

**NORTH CAROLINA DEPARTMENT OF STATE TREASURER
LOCAL GOVERNMENT COMMISSION
MINUTES
JANUARY 11, 2022**

The meeting was called to order at 1:31 p.m. by Chair Dale R. Folwell on the above date. The meeting was conducted in person and by use of simultaneous communication by GoToWebinar™ due to the COVID 19 pandemic. Members present in person were: Chair Folwell; State Auditor Beth Wood; Secretary of State Elaine Marshall; and Paul Butler. Members present virtually were: Tenisha Jacobs, designee of Secretary of Revenue Ronald Penny; John Burns; Vida Harvey; Nancy Hoffmann; and Mike Philbeck.

Members Absent: None.

A quorum was present for the entire meeting.

Other participants present in person: Sharon Edmundson, Tim Romocki, Susan McCullen, Jennifer Wimmer, Debbie Tomasko, and Cindy Aiken.

Other DST staff present virtually: Lewis Andrews.

Others attending in person: Bill Toole (Secretary of State office), and DST staff Ted Brinn, Victoria Bledsoe, Sam Watts, Mark Baker, Biff McGilvray, and Alex Beroth.

Chair Folwell asked those present if they had any actual, potential, or the appearance of a conflict of interest regarding the matters on the agenda. Ms. Hoffmann reported a conflict of interest and recused herself from the Columbus County and Town of Nags Head matters. Ms. Harvey reported a conflict of interest and recused herself from the Columbus County and the Charlotte-Mecklenburg Hospital Authority (Atrium Health) matters. Their recusal statements are incorporated into these meeting minutes pursuant to the requirements of the State Government Ethics Act.

Mr. Burns made a motion to approve the minutes of the December 7, 2021 meeting. Ms. Hoffmann seconded the motion, and the minutes were approved by unanimous vote of 9 – 0.

Auditor Wood made a motion to adopt the following resolution:

**“RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF
BRUNSWICK FOR THE REFINANCING OF CERTAIN
GOVERNMENTAL FACILITIES THROUGH AN AMENDMENT TO AN
INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. § 160A-20**

WHEREAS, under Section 160A-20 of the General Statutes, the County of Brunswick, North Carolina (the “*County*”) has previously entered into an Installment Financing Contract dated as of March 15, 2012 (as amended, the “*2012 Contract*”), between the Brunswick County Leasing Corporation (the “*Corporation*”) and the County;

WHEREAS, the Corporation previously executed and delivered its Refunding Limited Obligation Bonds (County of Brunswick, North Carolina), Series 2012, Evidencing Proportionate Undivided Interests in Rights to Receive Certain Revenues under the Contract in the aggregate principal amount of \$31,010,000 (the “*2012 Bonds*”) under an Indenture of Trust dated as of March 15, 2012 (the “*2012 Indenture*”) between the Corporation and U.S. Bank National Association (the “*Trustee*”), as trustee;

WHEREAS, the County has determined that it is in the County's best interest to enter into (1) an amendment to the 2012 Contract (the "*Second Amendment*" and collectively with the 2012 Contract, as amended, the "*Contract*") between the County and Corporation in order to (a) refinance the 2012 Bonds maturing on and after April 1, 2023 and (b) pay the costs related to the execution and delivery of the Bond (as defined herein); and

WHEREAS, the County intends to enter into the Second Amendment whereby the Corporation will advance moneys to the County for the purposes outlined herein, subject to its right of nonappropriation and will repay the advancement with interest in installments; and

WHEREAS, the Corporation will enter into a Supplemental Indenture, Number 1 dated as of January 1, 2022 (the "*First Supplement*" and together with the 2012 Indenture, the "*Indenture*") between the Corporation and the Trustee, pursuant to which the Corporation will execute and deliver its Limited Obligation Bond, Series 2022 (the "*Bond*"); and

WHEREAS, the Bond is to be purchased by Wells Fargo Municipal Capital Strategies, LLC (the "*Original Purchaser*"), and the proceeds from the sale of the Bond will be remitted by the Original Purchaser to the County to fund the advances by the Corporation to the County under the Second Amendment; and

WHEREAS, the aggregate principal amount of Bond shall not exceed \$11,225,000; and

WHEREAS, the maturity of the installment payments with respect to the Bond shall not extend beyond 2029; and

WHEREAS, the interest rate of the Bond shall be 1.12%; and

WHEREAS, pursuant to Article 8 of Chapter 159 of the General Statutes, the County and the Corporation have made proper application to the Local Government Commission (the "*Commission*") for approval of the proposed financing; and

WHEREAS, pursuant to Section 159-151 of the General Statutes and upon information and evidence received, the Commission finds and determines that:

- i) the Contract is necessary and expedient for the County;
- ii) the Contract, under the circumstances, is preferable to a bond issue by the County for the same purposes;
- iii) the sums to fall due under the Contract are adequate and not excessive for the Contract's proposed purposes;
- iv) the County's debt management procedures and policies are good;
- v) the increase in taxes, if any, necessary to meet the sums to fall due under the Contract will not be excessive; and
- vi) the County is not in default in any of its debt service obligations.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for approval of the Second Amendment, the Bond and the planned financing are hereby approved under the provisions of Section 160A-20, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission."

Mr. Butler seconded the motion, and the foregoing was adopted by unanimous vote of 9 - 0. Aaron Smith, Director of Fiscal Operations, attended virtually to answer members' questions.

Auditor Wood made a motion to approve the following resolution:

"RESOLUTION APPROVING THE FINANCING TEAM FOR LIMITED OBLIGATION BOND, SERIES 2022

WHEREAS, the County of Brunswick, North Carolina (the "County") has requested that the North Carolina Local Government Commission approve its selection of the following financing team members for the referenced limited obligation bonds:

Bond Counsel:	Parker Poe Adams & Bernstein LLP
Original Purchaser:	Wells Fargo Municipal Capital Strategies, LLC
Original Purchaser's Counsel:	Kutak Rock LLP
Placement Agent:	Robert W. Baird & Co. Incorporated
Trustee:	U.S. Bank National Association

WHEREAS, based on the information and evidence received by the Local Government Commission, the Local Government Commission is of the opinion that the request by the County and the Corporation should be approved.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the above financing team is hereby approved for the referenced limited obligation bond financing.

Mr. Butler seconded the motion, and the foregoing was adopted by unanimous vote of 9 - 0. Aaron Smith, Director of Fiscal Operations, attended virtually to answer members' questions.

"RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF COLUMBUS TO FINANCE THE COST OF CERTAIN PROJECTS THROUGH AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. 160A-20.

WHEREAS, the County of Columbus (the "County") has determined to finance a portion of the cost of renovating, expanding, equipping and improving an existing school facility known as Tabor City School (the "Project"); and

WHEREAS, the County has determined that it is necessary or expedient to finance the cost of the Project in order to provide improved facilities to serve the residents of the County; and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the County intends to finance the cost of the Project through an Installment Financing Contract (the "Contract") between the County and JPMorgan Chase Bank, N.A. (the "Lender") whereby the Lender shall advance moneys to the County and the County, subject to its right of nonappropriation, shall repay the advance with interest; and

WHEREAS, the principal amount of the Contract shall not exceed \$27,903,701 and shall be payable annually as to principal and semiannually as to interest until January 1, 2024 at a rate of interest of 1.02% per annum; and

WHEREAS, pursuant to Article 8 of Chapter 159 of the General Statutes of North Carolina, the County has made proper application to the North Carolina Local Government Commission (the "Commission") for approval of the proposed financing; and

WHEREAS, the Secretary of the Commission has determined that the unit has complied with G.S. 159-149; and

WHEREAS, the Commission, pursuant to G.S. 159-151, upon information and evidence received, finds and determines as follows:

- (i) that the Contract is necessary and expedient for the County;
- (ii) that the Contract, under the circumstances, is preferable to a bond issue for the same purpose;
- (iii) that the sums to fall due under the Contract are adequate and not excessive for the proposed purpose of the Contract;
- (iv) that the County's debt management procedures and policies are good;
- (v) that the County is not in default in any of its debt service obligations; and
- (vi) that the increase in taxes, if any, necessary to meet the sums to fall due under the Contract will not be excessive;

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application for approval of the Contract and the planned financing, are hereby approved under the provisions of G.S. 160A-20 and relevant resolutions of the Commission."

Mr. Butler seconded the motion, and the foregoing was adopted by a vote of 7 - 0. (Ms. Harvey and Ms. Hoffmann recused themselves.) Eddie Madden, County Manager; Pam Wortham, Accountant; Dr. Deanne Meadows, Superintendent; and Dr. Jonathan Williams, Assistant Superintendent, attended virtually and answered members' questions.

TOWN OF PEMBROKE - POSTPONED

Mr. Butler made a motion, seconded by Ms. Harvey, to adopt a resolution approving a State Revolving Fund loan of \$1,156,500 for replacement components to the Town of Pembroke's wastewater treatment plant. Members raised questions about the Town's Financial Performance Indicator of Concern (FPIC) showing an operating loss in the water and sewer fund and about the reasons for the reduction in water and sewer revenues during the last two years. After much discussion, Mr. Butler and Ms. Harvey withdrew their motion and second. By a consensus, the Members asked that the Town's agenda item be postponed, and that the staff gather additional information from the Town to better and more specifically explain the revenue losses and reconfirm the Town's capacity to repay the loan. Marie Moore, Finance Officer, attended virtually and answered members' questions.

Auditor Wood made the motion to adopt the following resolution:

**"RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF
LELAND (THE "TOWN") FOR THE REFINANCING OF AN EXISTING
OBLIGATION OF THE TOWN AND THE FINANCING OF CERTAIN
CAPITAL IMPROVEMENTS THROUGH AN INSTALLMENT
FINANCING CONTRACT AND DEED OF TRUST EXECUTED AND
DELIVERED PURSUANT TO G.S. §160A-20."**

WHEREAS, pursuant to §160A-20 of the General Statutes of North Carolina, the Town has determined that it is in the best interests of the Town to enter into an Installment Financing Contract, dated as of January 1, 2022 (the "Contract"), between the Town and South State Bank, National Association (the "Purchaser") in order to (i) refinance an existing financing agreement and deed of trust (the "Prior Contract") between the Town and Truist Bank and the project originally financed with the Prior Contract and (ii) to finance all or a portion of the costs of construction and equipping of Fire Station #51 on property already owned by the Town (the "Project") through the Contract; and

WHEREAS, pursuant to the Contract, the Purchaser will advance money to the Town for the purpose of (i) refinancing the Prior Contract and the related project and (ii) financing the Project and the foregoing related costs and improvements, and the Town, subject to its right of nonappropriation, will repay the advancement with interest in installments; and

WHEREAS, the aggregate principal amount of the advancement under the Contract shall not exceed \$5,800,000; and

WHEREAS, the maturity of the installment payments under the Contract shall not extend beyond December 31, 2032; and

WHEREAS, the tax-exempt interest rate under the Contract shall not exceed 1.630% per annum; and

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, the Town has made proper application to the Local Government Commission (the "Commission") for approval of the proposed refinancing and financing; and

WHEREAS, the Commission pursuant to G.S. §159-151, upon information and evidence received, finds and determines as follows:

- i) that the Contract is necessary and expedient for the Town;
- ii) that the Contract, under the circumstances, is preferable to a bond issue by the Town for the same purpose;
- iii) that the sums to fall due under the Contract are adequate and not excessive for its proposed purpose;
- iv) that the Town's debt management procedures and policies are good;
- v) that the increase in taxes, if any, necessary to meet the sums to fall due under the Contract will not be excessive; and
- vi) that the Town is not in default in any of its debt service obligations.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for approval of the Contract and the planned refinancing

and financing are hereby approved under the provisions of G.S §160A-20, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission.

Ms. Hoffman seconded the motion and the foregoing resolution was adopted by unanimous vote of 9-0.

Auditor Wood made a motion to approve the following resolution:

**"RESOLUTION APPROVING THE FINANCING TEAM FOR THE
TOWN OF LELAND, NORTH CAROLINA, INSTALLMENT
FINANCING CONTRACT AND DEED OF TRUST EXECUTED AND
DELIVERED PURSUANT TO G.S. §160A-20"**

WHEREAS, the Town of Leland, North Carolina has requested that the North Carolina Local Government Commission (the "Commission") approve its selection of the following financing team members for the proposed refinancing and financing:

Purchaser:	South State Bank, National Association
Purchaser's Counsel	Nexsen Pruet, PLLC
Town Attorney	Crossley McIntosh Collier Hanley & Edes, PLLC

WHEREAS, based upon the information and evidence received by the Commission, the Commission is of the opinion that the Town's request should be approved.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the above financing team is hereby approved for the proposed refinancing and financing.

Ms. Hoffman seconded the motion and the foregoing resolution was adopted by unanimous vote of 9-0.

Auditor Wood made a motion to adopt the following resolution:

**RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF
MOREHEAD CITY, NORTH CAROLINA. THIS PROJECT CONSISTS
OF THE REFINANCING OF THREE INSTALLMENT AGREEMENTS
1.) NCDOA INSTALLMENT AGREEMENT 2). USDA POLICE
STATION INSTALLMENT AGREEMENT 3). USDA FIRE STATION #2
INSTALLMENT AGREEMENT. AREA. THROUGH AN INSTALLMENT
PURCHASE CONTRACT AGREEMENT PURSUANT TO G.S. 160A-20**

WHEREAS, the Town of Morehead City , North Carolina (the "Town") has determined that it is necessary and expedient to save the Town of Morehead City and its citizens a significant amount of money by refinancing above agreements with a lower borrowing rate and/or reducing the length of the loan ; and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the Town intends to finance the Project through an Installment Purchase Contract (the "Contract") between Sterling National Bank (the "Bank") whereby the Bank shall advance moneys to the Town , and the Town , subject to its right of nonappropriation, shall repay the

advance with interest in installments; and

WHEREAS, the principal amount of the Contract shall not exceed \$7,049,600 with semi-Annually payments for a term of fifteen (15) years at an approval rate of 1.91%; and

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, the Town has made proper application to the North Carolina Local Government Commission (the "Commission") for approval of the proposed financing; and

WHEREAS, the Secretary of the Commission has determined that the unit has complied with G.S. 159-149; and

WHEREAS, the Commission, pursuant to G.S. 159-151, upon information and evidence received, finds and determines as follows:

- (i) that the Contract is necessary and expedient for the Town;
- (ii) that the Contract, under the circumstances, is preferable to a bond issue for the same purpose;
- (iii) that the sums to fall due under the Contract are adequate and not excessive for its proposed purpose;
- (iv) that the Town's debt management procedures and policies are good;
- (v) that the Town is not in default in any of its debt service obligations;
- (vii) that the increase in taxes, if any, necessary to meet the sums to fall due under the Contract will not be excessive;

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for approval of the Contract and the planned financing are hereby approved under the provisions of G.S. 160A-20 and relevant resolutions of the Commission."

Ms. Hoffmann seconded the motion, and the foregoing was adopted by unanimous vote of 9 - 0.

Secretary Marshall made the motion to adopt the following resolution:

RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF NAGS HEAD, NORTH CAROLINA. THIS PROJECT CONSISTS OF ACQUISITION OF PROPERTY AT 105 WEST SEACHASE DRIVE IN NAG'S HEAD. THE PROPERTY IS ADJACENT TO THE CURRENT FIRE STATION AND ACROSS THE STREET FROM TOWN HALL. THROUG AN INSTALLMENT PURCHASE CONTRACT AGREEMENT PURSUANT TO G.S. 160A-20

WHEREAS, the Town of Nag's Head, North Carolina (the "Town") has determined that it is necessary and expedient for future use as a joint fire station /Dare County EMS station.; and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the Town intends to finance the Project through an Installment Purchase Contract (the "Contract") between Truist Bank (the "Bank") whereby the Bank shall advance moneys to the Town, and the Town, subject to its right of nonappropriation, shall repay the advance with interest in installments; and

WHEREAS, the principal amount of the Contract shall not exceed \$1,200,000 with semi-Annual payments for a term of ten (10) years at an approval rate of 2.37%; and

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, the Town has made proper application to the North Carolina Local Government Commission (the "Commission") for approval of the proposed financing; and

WHEREAS, the Secretary of the Commission has determined that the unit has complied with G.S. 159-149; and

WHEREAS, the Commission, pursuant to G.S. 159-151, upon information and evidence received, finds and determines as follows:

- (i) that the Contract is necessary and expedient for the Town;
- (ii) that the Contract, under the circumstances, is preferable to a bond issue for the same purpose;
- (iii) that the sums to fall due under the Contract are adequate and not excessive for its proposed purpose;
- (iv) that the Town's debt management procedures and policies are good;
- (v) that the Town is not in default in any of its debt service obligations;
- (viii) that the increase in taxes, if any, necessary to meet the sums to fall due under the Contract will not be excessive;

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for approval of the Contract and the planned financing are hereby approved under the provisions of G.S. 160A-20 and relevant resolutions of the Commission."

Auditor Wood seconded the motion, and the foregoing was adopted by a vote of 8 – 0 (Ms. Hoffmann recused herself).

Auditor Wood made a motion to adopt the following resolution:

"RESOLUTION APPROVING THE APPLICATION CITY OF WASHINGTON, NORTH CAROLINA, CONSTRUCTION BUILD OF NEW POLICE STATION. THROUGH AN INSTALLMENT PURCHASE CONTRACT AGREEMENT PURSUANT TO G.S. §160A-20

WHEREAS, the City of Washington, North Carolina (the "City ") has determined that it is necessary and expedient to have a permanent location for the police station. Hurricane Florence flooded the old police station causing current operations to be run out of a temporary facility ; and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the City intends to finance the Project pursuant to an Installment Financing Agreement (the "Agreement") between the City and First Bank "Lender"), whereby the Lender shall advance moneys to the City, and the City, subject to its right of nonappropriation, shall repay the advancement with interest in installments; and

WHEREAS, the aggregate principal amount of the Agreement shall not exceed \$6,610,920 with Monthly payments with a term of twenty (20) years at a rate of 1.85% per annually; and

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, the County has made proper application to the North Carolina Local Government Commission (the "Commission") for approval of the proposed financing; and

WHEREAS, the Secretary of the Commission has determined that the unit has complied with Section 159-149 of the General Statutes of North Carolina; and

WHEREAS, the Commission, pursuant to Section 159-151 of the General Statutes of North Carolina, upon information and evidence received, finds and determines as follows:

- (i) that the Agreement is necessary and expedient for the City;
- (ii) that the Agreement, under the circumstances, is preferable to a bond issue for the same purpose;
- (iii) that the sums to fall due under the Agreement are adequate and not excessive for its proposed purpose;
- (iv) that the City's debt management procedures and policies are good;
- (v) that the City is not in default in any of its debt service obligations;
- (vi) that the increase in taxes, if any, necessary to meet the sums to fall due under the Agreement will not be excessive.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for approval of the Agreement and the financing contemplated thereby is hereby approved under the provisions of Section 160A-20 of the General Statutes of North Carolina and relevant resolutions of the Commission.

Secretary Marshall seconded the motion, and the foregoing was adopted by unanimous vote of 9 - 0. City Chief Financial Officer Matt Rauschenbach attended virtually and answered members' questions.

Auditor Wood made a motion to adopt the following resolution:

**"RESOLUTION APPROVING THE FINANCING TEAM FOR THE
TOWN OF HOLLY SPRINGS, NORTH CAROLINA GENERAL
OBLIGATION REFUNDING BONDS"**

WHEREAS, the Town of Holly Springs, North Carolina (the "Town") has requested that the Local Government Commission of North Carolina (the "Commission") approve their

selection of the following financing team members for its upcoming general obligation bond issue:

Bond Counsel: Parker Poe Adams & Bernstein LLP

Financial Advisor: DEC Associates, Inc.

WHEREAS, based upon the information and evidence received by the Commission, it is the opinion of the Commission that the Town's request should be approved.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the above financing team is hereby approved for the Town's upcoming General Obligation Refunding Bonds.

Ms. Hoffmann seconded the motion, and the foregoing was adopted by unanimous vote of 9 - 0.

Auditor Wood made a motion to adopt the following resolution:

"RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF HOLLY SPRINGS, NORTH CAROLINA FOR THE ISSUANCE OF NOT TO EXCEED \$17,500,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS"

WHEREAS, the Town of Holly Springs, North Carolina (the "Town") has applied to the Local Government Commission of North Carolina (the "Commission"), pursuant to the Local Government Bond Act, as amended, for approval of the issuance in an aggregate principal amount not to exceed \$17,500,000 of its General Obligation Refunding Bonds (the "Bonds") for the purpose of refunding the Town's (i) General Obligation Refunding Bonds, Series 2006 maturing on and after June 1, 2022, (ii) General Obligation Refunding Bonds, Series 2012 maturing on and after February 1, 2023, and (iii) General Obligation Parks and Recreation Facilities Bonds, Series 2012 maturing on and after February 1, 2023;

WHEREAS, the Town has furnished to the Commission the forms of the following:

(a) a Bond Resolution adopted by the Town Council of the Town on December 21, 2021 authorizing the Town to issue the Bonds and authorizing the form and the terms of the documents described below; and

(b) a Preliminary Official Statement to be dated on or about January 14, 2022;

WHEREAS, based upon the information and evidence received in connection with such application for approval of the issuance of the Bonds, the Commission hereby finds and determines as follows:

(i) such proposed general obligation bond issue is necessary and expedient;

(ii) the proposed amount of such general obligation bond issue is adequate and not excessive for the proposed purposes thereof;

(iii) the Town's debt management procedures and policies are good;

(iv) the increase in taxes, if any, necessary to service the general obligation bonds will not be excessive; and

(v) the proposed general obligation bonds can be marketed at reasonable rates of interest.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application of the Town for approval of the proposed Bonds in an aggregate principal amount not to exceed \$17,500,000 with a final maturity not to exceed February 1, 2037, for the purposes set forth therein, is hereby approved pursuant to the Local Government Bond Act, as amended.

Ms. Hoffmann seconded the motion, and the foregoing was adopted by unanimous vote of 9 - 0.

Auditor Wood made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE CITY OF BESSEMER CITY, NORTH CAROLINA FOR THE ISSUANCE OF NOT TO EXCEED \$4,998,000 WATER AND SEWER SYSTEM REVENUE BONDS AND TO ISSUE A LIKE AMOUNT OF WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

WHEREAS, the City of Bessemer City, North Carolina (the “City”) has applied to the North Carolina Local Government Commission (the “Commission”), necessary and expedient to finance various improvements to the City’s water and sewer system (the “Project”); and

WHEREAS, under the plan of finance for the issuance of these Bonds, the United States Department of Agriculture (“USDA”) has issued a commitment to purchase the Bonds, subject to certain terms and conditions, upon completion of the Project, but in order to provide construction funding for the Project, it is necessary for the City to issue its Water and Sewer System Revenue Bond Anticipation Note in an aggregate principal amount of not to exceed \$4,998,000 in anticipation of the issuance of the Bonds (the “Notes”).

WHEREAS, in connection with the long-term plan of finance, the City may need to issue additional bond anticipation notes (the “Additional Notes”) in anticipation of the issuance of the Bonds, in order to complete the construction of the Project before USDA will purchase the Bonds; and

WHEREAS, the City has furnished to the Commission forms of the following documents:

- (a) Bond Order, adopted January 10, 2022, authorizing the issuance of Bonds, the Notes and any Additional Notes of the City, subject to the terms thereof; and
- (b) Series Resolution of the City, adopted January 10, 2022, authorizing the issuance of the Notes by the City, subject to the terms thereof (collectively, the “Series Resolution”)

WHEREAS, based upon the information and evidence received in connection with such application, it is hereby determined and found by the Commission:

- (i) that the proposed issuance of the Bonds, the issuance of the Notes and the issuance of any Additional Notes in anticipation of the issuance of the Bonds is necessary and expedient;
- (ii) that the proposed amount of the proposed Bonds, the Notes and any Additional Notes are adequate, when added to other monies available to the City, and not excessive for the proposed purposes thereof;
- (iii) that the Project is feasible;
- (iv) that the annual audit of the City shows the City to be in strict compliance with debt management policies, and the budgetary and fiscal management policies of the City are in compliance with the law; and
- (v) that the Bonds, the Notes and any Additional Notes can be marketed at a reasonable interest cost to the City.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application of the City of Bessemer City, North Carolina for approval of the proposed Bonds, the Notes and any Additional Notes in an amount not to exceed \$1,292,000 for the purposes set forth is hereby approved pursuant to The State and Local Government Revenue Bond Act, as amended.

Ms. Hoffmann seconded the motion, and the foregoing was adopted by unanimous vote of 9 - 0.

Auditor Wood made a motion to adopt the following resolution:

**“RESOLUTION CONCERNING THE PRIVATE SALE OF CITY OF
BESSEMER CITY, NORTH CAROLINA WATER AND SEWER
SYSTEM REVENUE BOND ANTICIPATION NOTES**

WHEREAS, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina authorizes the North Carolina Local Government Commission (the “Commission”) to sell revenue bonds and revenue bond anticipation notes at public sale or at private sale without advertisement to any purchasers thereof at such prices as the Commission determines to be in the best interest of the issuing unit, subject to the approval of the governing board of the issuing unit; and

WHEREAS, the City of Bessemer City, North Carolina (the “City”) has requested the Commission to sell its Water and Sewer System Revenue Bond Anticipation Note (the “Note”) and any Additional Notes approved concurrently herewith (collectively, the “Notes”) in accordance with Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina; and

WHEREAS, the Note is being issued in anticipation of the issuance of Water and Sewer System Revenue Bonds by the City (the “Bonds”) to be purchased by the United States Department of Agriculture (the “USDA”) pursuant to a commitment to purchase the Bonds, subject to certain terms and conditions, upon completion of the project for which the Note is being issued (the “Project”); and

WHEREAS, the City may need to issue additional notes (the "Additional Notes") in anticipation of the issuance of the Bonds, in connection with completion of the construction of the Project before USDA will purchase the Bonds; and

WHEREAS, the City has requested that the Commission also approve the future sale of any Additional Notes in connection with the construction of the Project; provided that USDA has issued a commitment to purchase the bonds to be issued at the maturity of any Additional Notes; and

WHEREAS, the Commission desires to approve the request of the City that it sell the Note and any Additional Notes at private sale without advertisement;

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission:

Section 1. The sale of the Notes at private sale without advertisement to one or more purchasers determined by the Secretary of the Commission as proposing the best interest rate or rates practicably available to the City is hereby approved, such sale being subject to the approval of the City and satisfaction of the conditions set forth below.

Section 2. The sale of any Additional Notes at private sale without advertisement to one or more purchasers determined by the Secretary of the Commission as proposing the best interest rate or rates practicably available to the City is hereby approved, provided that USDA has given a commitment to purchase the bonds to be issued at the maturity of any such Additional Notes, such sale being subject to the approval of the City and satisfaction of the conditions set forth below.

Section 3. The aggregate principal amount of the Note shall not exceed \$4,998,000, and the purchase price for the Note shall be approved by the Secretary of the Commission at the time of the sale of the Note. The aggregate principal amount of the Additional Notes shall not exceed, together with the Note, the aggregate principal amount of all commitments issued by USDA to purchase the Bonds.

Section 4. Renewal notes may be sold to private purchasers to refinance any maturing Note or Additional Notes, or renewals thereof.

Section 5. The Commission hereby determines that the sale of the Note or the Additional Notes in the manner and for the price as provided in this resolution is in the best interest of the City, provided that such sale shall be approved by the City.

Section 6. This resolution shall be effective immediately upon its passage.

Section 7. The Commission hereby approves the engagement of Parker Poe Adams & Bernstein LLP as bond counsel to the City in connection with the issuance of the Note.

Ms. Hoffmann seconded the motion, and the foregoing was adopted by unanimous vote of 9 - 0.

Auditor Wood made a motion to adopt the following resolution:

**"RESOLUTION CONCERNING THE PRIVATE SALE OF THE CITY
OF BESSEMER CITY, NORTH CAROLINA WATER AND SEWER
SYSTEM REVENUE BONDS TO USDA**

WHEREAS, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina authorizes the North Carolina Local Government Commission (the "Commission") to sell revenue bonds and revenue bond anticipation notes at public sale or at private sale without advertisement to any purchasers thereof at such prices as the Commission determines to be in the best interest of the issuing unit, subject to the approval of the governing board of the issuing unit; and

WHEREAS, the City of Bessemer City, North Carolina (the "City") has requested the Commission to sell its Water and Sewer System Revenue Bonds approved concurrently herewith (the "Bonds") to the United States Department of Agriculture ("USDA") upon the completion of construction of the project to be permanently financed thereby pursuant to commitments previously issued by USDA, all in accordance with Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina; and

WHEREAS, the Commission desires to approve the request of the City that it sell the Bonds to USDA at private sale without advertisement;

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission:

Section 1. The sale of the Bonds to USDA at private sale without advertisement in accordance with commitments previously made by USDA is hereby approved, such sale being subject to the approval of the City and satisfaction of the conditions set forth below.

Section 2. The aggregate purchase price for the Bonds shall not exceed \$4,998,000.

Section 3. No maturity of the Bonds shall be later than forty years from the date of issuance thereof.

Section 4. The Commission hereby determines that the sale of the Bonds in the manner and for the price as provided in this resolution is in the best interest of the City, provided that such sale shall be approved by the City.

Section 5. This resolution shall be effective immediately upon its passage.

Section 6. The Commission hereby approves the engagement of Parker Poe Adams & Bernstein LLP as bond counsel to the City in connection with the issuance of the Notes and the Bonds.

Ms. Hoffmann seconded the motion, and the foregoing was adopted by unanimous vote of 9 - 0.

Ms. Hoffmann made a motion to adopt the following resolution:

**RESOLUTION APPROVING THE FINANCING TEAM FOR
THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY'S
HEALTH CARE REFUNDING REVENUE BONDS, SERIES 2022A**

WHEREAS, The Charlotte-Mecklenburg Hospital Authority (the "Authority") has requested that the North Carolina Local Government Commission (the "LGC") approve its selection of the following financing team in connection with the issuance and sale of its Health Care Refunding Revenue Bonds, Series 2022A:

Bond Counsel:

Robinson, Bradshaw & Hinson, P.A.

Underwriters:	Citigroup Global Markets Inc. BofA Securities, Inc. J.P. Morgan Securities LLC Loop Capital Markets, LLC Siebert Williams Shank & Co., LLC
Underwriters' Counsel:	Nexsen Pruet, PLLC
Trustee/Registrar:	U.S. Bank National Association (DTC)
Trustee Counsel:	Pope Flynn, LLC
Financial Advisor:	Kaufman, Hall & Associates, LLC
Auditor:	KPMG LLP
Financial Forecast:	CliftonLarsonAllen LLP

WHEREAS, based upon the information and evidence received by the LGC, the LGC is of the opinion that the request by the Authority should be approved.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the above financing team is hereby approved.

Mr. Philbeck seconded the motion, and the foregoing was adopted by a vote of 7 – 1 (Chair Folwell voted no, Ms. Harvey recused herself).

Ms. Hoffmann made a motion to adopt the following resolution:

RESOLUTION APPROVING THE APPLICATION OF THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY FOR THE ISSUANCE OF THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY'S HEALTH CARE REFUNDING REVENUE BONDS, SERIES 2022A IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$165,000,000

WHEREAS, The Charlotte-Mecklenburg Hospital Authority (the "Authority") has applied to the North Carolina Local Government Commission (the "LGC"), pursuant to The State and Local Government Revenue Bond Act, as amended, for approval of the issuance of the Authority's Health Care Refunding Revenue Bonds, Series 2022A (the "Bonds"), in an aggregate principal amount not exceeding \$165,000,000, for the purpose of providing funds for (i) refunding a portion of the Authority's outstanding Health Care Revenue and Refunding Revenue Bonds, Series 2012A (the "2012A Bonds") and (ii) paying certain expenses of issuing the Bonds; and

WHEREAS, based upon the information and evidence received in connection with such application, it is hereby determined and found that (i) such proposed revenue bond issue is necessary or expedient, (ii) the proposed amount of such revenue bond issue is adequate and not excessive for the proposed purposes thereof, (iii) the proposed refunding is feasible, (iv) the Authority's debt management procedures and policies are good and (v) such proposed revenue bonds can be marketed at a reasonable interest cost to the Authority.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application of the Authority for approval of the Bonds in an amount not exceeding \$165,000,000 for the purposes set forth above is hereby approved pursuant to The State and Local Government Revenue Bond Act, as amended.

Mr. Philbeck seconded the motion, and the foregoing was adopted by a vote of 7 – 1 (Chair Folwell voted no, Ms. Harvey recused herself).

Ms. Hoffman made a motion to adopt the following resolution:

**RESOLUTION CONCERNING THE PRIVATE SALE OF
THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY
HEALTH CARE REFUNDING REVENUE BONDS, SERIES 2022A**

WHEREAS, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, authorizes the Local Government Commission of North Carolina (the “LGC”) to sell revenue bonds at private sale without advertisement to any purchaser or purchasers thereof at such prices as the LGC determines to be in the best interest of the issuing unit, subject to approval of the governing board of the issuing unit;

WHEREAS, The Charlotte-Mecklenburg Hospital Authority (the “Authority”) has furnished to the LGC a copy of the Series Resolution for the Authority’s Health Care Refunding Revenue Bonds, Series 2022A (the “Bonds”), which has been adopted by the Board of Commissioners of the Authority on December 7, 2021;

WHEREAS, in the Series Resolution, the Authority requests the LGC to approve the private sale of the Bonds without advertisement to a group of underwriters, namely Citigroup Global Markets Inc., BofA Securities, Inc., J.P. Morgan Securities LLC, Loop Capital Markets, LLC and Siebert Williams Shank & Co., LLC (the “Underwriters”), in accordance with Section 159-123 of the General Statutes of North Carolina, as amended;

WHEREAS, the LGC has been furnished a draft copy of the Preliminary Official Statement (the “Preliminary Official Statement”) relating to the offering of the Bonds;

WHEREAS, the LGC desires to approve the request of the Authority that it approve the private sale of the Bonds without advertisement and to approve the amount, interest rate and purchase price of the Bonds;

WHEREAS, the Underwriters have offered to purchase the Bonds from the LGC upon the terms and conditions set forth in (i) a form of Bond Purchase Agreement relating to the Bonds (the “Bond Purchase Agreement”) which has been submitted to the LGC, (ii) the Bond Order (as defined in the Series Resolution) and (iii) the Series Resolution; and

WHEREAS, the LGC desires to approve the form of said Bond Purchase Agreement subject to the satisfaction of conditions hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission:

Section 1. The private sale of the Bonds to the Underwriters without advertisement pursuant to the executed Bond Purchase Agreement, in substantially the form submitted at

this meeting, containing the terms provided in the Bond Order and the Series Resolution, is hereby approved, such sale to be subject to the approval of the Authority and satisfaction of the conditions set forth below.

Section 2. The aggregate principal amount of the Bonds shall not exceed \$165,000,000, and the purchase price for the Bonds shall be approved by the Designated Assistant (as defined below) on the date of the sale of the Bonds and be set forth in the Bond Purchase Agreement.

Section 3. The Bonds shall bear interest so that the true interest cost of the Bonds at the initial public offering price thereof taking into account any discount or premium to investors shall not exceed 6.00% per annum, all measures being defined as determined by the LGC.

Section 4. The Bonds shall mature on the dates and in the principal amounts as shall be provided in the Series Resolution, as supplemented by Further Authority Action (as provided therein). The final maturity of any of the Bonds shall not exceed January 15, 2043.

Section 5. The LGC hereby determines that the sale of the Bonds in the manner, in the amount, at the rate and for the price as approved in this Resolution is in the best interest of the Authority, provided that such sale shall be approved by the Authority.

Section 6. The Preliminary Official Statement and the use thereof in connection with the public offering and sale of the Bonds are hereby approved and authorized. The Designated Assistant is hereby authorized and directed to execute and deliver on behalf of the LGC a final Official Statement substantially in the form of the Preliminary Official Statement furnished to the LGC, with such insertions and changes therein as may be approved by the Designated Assistant.

Section 7. The Bond Purchase Agreement as submitted in draft form is hereby approved, and the Designated Assistant is hereby authorized and directed to execute and to deliver on behalf of the LGC the Bond Purchase Agreement in substantially the form submitted at this meeting, with any changes in the terms provided therein as may be appropriate to conform to the provisions of this Resolution.

Section 8. The Secretary of the Commission or any Deputy Secretary is hereby appointed the Designated Assistant of the Commission for the purpose of this Resolution, and the Designated Assistant is hereby authorized and directed, within the terms and conditions of this Resolution, to approve such changes to the Bond Purchase Agreement, including details of the Bonds, as shall be satisfactory to him or her, to approve the forms of other documents relating to the Bonds, to execute and deliver the Bond Purchase Agreement and such other documents on behalf of the LGC and to provide for the execution and delivery of the Bonds in accordance with the Bond Order, the Series Resolution and the Bond Purchase Agreement.

Section 9. This Resolution shall be effective immediately upon its passage.

Mr. Philbeck seconded the motion, and the foregoing was adopted by a vote of 7 – 1 (Chair Folwell voted no, Ms. Harvey recused herself).

Auditor Wood made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE FINANCING REQUEST OF THE CITY OF CHARLOTTE, NORTH CAROLINA. THIS PROJECT PROPOSES TO INSTALL APPROXIMATELY 30,000 LF OF 36-INCH DRINKING WATER TRANSMISSION MAIN TO CONNECT THE NORTH AND SOUTH PORTIONS OF THE “960 PRESSURE ZONE” IN SOUTHEAST CHARLOTTE.

WHEREAS, the City of Charlotte, North Carolina (the “City”) has determined that it is necessary and expedient as it addresses concerns for the reliability of the distribution system. The project will provide an alternate route to supply water throughout the 960 Pressure Zone, resulting in a more efficient and resilient operation of the system; and

WHEREAS, the City of Charlotte filed an application with the North Carolina Government Commission (the Commission) for approval of a revolving Loan in the amount not exceed \$11,000,000 with the term of twenty (20) years at the rate established under this program for respective loan, State or Federal, is not to exceed 4%; and

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for the approval of a drinking water revolving loan for the City is hereby approved.”

Ms. Hoffmann seconded the motion, and the foregoing was adopted by unanimous vote of 9 - 0.

Auditor Wood made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE REQUEST OF COUNTY OF PAMLICO COUNTY NORTH CAROLINA, THIS PROJECT IS FOR WATER TREATMENT IMPROVEMENTS AT THE COUNTY’S EXISTING GRANTSBORO AND KERSHEW WATER TREATMENT PLANTS (WTP). EACH WTP SITE WILL INSTALL: 1.) NEW PRE - CHLORINATION SYSTEM WITH ENCLOSURE; 2.) NEW INDUCTED - DRAFT AERATOR WITH PH ADJUSTMENT (2 AT EACH PLANT); 3) REPAIRS AND NEW COATING TO GROUND STORAGE TANKS (TOTAL OF 4); 4) REPLACE FILTER MEDIA; 5) REPLACE SOFTNER MEDIA; 6) TOTAL ORGANIC CARBON/ COLOR -REMOVAL SYSTEM ; 7) NEW PIPING AND CONTROL VALVES; 8) ELECTRICAL AND SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) IMPROVEMENTS.

WHEREAS, the County of Pamlico has determined that it is necessary and expedient as it addresses contaminants that are not treated or removed by the current water treatment process. The raw water contaminants cause difficulty in routinely meeting secondary drinking water quality standards and in the production of potable water characterized by desirable aesthetic qualities .; and

WHEREAS, the County of Pamlico has filed an application with the North Carolina Government Commission (the Commission) for approval of a sewer revolving loan in the amount not exceed \$3,002,725 with the term of twenty (20) years at the rate established under this program for respective loan, State or Federal, is not to exceed 4%; and

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for the approval of a water revolving loan for the County is hereby approved.

Ms. Hoffmann seconded the motion, and the foregoing was adopted by unanimous vote of 9 - 0.

MISCELLANEOUS – NON-ACTION ITEMS:
Referenda Results- General Obligation Bonds

November 2, 2021				(Approved or Failed)			Secondary County		Percent	Percent
Unit	Amount	Purpose	Referendum	Result	For	Against	For	Against	For	Against
Apex	\$ 42,000,000	Streets & Sidewalks	November 2, 2021	Approved	7,492	3,051			71.06%	28.94%
Bald Head Island	\$ 54,000,000	Public Transportation	November 2, 2021	Approved	173	122			58.64%	41.36%
Fuquay-Varina	\$ 18,500,000	Parks & Recreation	November 2, 2021	Approved	3,970	1,809			68.70%	31.30%
	20,000,000	Transportation		Approved	4,435	1,363			76.45%	23.55%
	\$ 38,500,000									
Gartner	\$ 35,500,000	Parks & Recreation	November 2, 2021	Approved	2,180	720			75.17%	24.83%
	24,050,000	Streets & Sidewalks		Approved	2,325	588			79.81%	20.19%
	6,500,000	Public Safety and Services		Approved	2,336	571			80.36%	19.64%
	2,950,000	Stormwater		Approved	2,403	502			82.72%	17.28%
	\$ 69,000,000									
Morrisville	\$ 8,000,000	Public Safety	November 2, 2021	Approved	2,102	919	Wake County		69.61%	30.39%
	11,700,000	Streets & Sidewalks		Approved	2,234	788	Durham County	3 -	73.95%	26.05%
	17,300,000	Parks and Recreation		Approved	2,024	968		3 -	67.21%	32.79%
	\$ 37,000,000									
Mount Holly	\$ 13,555,000	Parks and Recreation	November 2, 2021	Failed	887	1,118			44.24%	55.76%
Shelby	\$ 10,000,000	Streets & Sidewalks	November 2, 2021	Approved	709	195			78.43%	21.57%
Total	264,055,000									
Total Votes:					33,279	12,735				

Auditor Wood made a motion to adopt the following two (2) resolutions:

- 1) a resolution to adopt a policy for the Cliffside Sanitary District,
(SEE EXHIBIT 1: CLIFFSIDE SANITARY DISTRICT POLICY FOR PERSONAL PROPERTY DISPOSAL); and
- 2) a resolution to adopt a policy for the Town of Spring Lake,
(SEE EXHIBIT 2: SPRING LAKE POLICY FOR PERSONAL PROPERTY DISPOSAL).

Secretary Marshall seconded the motion, and the foregoing were adopted by unanimous vote of 9 - 0.

Mr. Burns made a motion to adopt the following two (2) resolutions:

- 3) a resolution to amend the budget ordinance for the Town of Robersonville General Fund,
(SEE EXHIBIT 3: ROBERSONVILLE BUDGET ORDINANCE AMENDMENT – GENERAL FUND); and
- 4) a resolution to amend the budget ordinance for the Town of Robersonville Sewer Fund,
(SEE EXHIBIT 4: ROBERSONVILLE BUDGET ORDINANCE AMENDMENT – SEWER FUND).

Ms. Hoffmann seconded the motion, and the foregoing were adopted by unanimous vote of 9 -0.

Chair Folwell recognized and congratulated retiring Debt Management Section Director Timothy L. Romocki. Tim began working at the Department of State Treasurer in 1998, served under four State Treasurers and has been Debt Management Director since 2003. Chair Folwell and the Members thanked Tim for his many years of outstanding and dedicated service to the State of North Carolina and its local governments.

Bald Head Island Ferry Matter

Mr. Burns asked if the Bald Head Island ferry matter would be on the February meeting agenda. Auditor Wood stated that she was drafting a second letter to the Treasurer insisting that, according to the Chapter 159 statutes, this matter should not be on the agenda until the LGC receives a valuation that is reliable and credible. She further stated that no matter should ever be on the agenda for approval if it does not fit the criteria and requirements as set forth in Chapter 159, i.e.: the LGC should not approve bond sales for an amount in excess of the value of the assets to be purchased. Chair Folwell added that he has not changed from stating that this is a transaction never done before in North Carolina, that the majority of tolls and fees are paid by working individuals whose only means of transportation to their work is the ferry, and that when the governance, transparency and valuation of this transaction all align, we'll put this on the agenda as soon as possible.

Mr. Burns responded that he has formed no opinion on the matter yet, and even though Auditor Wood and Chair Folwell make valid points, the points seem to address the question of approval, and he wonders if the matter should be put on the agenda so that the full commission can discuss rather than be held back by 1 or 2 members. Mr. Burns would like to receive all the information and review the record so he can compare it with the statutes.

The recording of the entire LGC meeting, including additional discussion between Auditor Wood and Mr. Burns, may be accessed at this webpage:

<https://www.nctreasurer.com/divisions/state-and-local-government-finance/lgc/local-government-commission>.

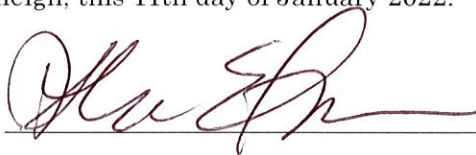
Chair Folwell asked that the meeting be adjourned in memory and honor of Trooper John Horton of Forest City, NC, a 15-year veteran of the NC State Highway Patrol, tragically killed in an accident during a traffic stop on January 3, 2022. Mr. Butler made the motion to adjourn the meeting. Auditor Wood seconded the motion which passed by unanimous vote. The meeting adjourned at 3:02 p.m.

The next regularly scheduled meeting of the North Carolina Local Government Commission will be held on February 1, 2022 at 1:30 p.m.

* * * * *

I, Sharon Edmundson, Secretary of the North Carolina Local Government Commission, CERTIFY that the foregoing is a true and correct account of actions taken at a meeting of the North Carolina Local Government Commission duly called and held on January 11, 2022.

WITNESS my hand at Raleigh, this 11th day of January 2022.

A handwritten signature in dark ink, appearing to read 'Sharon Edmundson', is written over a horizontal line.

Sharon Edmundson, Secretary of the
Local Government Commission of North Carolina



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA

DALE R. FOLWELL, CPA

Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

CLIFFSIDE SANITARY DISTRICT

A POLICY PRESCRIBING PROCEDURES FOR DISPOSING OF PERSONAL PROPERTY VALUED AT LESS THAN \$30,000

WHEREAS, the Local Government Commission (the Commission) impounded the books and assumed full control of all financial affairs of Cliffside Sanitary District (the "District") on September 10, 2019 pursuant to Section 159-181(c) of the North Carolina General Statutes (N.C.G.S.) and is vested with all financial powers conferred upon the governing board by law,

NOW THEREFORE, the Commission, on behalf of Cliffside Sanitary District, adopts the following Policy:

Section 1. The Finance Officer is hereby authorized to dispose of any surplus personal property owned by the District, whenever he or she determines, in his or her discretion, that:

- (a) the item or group of items has a fair market value of less than thirty-thousand dollars (\$30,000.00);
- (b) the property is no longer necessary for the conduct of public business; and,
- (c) sound property management principles and financial considerations indicate that the interests of the District would best be served by disposing of the property.

Section 2. The Finance Officer may dispose of any such surplus personal property by any means which he or she judges reasonably calculated to yield the highest attainable sale price in money or other consideration, including but not limited to the methods of sale provided in Article 12 of N.C. Gen. Stat. Chapter 160A. Such sale may be public or private, and with or without notice and minimum waiting period.

Section 3. The surplus property shall be sold to the party who tenders the highest offer or exchanged for any property or services useful to the District if greater value may be obtained in that manner, and the Finance Officer is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the Finance Officer may retain the property, obtain any reasonably available salvage value, or cause it to be discarded. No surplus

Cliffside Sanitary District
Policy Prescribing Procedures for Property Disposal
January 11, 2022
PAGE 2

property may be donated to any individual or organization except by resolution of the Local Government Commission while the Commission retains full control of the District's financial affairs; otherwise a donation of surplus property requires a resolution of the District's governing board.

Section 4. The Finance Officer shall keep a record of all property sold under authority of this Policy and that record shall generally describe the property sold or exchanged, to whom it was sold or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

Section 5. This Policy is enacted pursuant to the provisions of N.C. Gen. Stat. § 130A-55(20) and § 160A-266(c).

Section 6. This Policy shall become effective upon adoption.

Adopted this 11th day of January 2022.

North Carolina Local Government Commission


Chairman

ATTEST:


Secretary



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

TOWN OF SPRING LAKE

A POLICY PRESCRIBING PROCEDURES FOR DISPOSING OF PERSONAL PROPERTY VALUED AT LESS THAN \$30,000

WHEREAS, the Local Government Commission (the Commission) impounded the books and assumed full control of all financial affairs of the Town of Spring Lake (the "Town") on October 5, 2021 pursuant to Section 159-181(c) of the North Carolina General Statutes (N.C.G.S.) and is vested with all financial powers conferred upon the governing board by law.

NOW THEREFORE, the Commission, on behalf of the Town of Spring Lake, adopts the following Policy:

Section 1. The Town Manager or Finance Officer is hereby authorized to dispose of any surplus personal property owned by the Town, whenever he or she determines, in his or her discretion, that:

- (a) the item or group of items has a fair market value of less than thirty-thousand dollars (\$30,000.00);
- (b) the property is no longer necessary for the conduct of public business; and,
- (c) sound property management principles and financial considerations indicate that the interests of the Town would best be served by disposing of the property.

Section 2. The Town Manager or Finance Officer may dispose of any such surplus personal property by any means which he or she judges reasonably calculated to yield the highest attainable sale price in money or other consideration, including but not limited to the methods of sale provided in Article 12 of N.C. Gen. Stat. Chapter 160A. Such sale may be public or private, and with or without notice and minimum waiting period.

Section 3. The surplus property shall be sold to the party who tenders the highest offer or exchanged for any property or services useful to the Town if greater value may be obtained in that manner, and the Town Manager or Finance Officer is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the Town

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Manager or Finance Officer may retain the property, obtain any reasonably available salvage value, or cause it to be discarded. No surplus property may be donated to any individual or organization except by resolution of the Local Government Commission while the Commission retains full control of the Town's financial affairs; otherwise a donation of surplus property requires a resolution of the Town's governing board.

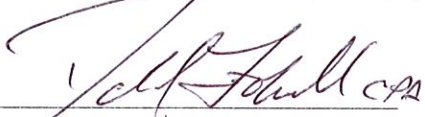
Section 4. The Town Manager or Finance Officer shall keep a record of all property sold under authority of this Policy and that record shall generally describe the property sold or exchanged, to whom it was sold or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

Section 5. This Policy is enacted pursuant to the provisions of N.C. Gen. Stat. § 160A-266(c).

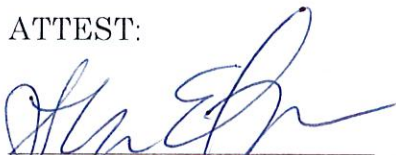
Section 6. This Policy shall become effective upon adoption.

Adopted this 11th day of January 2022.

North Carolina Local Government Commission


Chairman

ATTEST:


Secretary

NORTH CAROLINA
DEPARTMENT OF STATE TREASURER



Dale R. Folwell, CPA
STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

LOCAL GOVERNMENT COMMISSION
STATE AND LOCAL GOVERNMENT FINANCE DIVISION
SHARON EDMUNDSON, DEPUTY TREASURER

Town of Robersonville
Request for Budget Amendment
For Fiscal Year Ending June 30, 2022

GENERAL FUND	ACCOUNT #	ORIGINAL BUDGET including amendments	AMENDMENT	AMENDED BUDGET
ESTIMATED REVENUES				
ARPA Revenue - Rescue	40-389-001	-	9,186.30	9,186.30
DOI Rescue Grant	10-397-114	-	5,625.00	5,625.00
Total Increase (Decrease) in Revenues			14,811.30	
APPROPRIATIONS				
Contingency	10-700-200	13,328.00	(13,328.00)	-
Fire Department Insurance	10-530-054	18,441.05	5,998.00	24,439.05
Rescue Department Insurance	10-590-054	21,113.44	7,330.00	28,443.44
ARPA Rescue expenses	40-400-002	-	9,186.30	9,186.30
DOI Grant expenditure	10-590-084	-	11,250.00	11,250.00
Rescue Supplies	10-590-033	22,716.00	(5,625.00)	17,091.00
Total Increase (Decrease) in Appropriations			14,811.30	
Total Change on Fund Balance			-	

Justification for Budget Amendment:

Rescue Department receiving 2 grants:

ARP - American Rescue Plan Rural payment from Department of Health and Human Services (HHS), through the Health Resources and Services Administration (HRSA) and a NC Department of Insurance matching grant.

Moving money from General fund contingency to both the Fire & Rescue departments insurance.

Approved by Board

Date

1/12/22

NORTH CAROLINA
DEPARTMENT OF STATE TREASURER



Dale R. Folwell, CPA
STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

LOCAL GOVERNMENT COMMISSION
STATE AND LOCAL GOVERNMENT FINANCE DIVISION
SHARON EDMUNDSON, DEPUTY TREASURER

Town of Robersonville
Request for Budget Amendment
For Fiscal Year Ending June 30, 2022

SEWER FUND	ACCOUNT #	ORIGINAL BUDGET including amendments	AMENDMENT	AMENDED BUDGET
ESTIMATED REVENUES				
Insurance Proceeds	32-660-107	-	4,571.54	4,571.54
Total Increase in Revenues			<u>4,571.54</u>	
APPROPRIATIONS				
Damaged Pump Repair: Insurance	32-660-107	-	4,571.54	4,571.54
Total Increase in Appropriations			<u>4,571.54</u>	
Total Change on Fund Balance			<u>-</u>	

Justification for Budget Amendment:

Increase in revenues & expenditures for Insurance funds received. Storm damages were sustained to a pump motor at the Town Wastewater treatment plant.

Approved by Board

Date

1/12/22

DST POLICIES AND PROCEDURES

APPENDIX A

Board Member Statement of Conflict of Interest and Recusal Form

Vida Harvey

Board Member Name

Local Government Commission

Name of Board

Pursuant to the State Government Ethics Act (N.C.G.S. § 138A-36), board members must abstain from taking action when there is an actual or potential conflict between their personal or business interests and their duty to represent the general public. The abstention must be recorded in the meeting minutes. The reason for the abstention must also be recorded in the meeting minutes or must be recorded on this form and given to the Chair.

I have a conflict of interest in the following Board matter: [describe agenda item]

Columbus County Installment Purchase Contract for school construction

Charlotte-Mecklenburg Hospital Authority (d/b/a Atrium Health) refunding of revenue bonds

I am recusing myself from discussion of this agenda item and have abstained from the official action or proceeding on this matter based on the following potential or actual conflict of interest(s):

☒ financial benefit³

☐ employment or association⁶ conflict

☐ other conflict

☐ familial relationship⁴ (including members of extended family⁵) conflict

☐ personal conflict (including friendships or a leadership position in an organization)

The conflict being described as: Potential conflict related to fact that spouse is a shareholder and employee of the law firm, Robinson Bradshaw, which is being compensated for representing Columbus County in its financing matter, and as bond counsel for Atrium Health.

I intend for this statement to satisfy the requirement to “submit in writing . . . the reasons for the abstention” pursuant to N.C.G.S. § 138A-36(b). This form will be treated as a public record unless an exemption applies.

DocuSigned by:

Vida C Harvey

DCDC3CBA3F4D4...

Signature

January 11, 2022

Date

³ Defined as “A direct pecuniary gain or loss” to the board member or a person or entity with which the board member is associated N.C.G.S. § 138A-3(30). “With which associated” includes the board member’s employer; members of Extended Family; employers of Immediate Family; the board member as a director, officer, partner or similar position (irrespective of compensation received); an entity in which the board member has a financial interest (lesser of \$10K or 5% interest); or non-profit organization where the board member or an immediate family member is on the board of directors is a corporate officer.

⁴ Defined as “an unemancipated child of the covered person residing in the household and the covered person's spouse, if not legally separated. A member of a covered person's extended family shall also be considered a member of the immediate family if actually residing in the covered person's household.” [N.C.G.S. § 138A-3(40)]

⁵ Defined as a “spouse, lineal descendant, lineal ascendant, sibling, spouse's lineal descendant, spouse's lineal ascendant, spouse's sibling, and the spouse of any of these individuals.” [N.C.G.S. § 138A-3(25)]

⁶ An association conflict can include the board member’s employer; members of extended family; employers of immediate family; the board member as a director, officer, partner or similar position (irrespective of compensation received); or in which the board member has a financial interest (lesser of \$10K or 5% interest); or non-profit organization on which the board member or an immediate family member serve on the board of directors or as a corporate officer.

DST POLICIES AND PROCEDURES

APPENDIX A

Board Member Statement of Conflict of Interest and Recusal Form

Nancy J. Hoffmann

Board Member Name

Local Government Commission

Name of Board

Pursuant to the State Government Ethics Act (N.C.G.S. § 138A-36), board members must abstain from taking action when there is an actual or potential conflict between their personal or business interests and their duty to represent the general public. The abstention must be recorded in the meeting minutes. The reason for the abstention must also be recorded in the meeting minutes or must be recorded on this form and given to the Chair.

I have a conflict of interest in the following Board matter: [describe agenda item]

Columbus County Installment Purchase Contract for school construction

Town of Nags Head Installment Contract for construction of police station

I am recusing myself from discussion of this agenda item and have abstained from the official action or proceeding on this matter based on the following potential or actual conflict of interest(s):

☒ financial benefit³

☐ employment or association⁶ conflict


☐ other conflict

☐ familial relationship⁴ (including members of extended family⁵) conflict

☐ personal conflict (including friendships or a leadership position in an organization)

The conflict being described as: having a financial interest of at least \$10,000 in the financial institutions acting as lenders for the 2 agenda items: Columbus County item - J.P. Morgan Chase; Town of Nags Head item - Truist Bank

I intend for this statement to satisfy the requirement to "submit in writing . . . the reasons for the abstention" pursuant to N.C.G.S. § 138A-36(b). This form will be treated as a public record unless an exemption applies.


Signature

January 11, 2022

Date

³ Defined as "A direct pecuniary gain or loss" to the board member or a person or entity with which the board member is associated N.C.G.S. § 138A-3(30). "With which associated" includes the board member's employer; members of Extended Family; employers of Immediate Family; the board member as a director, officer, partner or similar position (irrespective of compensation received); an entity in which the board member has a financial interest (lesser of \$10K or 5% interest); or non-profit organization where the board member or an immediate family member is on the board of directors is a corporate officer.

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⁶ An association conflict can include the board member's employer; members of extended family; employers of immediate family; the board member as a director, officer, partner or similar position (irrespective of compensation received); or in which the board member has a financial interest (lesser of \$10K or 5% interest); or non-profit organization on which the board member or an immediate family member serve on the board of directors or as a corporate officer.

DST Reference:

OST-PRO-1002-MUL

Title:

Boards and Commissions Administration Procedure

Chapter:

Compliance

Current Effective Date:

September 22, 2021