September 23, 2011, Joy Fields, PTRC Stormwater Educator received an award letter (see attached) from this program to fully support DC FISH. PTRC Planning Department is requesting permission to enter into contract with the North Carolina Department of Water Quality beginning October 1, 2011.



North Carolina Department of Environment and Natural Resources
 Division of Water Quality
 Coleen H. Sullins
 Director

Dee Freeman
 Secretary

Deborah Eaves Perdue
 Governor

September 9, 2011

Joy Fields
 Piedmont Triad COG
 Wilmington Building Suite 201
 2216 W Meadowview Road
 Greensboro, North Carolina 27407

Subject: 205J State FY 2011 Grant Awards
 Notice of Intent to Fund
 Davidson County Citizens for Improving Stream
 Health

Dear Ms. Fields:

Congratulations! Your application requesting funding from the Division of Water Quality for Clean Water Act 205(j) grants has been reviewed and your proposed project, Davidson County Citizens for Improving Stream Health, was selected to receive \$15,743 of funding.

This intent to fund is contingent on meeting all tasks/milestones outlined in your contracted plan.

This contract is being established (#4291).

All project documentation should be emailed to Jeff Manning (jeff.manning@ncdenr.gov).

We look forward to working with you on this project. If you have questions, please contact Jeff at (919) 807-6415 or jeff.manning@ncdenr.gov.

Sincerely,


 Coleen H. Sullins, Director

cc: Larry Sutron; Jeff Manning

1617 Mail Service Center, Raleigh, North Carolina 27606-1077
 Location: 612 N. Salisbury St. Raleigh, North Carolina 27604
 Phone: 919-807-6300 (FAX: 919-807-8492) Customer Service: 1-877-823-6748
 Internet: www.ncwaterquality.org

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 Naturally