

# FORSYTH COUNTY

## BOARD OF COMMISSIONERS

MEETING DATE: APRIL 16, 2020 AGENDA ITEM NUMBER: 5

**SUBJECT:**

- A. RESOLUTION RATIFYING AND AUTHORIZING JOINT APPLICATIONS BY FORSYTH COUNTY AND WINSTON-SALEM/FORSYTH COUNTY SCHOOLS FOR \$3,952,737.00 FROM THE PUBLIC SCHOOL BUILDING CAPITAL FUND (EDUCATION LOTTERY FUND) TO RETIRE A PORTION OF THE COUNTY'S SCHOOL BOND INDEBTEDNESS
- B. AMENDMENT TO STATE PUBLIC SCHOOL BUILDING CAPITAL FUND GRANT PROJECT ORDINANCE

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:** Recommend Approval

**SUMMARY OF INFORMATION:**

Joint applications will be submitted by Forsyth County and Winston-Salem/Forsyth County Schools to the State for approval of lottery proceeds in the amount of \$3,952,737.00 from the Public School Building Capital Fund (Education Lottery Fund) to pay debt service on the 2013 and 2015 refundings.

ATTACHMENTS:  YES  NO

SIGNATURE: *J. Dudley Watts, Jr. /AMS* DATE: April 14, 2020  
COUNTY MANAGER

**RESOLUTION RATIFYING AND AUTHORIZING JOINT APPLICATIONS BY  
FORSYTH COUNTY AND WINSTON-SALEM/FORSYTH COUNTY SCHOOLS  
FOR \$3,952,737.00 FROM THE PUBLIC SCHOOL BUILDING CAPITAL FUND  
(EDUCATION LOTTERY FUND) TO RETIRE A PORTION OF THE  
COUNTY'S SCHOOL BOND INDEBTEDNESS**

**WHEREAS** the General Assembly appropriates a portion of the net revenue of the Education Lottery Fund to be distributed to the Public School Building Capital Fund, which was created to assist county governments in meeting their public school building capital needs;

**WHEREAS** monies in the said Public School Building Capital Fund are to be used for capital outlay projects and in the event the county does not need all or part of the funds allocated to it for capital outlay projects, the unneeded funds may be used to retire any indebtedness incurred by the county for public school facilities;

**WHEREAS** on March 10, 2020, the Winston-Salem/Forsyth County Board of Education adopted a Resolution indicating that \$3,952,737.00 in North Carolina Education Lottery proceeds have been allocated to Forsyth County which are unnecessary for the planning, construction, reconstruction, enlargement, improvement, repair, or renovation of public school buildings, for the purchase of land for public school buildings or for equipment to implement a local school technology plan, and recommends that the funds be used to retire a portion of the indebtedness incurred by the County for public school construction projects; and

**WHEREAS** Winston-Salem/Forsyth County Schools are therefore willing to submit a joint application with Forsyth County to the Public School Building Capital Fund (Education Lottery Fund) to receive \$3,952,737.00 to be used to retire a portion of the County's School Bond indebtedness;

**NOW, THEREFORE, BE IT RESOLVED**, that the Forsyth County Board of Commissioners hereby authorizes the Chairman or the County Manager and the Clerk to the Board to execute, on behalf of Forsyth County, the necessary documents to submit joint applications with Winston-Salem/Forsyth County Schools to the Public School Building Capital Fund (Education Lottery Fund) to receive \$3,952,737.00, which is not needed for capital outlay projects and can be used to retire a portion of the County's School Bond indebtedness, subject to a pre-audit certificate thereon by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

**BE IT FURTHER RESOLVED**, that this resolution ratifying interlocal cooperation between Forsyth County and the Winston-Salem/Forsyth County Board of Education is hereby spread upon the minutes of the Forsyth County Board of Commissioners.

Adopted this the 16<sup>th</sup> day of April 2020.

**FORSYTH COUNTY, NORTH CAROLINA  
AMENDMENT TO  
STATE PUBLIC SCHOOL BUILDING CAPITAL FUND GRANT PROJECT ORDINANCE**

**FROM: BUDGET & MANAGEMENT**

**MEETING DATE:** April 16, 2020

**EXPLANATION:** This grant project ordinance amendment reflects the transfer of lottery proceeds from the Public School Building Capital Fund (Education Lottery Fund). The funds are needed for debt service payments on the 2013 and 2015 refundings.

BE IT ORDAINED BY THE FORSYTH COUNTY BOARD OF COMMISSIONERS THAT THE STATE PUBLIC SCHOOL BUILDING CAPITAL FUND GRANT PROJECT ORDINANCE IS HEREBY AMENDED AS FOLLOWS:

<p>INCREASE: SECTION 1. REVENUES.</p> <p style="padding-left: 20px;">Lottery Proceeds</p> <p style="padding-left: 20px;">Debt Service 2013 Refunding</p> <p style="padding-left: 20px;">Debt Service 2015 Refunding</p>	<p>903,774.00</p> <p><u>3,048,963.00</u></p>
	<p>\$ <u>3,952,737.00</u></p>
<p>INCREASE: SECTION 2. AUTHORIZATION FOR PROJECTS AND APPROPRIATION OF FUNDS.</p> <p style="padding-left: 20px;">Transfer to General Fund</p> <p style="padding-left: 20px;">Debt Service 2013 Refunding</p> <p style="padding-left: 20px;">Debt Service 2015 Refunding</p>	<p>903,774.00</p> <p><u>3,048,963.00</u></p>
	<p>\$ <u>3,952,737.00</u></p>

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 \_\_\_\_\_

**APPLICATION  
PUBLIC SCHOOL BUILDING CAPITAL FUND  
NORTH CAROLINA EDUCATION LOTTERY**

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

County: Forsyth County  
LEA: 340  
Address: 475 Corporate SQ Winston-Salem

Contact Person: Paul L. Fullon, Jr.  
Title: CFO  
Phone: 336-703-2050

Project Title: Debt Service 2013 Refunding

Location: \_\_\_\_\_

Type of Facility: \_\_\_\_\_

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

(3) No county shall have to provide matching funds...

(4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.

(5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.

Short description of Construction Project: FY 19/20 Debt Service 2013 Refunding

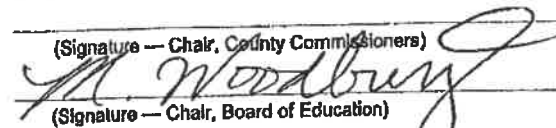
**Estimated Costs:**

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		_____
Repair	_____		_____
Debt Payment / Bond Payment	_____		<u>903,774.00</u>
<b>TOTAL</b>	_____	<b>\$</b>	<b><u>903,774.00</u></b>

Estimated Project Beginning Date: 7/1/2019 Est. Project Completion Date: 6/30/2020

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ \_\_\_\_\_ from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)  (Date) 2/26/2020  
(Signature — Chair, Board of Education) \_\_\_\_\_ (Date) \_\_\_\_\_

Form Date: July 01, 2011

**APPLICATION  
PUBLIC SCHOOL BUILDING CAPITAL FUND  
NORTH CAROLINA EDUCATION LOTTERY**

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

County: Forsyth County

Contact Person: Paul L. Fulton, Jr.

LEA: 340

Title: CFO

Address: 475 Corporate SQ Winston-Salem

Phone: 338-703-2050

Project Title: Debt Service 2015 Refunding

Location: \_\_\_\_\_

Type of Facility: \_\_\_\_\_

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:  
 (3) No county shall have to provide matching funds...  
 (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.  
 (5) A county may not use monies in this Fund to pay for school technology needs.  
 As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.

Short description of Construction Project: FY 19/20 Debt Service 2015 Refunding

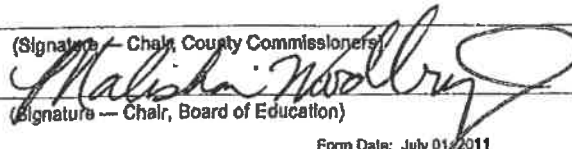
**Estimated Costs:**

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		_____
Repair	_____		_____
Debt Payment / Bond Payment	_____		<u>3,048,963.00</u>
<b>TOTAL</b>	_____	<b>\$</b>	<b><u>3,048,963.00</u></b>

Estimated Project Beginning Date: 7/1/2019 Est. Project Completion Date: 6/30/2020

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ \_\_\_\_\_ from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)  (Date) 2/11/20  
 (Signature — Chair, Board of Education) \_\_\_\_\_ (Date) \_\_\_\_\_

Form Date: July 01, 2011



P.O. Box 2513 • Winston-Salem, NC 27102-2513

February 25, 2020

Mr. Paul Fulton  
Forsyth County Finance Director  
Forsyth County Government Center  
201 N. Chestnut Street  
Winston-Salem, NC 27101

RE: Public School Building Capital Fund  
North Carolina Education Lottery

Dear Mr. Fulton:

In accordance with the request from Forsyth County, the following Lottery Applications may be closed.

2019/20 Debt Service for 2013 School Bond issue in the amount of \$ 903,774.00  
2019/20 Debt Service for 2015 School Bond issue in the amount of \$ ~~3,048,737.00~~ 3,048,963.00

Please return any unallocated balances for reallocation at a later date.

As usual, Darrell Walker or I will brief the Commissioners at your request.

Sincerely,

Andrea Gillus  
Chief Financial Officer

cc: Darrell Walker  
Colon Moore  
Gloria Turowski/Forsyth County Finance

Board of Education  
Malishai Woodbury, *Chair* • Lida Calvert-Hayes, *Vice Chair* • Barbara Burke • Andrea Bramer  
Leah Crowley • Dana Caudill Jones • Deanna Kaplan • Elisabeth Motsinger • Marilyn Parker

Dr. Angela P. Hairston, Superintendent



RESOLUTION  
OF THE  
WINSTON-SALEM/FORSYTH BOARD OF  
EDUCATION

WHEREAS, with the inception of the North Carolina Education Lottery, the County of Forsyth, has received education lottery proceeds;

WHEREAS, the lottery has a yearly forecast of projected sales and deposits into the school accounts;

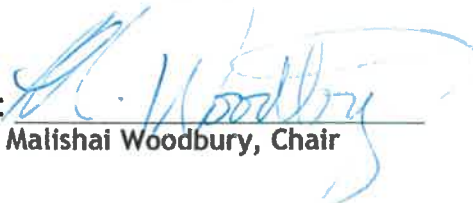
WHEREAS, the estimated 2019-2020 lottery distribution is ~~\$3,952,511~~. *3,952,737.00*


WHEREAS, the Department of Public Instruction allows the Winston-Salem/Forsyth County Board of Education to obligate the estimated lottery distribution to the County of Forsyth, while the County of Forsyth may only make withdrawals up to the amount in the Fund; and

WHEREAS, in accordance with N.C.G.S. § 18C-164, The Winston-Salem/Forsyth County Board of Education believes ~~\$3,952,511~~ *3,952,737.00* of lottery funds should be used as funds become available to retire school bond indebtedness from the 2013 and 2015 refundings.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION that it hereby requests the sum of ~~\$3,952,511~~ *3,952,737.00* be used by the County of Forsyth to retire indebtedness incurred by the County for public school facilities arising from the 2013 and 2015 refunding bonds.

Adopted by the Winston-Salem/Forsyth County Board of Education; this, the 10<sup>th</sup> day of March 2020.

By:   
Malishai Woodbury, Chair

Attest:   
Angela Hairston, Superintendent