

**RESOLUTION RATIFYING AND AUTHORIZING JOINT APPLICATIONS BY
FORSYTH COUNTY AND THE WINSTON-SALEM/FORSYTH COUNTY
SCHOOLS FOR \$4,460,696.31 FROM THE PUBLIC SCHOOL BUILDING CAPITAL
FUND (EDUCATION LOTTERY FUND) TO RETIRE A PORTION OF THE
COUNTY'S SCHOOL BOND INDEBTEDNESS**

WHEREAS, N.C.G.S. 18C-164 provides that forty percent of the net revenue of the Education Lottery Fund is 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; and

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; and

WHEREAS, on September 24, 2013 the Winston-Salem/Forsyth County Board of Education adopted a Resolution indicating that \$4,460,696.31 in North Carolina Education Lottery proceeds have been allocated to the County of 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 arising from the 2006 School Bonds; and

WHEREAS, the 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 \$4,460,696.31 to be used to retire a portion of the County's 2006 School Bond indebtedness.

NOW, THEREFORE, BE IT RESOLVED that the Forsyth County Board of Commissioners hereby authorizes the Chairman and or the County Manager and the Clerk to the Board to execute the necessary documents to submit joint applications, on behalf of Forsyth County, with the Winston-Salem/Forsyth County Schools to the Public School Building Capital Fund (Education Lottery Fund) to receive \$4,460,696.31, which is not needed for capital outlay projects and can be used to retire a portion of the County's 2006 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 Board of Commissioners of Forsyth County.

Adopted this the 28th day of October 2013.

**RESOLUTION
OF THE
WINSTON-SALEM/FORSYTH COUNTY 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;

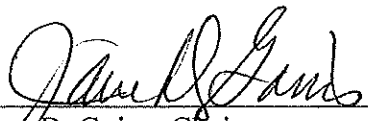
WHEREAS, the Lottery Fund balance on July 1, 2013, was \$648,053.80, and the estimated 2013-2014 lottery distribution is \$3,638,060.00;

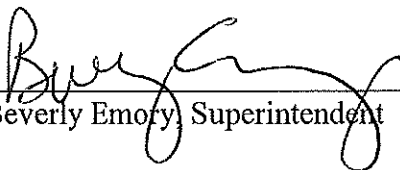
WHEREAS, the Department of Public Instruction allows the Winston-Salem/Forsyth County Board of Education to obligate the estimated lottery distribution to the County of Forsyth, while the County of Forsyth may only make withdrawals up to the amount in the Fund; and

WHEREAS, in accordance with N.C.G.S. § 18C-164, the Winston-Salem/Forsyth County Board of Education believes \$4,460,696.31 of lottery funds should be used as the funds become available to retire school bond indebtedness from the 2007 A and 2008 school bonds (all part of the 2006 school bond referendum) to minimize property tax increases.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE WINSTON-SALEM/ FORSYTH COUNTY BOARD OF EDUCATION that it hereby requests the sum of \$4,460,696.31 be used by the County of Forsyth to retire indebtedness incurred by the County for public school facilities arising from the 2007 A, 2007 B, 2008, and 2011 E, school bonds.

Adopted by the Winston-Salem/Forsyth County Board of Education; this, the 24th day of September 2013.

By: 
Jane D. Goins, Chairperson

Attest: 
Beverly Emory, Superintendent

Draft Date: 09-19-13

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

FROM: BUDGET & MANAGEMENT

MEETING DATE: October 28, 2013

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 2007A and 2008 School Bond Issues arising from the 2006 School Construction Bonds.

A budget only increase in the 2008 School Bond Issue is needed to balance this account in the County's financial system. This is needed because of a year-end payment made in FY 2013. This entry will not reflect in the amount requested to the State for lottery proceeds.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FORSYTH COUNTY 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: 40px;">Debt Service 2007A School Bonds Proceeds</p> <p style="padding-left: 40px;">Debt Service 2008 School Bonds</p>	<p>\$ 1,139,625.00</p> <p>3,321,071.31</p> <p>\$ <u>4,460,696.31</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: 40px;">Debt Service 2007A School Bonds Proceeds</p> <p style="padding-left: 40px;">Debt Service 2008 School Bonds</p>	<p>\$ 1,139,625.00</p> <p>3,321,071.31</p> <p>\$ <u>4,460,696.31</u></p>
<p>INCREASE: SECTION 1. REVENUES</p> <p style="padding-left: 20px;">Lottery Proceeds</p> <p style="padding-left: 40px;">Debt Service 2008 School Bonds Proceeds</p>	<p>\$ <u>360,034.02</u></p>
<p>INCREASE: SECTION 2. AUTHORIZATION FOR PROJECTS AND APPROPRIATION OF FUNDS.</p> <p style="padding-left: 20px;">Lottery Proceeds</p> <p style="padding-left: 40px;">Debt Service 2008 School Bonds Proceeds</p>	<p>\$ <u>360,034.02</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: Winston-Salem/Forsyth County Schools
Address: 475 Corporate Sq, Winston-Salem, NC

Contact Person: Paul L. Fulton, Jr.
Title: Chief Finance Officer/Forsyth
Phone: 336-703-2050

Project Title: Debt Service -- 2007 A School Bonds

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: FY13/14 Debt Service 2007A Bond Issue

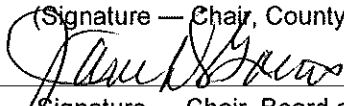
Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		_____
Repair	_____		_____
Debt Payment / Bond Payment	_____		1,139,625.00
TOTAL	_____	\$	1,139,625.00

Estimated Project Beginning Date: 7/1/13 Est. Project Completion Date: 6/30/14

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 \$ 1,139,625.00 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)


(Signature — Chair, Board of Education)

(Date)
9-24-13
(Date)

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

Approved: _____

Date: _____

County: Forsyth County

Contact Person: Paul L. Fulton, Jr.

LEA: Winston-Salem/Forsyth County

Title: Chief Finance Officer

Address: 475 Corporate Sq, Winston-Salem

Phone: 336-703-2050

Project Title: Debt Service -- 2008 School Bonds

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: FY13/14 Debt Service 2008 Bond Issue

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		_____
Repair	_____		_____
Debt Payment / Bond Payment	_____		3,321,071.31
TOTAL	_____	\$	3,321,071.31

Estimated Project Beginning Date: 07/01/13 Est. Project Completion Date: 06/30/14

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 \$ 3,321,071.31 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)
[Signature] 9-24-13

(Signature — Chair, Board of Education) (Date)



Winston-Salem/Forsyth County Schools
P.O. Box 2513
Winston-Salem, NC 27102-2513
(336) 727-2816 Fax (336) 727-2008
website: wsfcs.k12.nc.us

October 1, 2013

Mr. Paul Fulton
Forsyth County Finance Director
Forsyth County Government Center
201 North Chestnut Street
Winston Salem, North Carolina 27101

Re: **North Carolina Education Lottery Proceeds**

Dear Mr. Fulton:

At its meeting on September 24, 2013, the Winston-Salem/Forsyth County Board of Education unanimously passed the enclosed Resolution requesting the County of Forsyth use \$4,460,696.31 to retire indebtedness incurred by the County of Forsyth for public school facilities arising from the 2007 A and 2008 school bonds. In accordance with N.C.G.S. § 18C-164 and N.C.G.S. § 115C-546.2, the Board of Education believes this amount to be 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.

Also enclosed are two (2) completed and executed Applications for Public School Building Capital Fund North Carolina Education Lottery. Should you have any questions or wish to discuss this matter, please do not hesitate to contact me.

Sincerely yours,
Winston-Salem/Forsyth County Board of Education

Allison C. Tomberlin
General Counsel

Board of Education

A. L. (Buddy) Collins
John Davenport, Jr.
Jane D. Goins (Chair)
Victor Johnson, Jr.
Irene May
Jeannie A. Metcalf
Elisabeth Motsinger
Marilyn A. Parker
Jill A. Tackabery

Dr. Beverly R. Emory
Superintendent

Enclosures

cc: Beverly Emory, Superintendent
Chick Plunkett, Director of Financial Services
Darrell Walker, Assistant Superintendent for Operations
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