

**NORTH CAROLINA DEPARTMENT OF STATE TREASURER
LOCAL GOVERNMENT COMMISSION
MINUTES
FEBRUARY 2, 2021**

The meeting was called to order at 2:30 p.m. by Chair Dale R. Folwell on the above date. The meeting was conducted in person and by use of simultaneous communication by telephone due to the COVID 19 pandemic. Members present in person were: Chair Folwell, State Auditor Beth Wood and Joshua Bass. Members present by phone were: Secretary of State Elaine Marshall, Secretary of Revenue Ronald Penny, Edward Munn, Viola Harris, Scott Padgett and Mike Philbeck. Mr Padgett left the meeting at 4:06 p.m. after approval of the units on the Distressed Units list. Ms. Harris left the meeting at 4:21 after the vote on the consent agenda.

Members Absent: None.

A quorum was present for the entire meeting.

Other participants present in person: Sharon Edmundson, Susan McCullen, Alisia Smith, Cindy Aiken, Ben Garner, Sam Watts and Brian Jackson.

Other participants by phone: Tim Romocki, Debbie Tomasko, Jennifer Wimmer, Lewis Andrews and Paru Patel.

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. There were no conflicts to report.

Ms. Wood made a motion to approve the minutes of the January 5, 2021 regular meeting. Mr. Bass seconded the motion and the minutes were approved by unanimous vote.

Viable Utility Reserve Grants:

Ms. Wood made a motion to approve Viable Utility Reserve Grants for the Town of Bethel, Cliffside Sanitary District and the Town of Kingstown in the amounts of \$100,000, \$400,000, and \$250,000 for each town, respectively.

See Exhibit 1 – Viable Utility Reserve Grant Applications

Mr. Bass second the motion and the foregoing grant applications were passed by unanimous vote.

Mr. Padgett made a motion to approve budget amendments for Viable Utility Reserve Grants for Cliffside Sanitary District and the Town of Kingstown.

**Capital Project Ordinance – VUR Grant Sewer Project Cliffside
Sanitary District**

Section 1: The project authorized is the conduction of an alternatives analysis, rate analysis, and a system asset inventory and analysis.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the grant documents, and the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Rate analysis	\$ 100,000
Alternatives analysis	150,000
Asset inventory and analysis	<u>150,000</u>
Total appropriations	<u>\$ 400,000</u>

Section 4: The following revenues are anticipated to be available to complete this project:

Viable utility reserve grant	<u>\$ 400,000</u>
Total estimated revenues	<u>\$ 400,000</u>

Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.

Section 6: The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total grant revenues received or claimed.

Section 7: Copies of this capital project ordinance shall be furnished to the governing board and the finance officer for their use in carrying out this project.

Adopted this 2nd day of February 2021

Capital Project Ordinance – VUR Grant Sewer Project Kingstown

Section 1: The project authorized is the conduction of an alternatives analysis, rate analysis, and a system asset inventory and analysis.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the grant documents, and the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Rate analysis	\$ 100,000
Asset inventory and analysis	<u>150,000</u>
Total appropriations	<u>\$ 250,000</u>

Section 4: The following revenues are anticipated to be available to complete this project:

Viable utility reserve grant	<u>\$ 250,000</u>
Total estimated revenues	<u>\$ 250,000</u>

Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.

Section 6: The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total grant revenues received or claimed.

Section 7: Copies of this capital project ordinance shall be furnished to the governing board and the finance officer for their use in carrying out this project.

Adopted this 2nd day of February 2021

Ms. Harris seconded the motion the foregoing budget amendments were passed by unanimous vote.

Mr. Padgett made a motion to adopt the following resolution:

WHEREAS, General Statute 159G-20(4a) defines a unit of government as a “Distressed unit” as a public water or wastewater system operated by a local government unit exhibiting signs of failure to identify or address those financial or operating needs necessary to enable that system to become or to remain a local government unit generating sufficient revenues to adequately fund management and operations, personnel, appropriate levels of maintenance, and reinvestment that facilitate the provision of reliable water and wastewater services;

WHEREAS, General Statute 159G-45(a) requires the State Water Infrastructure Authority (“SWIA”) and the Local Government Commission (“LGC”) to develop criteria to assess and review local governments, and General Statute 159G-45(b) requires SWIA and the LGC to utilize the assessment and review process, to identify distressed units;

NOW THEREFORE BE IT RESOLVED, the Commission identifies as “Distressed” the units of government presented on the Distressed Units List dated February 2, 2021, pending further approval by the SWIA at their meeting of February 10, 2021.

See Exhibit 2 – VUR Distressed Units

Mr. Munn seconded the motion and the foregoing resolution was adopted by unanimous vote.

Ms. Wood made a motion to adopt the four (4) budget amendments for the Town of Robersonville.

See Exhibit 3 – Robersonville Budget Amendments

Ms. Harris seconded the motion and the foregoing were adopted by unanimous vote.

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

RESOLUTION TO APPROVE CHERRY BEKAERT LLP AS THE SELECTED AUDITOR TO PERFORM THE ROBERSONVILLE AUDIT

WHEREAS, On October 6, 2020, the Local Government Commission (the “LGC”) exercised its authority under North Carolina General Statute 159-181(c) and adopted a resolution assuming control of the financial affairs of the Town of Robersonville (the “Town”); and

WHEREAS, pursuant to that authority, the LGC is vested with all of the powers of the Town’s governing board as to the financial powers conferred upon the governing board by law; and

WHEREAS, the Town issued a Request for Proposals to Provide Audit Services (the “RFP”), asking potential vendors to submit bids to perform an independent audit for the periods ended June 30, 2018, 2019, and 2020 (the “Audit”) as required by North Carolina General Statute 159-34(a); and

WHEREAS, the Town received three (3) vendor responses to the RFP and LGC Staff reviewed the responses; and

WHEREAS, the LGC Staff recommends that the contract for the Audit be awarded to the audit firm Cherry Bekaert LLP as the qualified bidder submitting the lowest proposed fee;

NOW THEREFORE, BE IT RESOLVED that the LGC hereby adopts the LGC Staff recommendation and selects the audit firm Cherry Bekaert LLP to perform the Town’s required independent audit and directs the Chairman of the LGC to execute a standard LGC Form-205 Audit Contract with Cherry Bekaert LLP. Further, the LGC requires the contract to include (1) a date certain as the deadline for completing the Audit, and (2) a provision stating that time is of the essence.

I, Sharon Edmundson, Secretary of the North Carolina Local Government Commission, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the Resolution adopted by the North Carolina Local Government Commission at its meeting held on February 2, 2021.

Ms. Harris seconded the motion and the foregoing were adopted by unanimous vote.

Ms. Harris made a motion that the following resolution, which was read by its title, be approved.

“RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF CLEVELAND TO FINANCE AND REFINANC CERTAIN PROJECTS THROUGH AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. 160A-20.”

WHEREAS, the County of Cleveland (the “County”) has determined that it is necessary or expedient to refinance certain installment financing contracts to achieve debt service savings (the “Refinancings”) and to finance the renovation of the Cleveland County Public Health Center (the “Project”) to provide for the improved administration of County government; and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the County intends to finance the Project and the Refinancings through an Installment Financing Contract (the “Contract”) between the County and Capital One Public Funding, LLC (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 in installments; and

WHEREAS, the principal amount of the Contract shall not exceed \$38,650,000, with semi-annual payments ending not later than December 31, 2035 at a rate of interest not to exceed 2.10% for the Refinancings and 3.75% for the Project; 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 or 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 its proposed purpose;
- (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."

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

RESOLUTION APPROVING THE FINANCING TEAM FOR THE COUNTY OF CUMBERLAND, NORTH CAROLINA LIMITED OBLIGATION BONDS, SERIES 2021

WHEREAS, the County of Cumberland, North Carolina (the "County") has requested that the North Carolina Local Government Commission (the "Commission") approve their selection of the following financing team members for the upcoming issuance of its Limited Obligation Bonds, Series 2021:

Underwriter:	PNC Capital Markets LLC
Underwriter counsel:	Womble Bond Dickenson (US) LLP
Co-Bond Counsel:	McGuireWoods LLP
	The Charleston Group
Trustee:	Regions Bank
Financial Advisor:	DEC Associates Inc.

WHEREAS, based upon information and evidence received by the Commission, it has determined to approve the County's request;

NOW, THEREFORE, BE IT RESOLVED by the Commission that the above financing team for the County's upcoming Limited Obligation Bonds, Series 2021 is hereby authorized and approved.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF CUMBERLAND, NORTH CAROLINA FOR THE FINANCING OF CERTAIN CAPITAL IMPROVEMENTS OF THE COUNTY PURSUANT TO AN INSTALLMENT FINANCING BY THE COUNTY THROUGH THE ISSUANCE OF THE LIMITED OBLIGATION BONDS AND THE EXECUTION AND DELIVERY OF A TRUST AGREEMENT AND FIRST SUPPLEMENTAL TRUST AGREEMENT

WHEREAS, the County of Cumberland (the “County”) intends to enter into a Trust Agreement dated as of February 1, 2021 (the “Trust Agreement”), between the County and Regions Bank, as trustee (the “Trustee”), pursuant to which the Trustee will advance funds to the County for the purpose of financing (a) the acquisition, construction and equipping of an Emergency Operations Center and a Regional Fire Training Center for Fayetteville Technical Community College and (b) the costs and expenses incurred in connection with the issuance of the Bonds (the “Project”); and

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, as amended, the County has made proper application to the North Carolina Local Government Commission (the “Commission”) for approval of the proposed issuance of its Limited Obligation Bonds, Series 2021 (the “2021 Bonds”) pursuant to the Trust Agreement and a First Supplemental Trust Agreement dated as of February 1, 2021 (the “First Supplemental Trust Agreement”), between the County and the Trustee; and

WHEREAS, the County has filed with the application to the Commission drafts of the following documents relating to the proposed refinancing:

- (a) Trust Agreement dated as of February 1, 2021;
- (b) First Supplemental Trust Agreement, including the form of the 2021 Bonds set forth as Exhibit A thereto;
- (c) Deed of Trust dated as of February 1, 2021 (the “Deed of Trust”), from the County to the deed of trust trustee named therein for the benefit of the Trustee;
- (d) Bond Purchase Agreement, to be dated the date of delivery thereof (the “Bond Purchase Agreement”), between the County and PNC Capital Markets LLC (the “Underwriter”); and
- (e) Preliminary Official Statement, to be dated the date of delivery thereof (the “Preliminary Official Statement”), relating to the offering and sale of the 2021 Bonds;

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended, the County intends to finance the Project by entering into the Trust Agreement and the First Supplemental Trust Agreement, whereby the County will issue its 2021 Bonds, each 2021 Bond constituting a contract between the County and the owner thereof for such owner to provide to the County financing of a portion of the cost of financing the Project; and

WHEREAS, to secure its obligations with respect to the 2021 Bonds under the Trust Agreement and the First Supplemental Trust Agreement, the County will execute and deliver the Deed of Trust granting a lien on the site where a portion of the Project is located, together with all improvements and fixtures located and to be located thereon; and

WHEREAS, the County proposes to sell the 2021 Bonds to the Underwriter pursuant to the Bond Purchase Agreement for a public offering pursuant to the Preliminary Official Statement and a final Official Statement; and

WHEREAS, the aggregate principal amount of the 2021 Bonds shall not exceed \$25,000,000; and

WHEREAS, the 2021 Bonds shall have a final maturity not later than 2040; and

WHEREAS, the effective interest cost of the 2021 Bonds shall not exceed 2.840%; and

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

- (a) the proposed 2021 Bonds are necessary and expedient for the County;
- (b) the obtaining of financing with limited obligation bonds, under the circumstances, is preferable to a general obligation bond issue for the same purpose;
- (c) the sums to fall due with respect to the Bonds are adequate and not excessive for the proposed purposes thereof;
- (d) the County's debt management procedures and policies are good;
- (e) no increase in taxes will be necessary to meet the sums to fall due with respect to the 2021 Bonds; and
- (f) the County is not in default in any of its debt service obligations.

NOW, THEREFORE, BE IT RESOLVED by the Executive Committee of the Commission that the application of the County for approval of the Trust Agreement and the First Supplemental Trust Agreement and the proposed issuance of the 2021 Bonds is hereby approved under the provisions of Section 160A-20 of the General Statutes of North Carolina and the relevant resolutions of the Commission. The 2021 Bonds may be sold to the Underwriter pursuant to the Bond Purchase Agreement. The Commission hereby approves the offering of the 2021 Bonds pursuant to the Official Statement and the form of the Official Statement.

Ms. Harris seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

“RESOLUTION APPROVING THE APPLICATION OF THE CITY OF KANNAPOLIS FOR THE FINANCING OF A PARKING FACILITY THROUGH AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. § 160A-20

WHEREAS, the City of Kannapolis, North Carolina (the “City”) has determined that it is in the best interests of the City to enter into an installment financing contract with the Kannapolis Capital Corporation, a North Carolina nonprofit corporation (the “Corporation”), in order to (1) finance the acquisition of a parking facility constructed as part of a multi-use project located in the downtown area of the City, and (2) pay the costs related to the execution and delivery of the Contract (as defined below);

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina (the “General Statutes”), the City intends to finance the parking facility through an Installment Financing Contract dated as of February 1, 2021 (the “Contract”) between the City and the Corporation, whereby the Corporation will advance moneys to the City for the purpose of financing the parking deck and the City, subject to its right of nonappropriation, will repay the advancement with interest in installments; and

WHEREAS, the Corporation will enter into an Indenture of Trust dated as of February 1, 2021 between the Corporation and U.S. Bank National Association, as trustee (the “Trustee”), pursuant to which the Corporation will execute and deliver its Taxable Limited Obligation Bonds, Series 2021 (the “2021 Bonds”); and

WHEREAS, the 2021 Bonds are to be underwritten by PNC Capital Markets LLC (the “Underwriter”), and the proceeds from the sale of the 2021 Bonds will be remitted by the Underwriter to the City to fund the advances by the Corporation to the City under the Contract; and

WHEREAS, the aggregate principal amount of the 2021 Bonds shall not exceed \$15,000,000; and

WHEREAS, the maturity of the installment payments under the Contract for the 2021 Bonds shall not extend beyond December 31, 2041; and

WHEREAS, the effective interest cost with respect to the 2021 Bonds shall not exceed 3.74%; and

WHEREAS, pursuant to Article 8 of Chapter 159 of the General Statutes, the City 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 City;
- (ii) the Contract, under the circumstances, is preferable to a bond issue by the City 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 City’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 City 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, the 2021 Bonds 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.”

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

Ms. Harris made a motion to approve the following resolution:

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE TAXABLE LIMITED OBLIGATION BONDS (CITY OF KANNAPOLIS, NORTH CAROLINA), SERIES 2021”

WHEREAS, the City of Kannapolis, North Carolina (the “City”) has requested that the North Carolina Local Government Commission approve its selection of the following financing team members for the above-referenced bonds:

- Special Counsel: - Parker Poe Adams & Bernstein LLP
- Financial Advisor: - Davenport & Company LLC
- Underwriter: - PNC Capital Markets LLC
- Underwriter’s Counsel: - Pope Flynn, LLC
- Trustee: - U.S. Bank National Association (DTC)

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 City should be approved.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the above-referenced financing team is hereby approved for the execution and delivery of the above-referenced bonds.”

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

“RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF NEW HANOVER FOR THE FINANCING OF CONSTRUCTION OF AND IMPROVEMENTS TO 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 New Hanover, North Carolina (the “County”) has previously entered into an Installment Financing Contract dated as of June 1, 2010 (the “2010 Contract”), between the County and the New Hanover Financing Corporation (the “Corporation”), as amended by Amendment Number One to the 2010 Contract dated as of September 1, 2012 (the “First Amendment”) and Amendment Number Two to the 2010 Contract dated as of February 1, 2020 (the “Second Amendment”); and

WHEREAS, the County has determined that it is in the County’s best interest to enter into Amendment Number Three to the 2010 Contract dated as of March 1, 2021 (the “Third Amendment” and together with the 2010 Contract, the First Amendment, and the Second Amendment, the “Contract”), between the County and Corporation in order to pay the capital costs of (a) (i) acquisition, construction, and equipping of a 200-bed long-term addiction treatment center to be located in the County known as the “Healing Place,” (ii) acquisition, construction, and equipping of a new government center complex for the County, (iii) construction of stormwater management improvements, and (iv) other miscellaneous capital improvements and the acquisition of certain equipment for both County and school purposes and (b) refinancing the County’s obligations related

to a Financing Agreement and Deed of Trust dated as of February 9, 2018 between the County and Branch Banking and Trust Company; and

WHEREAS, the County intends to enter into the Third Contract Amendment whereby the Corporation will advance money 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 an Supplemental Indenture, Number 3 dated as of March 1, 2021 (the "Third Supplement" and together with the Indenture of Trust Dated as of June 1, 2010, as previously supplemented, the "Indenture") between the Corporation and U.S. Bank National Association (the "Trustee"), pursuant to which the Corporation will execute and deliver its Limited Obligation Bonds, Series 2021 (the "2021 Bonds"); and

WHEREAS, the 2021 Bonds are to be underwritten by PNC Capital Markets LLC and Stifel, Nicolaus & Company, Incorporated (collectively, the "Underwriters"), and the proceeds from the sale of the 2021 Bonds will be remitted by the Underwriters to the County to fund the advances by the Corporation to the County under the Contract; and

WHEREAS, the aggregate principal amount of 2021 Bonds shall not exceed \$90,000,000; and

WHEREAS, the maturity of the installment payments related to the 2021 Bonds shall not extend beyond 2040; and

WHEREAS, the interest rate shall not exceed 2.66%; 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 Third Amendment, the 2021 Bonds and the planned financing and refinancing are hereby approved under the provisions of Section 160A-20, Article 8 of Chapter 159 of the General Statutes and is hereby approved as required under the provisions of Section 159-196 of the General Statutes."

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

Ms. Harris made a motion to approve the following resolution:

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE COUNTY OF NEW HANOVER LIMITED OBLIGATION BONDS, SERIES 2021

WHEREAS, the County of New Hanover, 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
Underwriters:	- PNC Capital Markets LLC
	- Stifel, Nicolaus & Company, Incorporated
Underwriter’s Counsel:	- Holland & Knight LLP
Trustee:	- U.S. Bank National Association
Financial Advisor:	- First Tryon Advisors

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 financings.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

RESOLUTION APPROVING THE APPLICATION OF THE CITY OF NEWTON, NORTH CAROLINA FOR FINANCING (1) PURCHASE OF TWO FLYGT PUMPS FOR THE WESTSIDE PUMP STATION, (2) INFRASTRUCTURE IMPROVEMENTS INCLUDING REPLACEMENT OF W 24 STREET CULVERT, N SHIPP AVENUE WATER LINE REPLACEMENT, RECLOSERS & FIBER TO AUTOMATE ELECTRIC DISTRIBUTION SYSTEM AND REPLACEMENT IF ELECTRICAL UNDERGROUND CABLE & RECONDUCTORING WIRE THROUGH AN INSTALLMENT FINANCING AGREEMENT PURSUANT TO G.S. 160A-20

WHEREAS, the City of Newton, North Carolina (the “*City*”) has determined that it is necessary and expedient to upgrade equipment and to improve stormwater, water and electric infrastructure (the “*Project*”); 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 Truist Bank (the “*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 \$1,638,790 with annual principal and interest payments with a (term of fifteen (15) years at a rate of 1.920%) and for a (term of ten (10) years at a rate of 1.610%) per annum; and

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, the City 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 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 G.S. 160A-20 and relevant resolutions of the Commission.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF SOUTHERN PINES, NORTH CAROLINA FOR A PROJECT THAT CONSISTS OF THE REPURPOSE, REMODEL AND U-LIFT TO THE PUBLIC WORKS ANNEX THROUGH AN INSTALLMENT FINANCING AGREEMENT PURSUANT TO G.S. 160A-20

WHEREAS, the Town of Southern Pines, North Carolina (the "Town") has determined that it is necessary and expedient due to the growth of the Town, requirements of staff relocation, and repurposing of Town buildings (the "Project"); and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the Town intends to finance the Project pursuant to an Installment Financing Agreement (the "Agreement") between the Town and First Bank (the "Lender"), whereby the Lender shall advance moneys to the Town, and the Town, 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 \$1.250,000 with annual payments with a term of fifteen (15) years at a rate of 1.40% 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 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 Agreement is necessary and expedient for the Town;
- (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 Town's debt management procedures and policies are good;
- (v) that the Town 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 G.S. 160A-20 and relevant resolutions of the Commission.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

"RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF STANLY FOR THE REFINANCING OF PRIOR CONTRACTS THROUGH AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. §160A-20

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the County of Stanly, North Carolina (the "County") intends to refinance certain prior installment financing contracts, the proceeds of which were used to pay the capital costs of construction of a cosmetology building on the campus of Stanly Community College (the "Cosmetology Building"), construction of a County EMS station, acquisition of certain communications equipment and construction of three radio towers for use by the County (collectively, the "Project") and pay certain costs related to the execution and delivery of an Installment Financing Contract dated as of February 1, 2021 (the "Contract") between the County and Pinnacle Bank (the "Bank"), whereby the Bank will advance money to the County for the purpose of refinancing the Project, and the County, subject to its right of non-appropriation, will repay the advancement with interest in installments;

WHEREAS, the principal amount to be advanced by the Bank to the County under the Contract shall not exceed \$8,154,982;

WHEREAS, the County will repay the advance in semi-annual payments of interest and annual payments of principal at an interest rate not to exceed 1.50% per annum;

WHEREAS, the final maturity date of the Contract may not extend beyond 2041;

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, the County has made proper application to the 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; and

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

- (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 its 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 Commission that the application for approval of the Contract and planned refinancing are hereby approved under the provisions of Section 160A-20 of the General Statutes, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission."

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

Ms. Harris made a motion to approve the following resolution:

"RESOLUTION APPROVING THE FINANCING TEAM FOR THE COUNTY OF STANLY, NORTH CAROLINA INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. §160A-20

WHEREAS, the County of Stanly, North Carolina has requested that the North Carolina Local Government Commission (the "Commission") approve its selection of the following financing team members for the above-referenced installment financing contract:

Special Counsel: Parker Poe Adams & Bernstein LLP

Bank: Pinnacle Bank
Bank Counsel: Nexsen Pruet, PLLC
Financial Advisor: FHN Financial

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

NOW, THEREFORE, BE IT RESOLVED by the Commission that the above-referenced financing team is hereby approved for the above-referenced installment financing contract."

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF WAKE, NORTH CAROLINA FOR THE FINANCING AND REFINANCING OF PUBLIC SCHOOL FACILITIES AND COMMUNITY COLLEGE FACILITIES BY THE COUNTY THROUGH THE ISSUANCE OF LIMITED OBLIGATION BONDS AND THE EXECUTION AND DELIVERY OF A THIRD SUPPLEMENTAL TRUST AGREEMENT AND A SECOND SUPPLEMENT TO DEED OF TRUST IN CONNECTION THEREWITH

WHEREAS, in order to provide financing for additional new public school facilities and for renovation, rehabilitation and improvement of existing school facilities in Wake County, North Carolina (the "County") and to provide financing for new community college facilities and renovation, rehabilitation and improvement of existing community college facilities in the County, the County has previously entered into Installment Financing Agreements with Wells Fargo Bank, National Association and Bank of America, N.A. (collectively, the "Prior Agreements"), which Prior Agreements were approved by the North Carolina Local Government Commission (the "Commission");

WHEREAS, the Prior Agreements were entered into under a plan of finance under which the obligations of the County under the Prior Agreements would be refinanced from time to time by Limited Obligation Bonds issued pursuant to, and secured by a deed of trust entered into under the authority of North Carolina General Statutes Section 160A-20;

WHEREAS, the County has determined that a need exists to (a) refinance the balance of its obligations under the Prior Agreements pursuant to the above-described plan of finance and (b) finance additional public school and community college improvements (the "Remaining Projects");

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, as amended, the County has made proper application to the Commission for approval of the proposed refinancing of a portion of the Prior Agreements and the financing of the Remaining Projects through the issuance of its County of Wake, North Carolina Limited Obligation Bonds, Series 2021 (the "Series 2021 Bonds") to be issued in accordance with Section 160A-20, as amended, of the General Statutes of North Carolina (the "Act");

WHEREAS, the County has filed with the application to the Commission drafts of the following documents relating to the proposed financing and refinancing:

(a) Third Supplemental Trust Agreement, to be dated as of February 1, 2021 (the "Third Supplemental Trust Agreement"), between the County and U.S. Bank National Association, as trustee (the "Trustee"), supplementing the Trust Agreement, dated as of June

1, 2018 (the “Trust Agreement”), between the County and the Trustee, including the form of the Series 2021 Bonds set forth as Exhibit A thereto;

(b) Second Supplement to Deed of Trust, to be dated as of February 1, 2021 (the “Second Supplement to Deed of Trust”), from the County to the deed of trust trustee named therein for the benefit of the Trustee and its successors and assigns, supplementing the Deed of Trust, dated as of June 1, 2018 (the “Deed of Trust”), from the County to the deed of trust trustee named therein for the benefit of the Trustee, adding the sites of Barton Pond Elementary School, Neuse River Middle School and Fuquay-Varina High School and the improvements located or to be located thereon as additional properties subject to the Deed of Trust;

(c) Bond Purchase Agreement, to be dated the date of delivery thereof (the “Bond Purchase Agreement”), between the County and J.P. Morgan Securities, LLC, on behalf of itself and BofA Securities Inc., and Loop Capital Markets LLC (collectively, the “Underwriters”); and

(d) Preliminary Official Statement, to be dated the date of delivery thereof (the “Preliminary Official Statement”), relating to the offering and sale of the Series 2021 Bonds.

WHEREAS, the Series 2021 Bonds, together with corresponding obligations under the Trust Agreement and the Deed of Trust relating thereto, shall constitute installment contracts or contracts within the meaning of the Act entered into by the County for the purpose of refinancing a portion of the Prior Agreements and financing the Remaining Projects;

WHEREAS, the County proposes to sell the Series 2021 Bonds to the Underwriters pursuant to the Bond Purchase Agreement, to be offered and sold to the public pursuant to the Preliminary Official Statement and a final Official Statement relating to the offering and sale of the Series 2021 Bonds;

WHEREAS, the principal amount of the Series 2021 Bonds shall not exceed \$377,185,000, the Series 2021 Bonds shall have a final maturity not to exceed December 31, 2038, and the true interest cost of the Series 2021 Bonds shall not exceed 2.50% per annum; and

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

(a) the proposed Series 2021 Bonds are necessary and expedient for the County;

(b) the refinancing of a portion of the Prior Agreements and the financing of the Remaining Projects through the issuance of the Series 2021 Bonds, under the circumstances, is preferable to a general obligation bond issue for the same purpose;

(c) the sums to fall due on the Series 2021 Bonds are adequate and not excessive for the proposed purposes thereof;

(d) the County’s debt management procedures and policies are good;

(e) the increases in taxes, if any, necessary to meet the sums to fall due with respect to the Series 2021 Bonds will not be excessive; and

(f) the County is not in default in any of its debt service obligations.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application of the County for approval of the Third Supplemental Trust Agreement, the Second Supplement to Deed of Trust and the proposed issuance of the Series 2021 Bonds pursuant thereto is hereby approved under the provisions of the Act and the relevant resolutions of the North Carolina Local Government Commission. The Series 2021 Bonds may be sold to the Underwriters pursuant to the terms of the Bond Purchase Agreement subject to the conditions set for in this resolution. The Commission approves the following financing team members in connection with the issuance and sale of the Series 2021 Bonds:

Bond Counsel:	Womble Bond Dickinson (US) LLP
Underwriters:	J.P. Morgan Securities, LLC; BofA Securities Inc.; and Loop Capital Markets LLC
Underwriters' Counsel:	Parker Poe Adams & Bernstein LLP
Trustee:	U.S. Bank National Association
Financial Advisor:	Waters and Company, LLC

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE TOWN OF CHADBOURN GENERAL OBLIGATION REFUNDING BONDS”

WHEREAS, the Town of Chadbourn (the “Town”) has requested that the North Carolina Local Government Commission (the “Commission”) approve its selection of the following financing team members for its upcoming issue of general obligation refunding bonds:

Bond Counsel:	Sanford Holshouser LLP
Purchaser of Bond:	Zions Bancorporation, N.A.
Purchaser’s Counsel:	In-House
Financial Adviser:	First Tryon Advisors

WHEREAS, based upon the information and evidence received by the Commission, it believes the Town’s request should be approved;

NOW, THEREFORE, BE IT RESOLVED by the Commission that the above financing team is approved for the Town’s proposed issue of general obligation refunding bonds.”

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

Then, Harris made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF CHADBOURN FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS IN AN AMOUNT NOT TO EXCEED \$1,725,000”

WHEREAS, the Town of Chadbourn (the “Town”) has applied to the North Carolina Local Government Commission (the “Commission”), pursuant to The State and Local Government Bond Act, as amended, and Article 9 of Chapter 159 of the General Statutes of North Carolina, for approval of the issuance of not to exceed \$1,725,000 general obligation refunding bonds (the “Bonds”) to refinance all or a portion of the outstanding balance of the Town’s 1999 general obligation sewer bonds and to pay financing expenses;

WHEREAS, the Town has furnished to the Commission documents and other information related to the financing and the security for the Bonds; and

WHEREAS, based upon the information and evidence received in connection with the application, the Commission finds and determines as follows:

- (i) that such proposed general obligation refunding bond issue is necessary and expedient;
- (ii) that the proposed amount of such general obligation refunding bond issue is adequate and not excessive, when added to other monies available to the Town, for the proposed purposes thereof;
- (iii) that the Town's debt management procedures and policies are good;
- (iv) that any increase in taxes to service the proposed debt will not be excessive; and
- (v) that the proposed Bonds can be marketed at a reasonable interest cost to the Town.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the Town's application for approval of the proposed Bonds in an amount not to exceed \$1,725,000 for the purposes set forth above is hereby approved pursuant to The State and Local Government Bond Act, as amended, and Article 9 of Chapter 159 of the General Statutes of North Carolina."

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

Then, Ms. Harris made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE PRIVATE SALE OF THE TOWN OF CHADBOURN GENERAL OBLIGATION REFUNDING BONDS IN THE MAXIMUM AMOUNT OF \$1,725,000”

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 general obligation refunding bonds 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 Town Council of the issuing unit or one or more persons designated by resolution of such governing Town Council to approve such prices; and

WHEREAS, the Commission has approved at this meeting the issuance by the Town of Chadbourn, North Carolina (the “Town”), of general obligation refunding bonds in the maximum amount of \$1,725,000 (the “Bonds”); and

WHEREAS, the Town has requested that the Commission sell the Bonds at private sale without advertisement 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 Town that it sell the Bonds at private sale without advertisement; and

WHEREAS, the Town and the Commission received a proposal (the “Proposal”) from Zions Bancorporation, N.A. (the “Purchaser”) on January 12, 2021 for the Purchaser's purchase of the Bonds from the Commission; and

WHEREAS, the Commission desires to accept the Purchaser's offer to purchase the Bonds substantially in accordance with the Proposal and upon the terms and conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Commission, as follows:

Section 1. The sale of the Bonds to the Purchaser at private sale without advertisement, substantially in accordance with the Proposal, is hereby approved, such sale being subject to the approval of the Town and satisfaction of the conditions set forth below.

Section 2. The Bonds shall be issued in the form of a single fully registered bond, the aggregate principal amount of the Bonds shall not exceed \$1,650,000 and the purchase price for the Bonds shall be equal to the par amount of the Bonds.

Section 3. The Bonds shall bear interest at an annual interest rate not to exceed 1.55% in the absence of default or change in tax status.

Section 4. The final maturity of the Bonds shall not extend beyond June 1, 2035, which is not beyond the final maturity date of the bonds to be refunded.

Section 5. 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 Town, provided that such sale is approved by the Town (which may include approval by one or more persons designated by resolution of the Town Council for such purpose).

Section 6. 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 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 documents on behalf of the Commission and otherwise to provide for the execution and delivery of the Bonds in accordance with this resolution, the resolution adopted by the Town Council, and the Proposal.

Section 7. This resolution takes effect immediately.”

Ms. Wood seconded the motion and the foregoing resolution was passed by unanimous vote. Ms. Harris made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE COUNTY OF DURHAM, NORTH CAROLINA GENERAL OBLIGATION REFUNDING BONDS”

WHEREAS, the County of Durham, North Carolina (the “County”) 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 issues:

Underwriters:	PNC Capital Markets LLC BofA Securities, Inc.
Bond Counsel:	Parker Poe Adams & Bernstein LLP
Underwriters' Counsel:	Moore & Van Allen PLLC
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 County's request should be approved.

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

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

Ms. Harris made a motion to approve the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF DURHAM, NORTH CAROLINA FOR THE ISSUANCE OF NOT TO EXCEED \$70,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS”

WHEREAS, the County of Durham, North Carolina (the “County”) 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 \$70,000,000 of its General Obligation Refunding Bonds (the “Bonds”) for the purpose of refunding in advance of its maturity the County's General Obligation Bond, Series 2019;

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

(a) a Bond Resolution adopted by the Board of Commissioners of the County on December 16, 2020 authorizing the County to issue the Bonds and authorizing the form and the terms of the documents described below;

(b) a Preliminary Official Statement dated February 1, 2021 (the “Preliminary Official Statement”) with respect to the Bonds; and

(c) a Bond Purchase Agreement to be dated on or about February 8, 2021 (the “Purchase Agreement”) among the County, the Commission and PNC Capital Markets LLC, on behalf of itself and on behalf of BofA Securities, Inc., as underwriters (collectively, the “Underwriters”); and

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 issues are necessary and expedient;

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

(iii) the County'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 County for approval of the proposed Bonds in an aggregate principal amount not to exceed \$70,000,000 for the purposes set forth is hereby approved pursuant to the Local Government Bond Act, as amended.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

Ms. Harris made a motion to approve the following resolution:

“RESOLUTION CONCERNING THE PRIVATE SALE OF THE COUNTY OF DURHAM, NORTH CAROLINA GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021”

WHEREAS, Article 7 of Chapter 159 of the General Statutes of North Carolina, as amended, authorizes the Local Government Commission of North Carolina (the “Commission”) to sell general obligation bonds 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, under the terms and conditions set forth below and in the form of the Bond Purchase Agreement to be dated on or about February 8, 2021 (the “Purchase Agreement”) among the Commission, the County and PNC Capital Markets LLC, on behalf of itself and on behalf of BofA Securities, Inc., as underwriters (collectively, the “Underwriters”), the Underwriters have offered to purchase the County’s General Obligation Refunding Bonds, Series 2021 (the “Bonds”); and

WHEREAS, the Commission has received a copy of a Preliminary Official Statement dated February 1, 2021 (the “Preliminary Official Statement”) relating to the offering of the Bonds; and

WHEREAS, the County has requested the Commission to sell the Bonds at private sale without advertisement in accordance with Article 7 of Chapter 159 of the General Statutes of North Carolina, as amended; and

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

WHEREAS, the Commission desires to accept the offer of the Underwriters to purchase the Bonds substantially in the form of the Purchase Agreement and upon the terms and conditions set forth below; and

NOW, THEREFORE, BE IT RESOLVED by the Commission as follows:

Section 1. The sale of the Bonds to the Underwriters at private sale without advertisement pursuant to the Bond Resolution adopted by the Board of Commissioners of the County on December 16, 2020 (the “Bond Resolution”) and an executed Purchase Agreement substantially in the form furnished to the Commission is hereby approved, such sale being subject to the approval of the Secretary of the Commission or a designated assistant of the Commission (the “Designated Assistant”) and satisfaction of the conditions set forth below.

Section 2. The aggregate principal amount of the Bonds will not exceed \$70,000,000, and the purchase price for the Bonds will be approved by the Designated Assistant on the date of the sale of the Bonds as set forth in the Purchase Agreement.

Section 3. The Bonds will bear interest at a true interest cost not to exceed 2.75%.

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 County, provided that such sale is approved by the County.

Section 5. 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 Purchase Agreement, including details of the Bonds, as is satisfactory to him or her, to approve the forms of other documents relating to the Bonds, to execute and deliver the Purchase Agreement and such other documents on behalf of the Commission and to provide for the execution and delivery of the Bonds in accordance with the Bond Resolution and the Purchase Agreement.

Section 6. The Official Statement relating to the Bonds, substantially in the form of the Preliminary Official Statement furnished to the Commission, with such insertions and changes therein as may be approved by the Designated Assistant, 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 deliver on behalf of the Commission the Official Statement in such form.

Section 7. This Resolution is effective immediately upon its passage.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE COUNTY OF NEW HANOVER, NORTH CAROLINA GENERAL OBLIGATION REFUNDING BONDS”

WHEREAS, the County of New Hanover, North Carolina (the “County”) 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 issues:

Underwriter:	PNC Capital Markets LLC
Bond Counsel:	Parker Poe Adams & Bernstein LLP
Underwriter’s Counsel:	Holland & Knight LLP
Financial Advisor:	First Tryon Advisors
Escrow Agent:	U.S. Bank National Association
Verification Agent:	Bingham Arbitrage Rebate Services, Inc.

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

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

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

Ms. Harris made a motion to approve the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF NEW HANOVER, NORTH CAROLINA FOR THE ISSUANCE OF NOT TO EXCEED \$64,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS”

WHEREAS, the County of New Hanover, North Carolina (the “County”) 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 \$64,000,000 of its General Obligation Refunding Bonds (the “Bonds”) for the purpose of refunding in advance of their maturities the County’s General Obligation Public Improvement Bonds (Taxable), Series 2010B maturing on and after August 1, 2022 and the County’s General Obligation Community College Bonds, Series 2013A maturing on and after June 1, 2024;

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

(a) a Bond Resolution adopted by the Board of Commissioners of the County on January 19, 2021 authorizing the County to issue the Bonds and authorizing the form and the terms of the documents described below;

(b) a Preliminary Official Statement to be dated on or about February 3, 2021 (the “Preliminary Official Statement”) with respect to the Bonds; and

(c) a Bond Purchase Agreement to be dated on or about February 11, 2021 (the “Purchase Agreement”) among the County, the Commission and PNC Capital Markets LLC, as underwriter; and

(d) an Escrow Agreement to be dated as of February 1, 2021 between the County and U.S. Bank National Association, as escrow agent.

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 issues are necessary and expedient;

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

(iii) the County’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 County for approval of the proposed Bonds in an aggregate principal amount not to exceed \$64,000,000 for the purposes set forth is hereby approved pursuant to the Local Government Bond Act, as amended.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

Ms. Harris made a motion to approve the following resolution:

“RESOLUTION CONCERNING THE PRIVATE SALE OF THE COUNTY OF NEW HANOVER, NORTH CAROLINA GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021A AND TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021B”

WHEREAS, Article 7 of Chapter 159 of the General Statutes of North Carolina, as amended, authorizes the Local Government Commission of North Carolina (the "Commission") to sell general obligation bonds 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, under the terms and conditions set forth below and in the form of the Bond Purchase Agreement to be dated on or about February 11, 2021 (the "Purchase Agreement") among the Commission, the County and PNC Capital Markets LLC, as underwriter (the "Underwriter"), the Underwriter has offered to purchase the County's General Obligation Refunding Bonds, Series 2021A (the "2021A Bonds") and the County's Taxable General Obligation Bonds, Series 2021B (the "2021B Bonds" and together with the 2021A Bonds, the "Bonds"); and

WHEREAS, the Commission has received a copy of a Preliminary Official Statement to be dated on or about February 3, 2021 (the "Preliminary Official Statement") relating to the offering of the Bonds; and

WHEREAS, the County has requested the Commission to sell the Bonds at private sale without advertisement in accordance with Article 7 of Chapter 159 of the General Statutes of North Carolina, as amended; and

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

WHEREAS, the Commission desires to accept the offer of the Underwriter to purchase the Bonds substantially in the form of the Purchase Agreement and upon the terms and conditions set forth below; and

NOW, THEREFORE, BE IT RESOLVED by the Commission as follows:

Section 1. The sale of the Bonds to the Underwriter at private sale without advertisement pursuant to the Bond Resolution adopted by the Board of Commissioners of the County on January 19, 2021 (the "Bond Resolution") and an executed Purchase Agreement

substantially in the form furnished to the Commission is hereby approved, such sale being subject to the approval of the Secretary of the Commission or a designated assistant of the Commission (the "Designated Assistant") and satisfaction of the conditions set forth below.

Section 2. The aggregate principal amount of the Bonds will not exceed \$64,000,000, and the purchase price for the Bonds will be approved by the Designated Assistant on the date of the sale of the Bonds as set forth in the Purchase Agreement.

Section 3. The 2021A Bonds will bear interest at a true interest cost not to exceed 1.64% and will have a final maturity not to exceed August 1, 2030.

Section 4. The 2021B Bonds will bear interest at a true interest cost not to exceed 2.88% and will have a final maturity not to exceed June 1, 2034.

Section 5. 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 County, provided that such sale is approved by the County.

Section 6. 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 Purchase Agreement, including details of the Bonds, as is satisfactory to him or her, to approve the forms of other documents relating to the Bonds, to execute and deliver the Purchase Agreement and such other documents on behalf of the Commission and to provide for the execution and delivery of the Bonds in accordance with the Bond Resolution and the Purchase Agreement.

Section 7. The Official Statement relating to the Bonds, substantially in the form of the Preliminary Official Statement furnished to the Commission, with such insertions and changes therein as may be approved by the Designated Assistant, 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 deliver on behalf of the Commission the Official Statement in such form.

Section 8. This Resolution is effective immediately upon its passage.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

RESOLUTION APPROVING THE FINANCING TEAM FOR THE CITY OF BURLINGTON, NORTH CAROLINA COMBINED ENTERPRISE SYSTEM REVENUE REFUNDING BOND, SERIES 2021A

WHEREAS, the City of Burlington, North Carolina (the “City”) has requested that the North Carolina Local Government Commission (the “Commission”) approve its selection of the following financing team members for the upcoming issuance of its City of Burlington, North Carolina Combined Enterprise System Revenue Refunding Bond, Series 2021A (the “Bond”):

Bond Counsel:	Womble Bond Dickinson (US) LLP
Trustee:	U.S. Bank National Association
Purchaser:	TD Bank, N.A.
Purchaser’s Counsel:	Parker Poe Adams & Bernstein LLP
Financial Advisor:	Davenport & Company LLC

WHEREAS, based upon the information and evidence received by the Commission, the Commission is of the opinion that the request by the City 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 issuance of the Bond.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

Thereupon, Ms. Harris made a motion to adopt the following resolution:

RESOLUTION APPROVING THE APPLICATION OF THE CITY OF BURLINGTON, NORTH CAROLINA FOR THE ISSUANCE OF A NOT TO EXCEED \$12,300,000 COMBINED ENTERPRISE SYSTEM REVENUE REFUNDING BOND, SERIES 2021A

WHEREAS, the City of Burlington, North Carolina (the “City”) has applied to the North Carolina Local Government Commission (the “Commission”), pursuant to The State and Local Government Revenue Bond Act, as amended, for approval of the issuance by the City of a not to exceed \$12,300,000 Combined Enterprise System Revenue Refunding Bond, Series 2021A (the “Bond”) for the

purpose of providing funds, together with other available funds, to (a) refund all of the City's outstanding (i) Combined Enterprise System Revenue Bonds, Series 2010A (the "Series 2010A Bonds") and (ii) Combined Enterprise System Revenue Bonds, Series 2010B (Taxable Build America Bonds) (the "Series 2010B Bonds" and, together with the Series 2010A Bonds, the "Refunded Bonds") and (b) pay the fees and expenses incurred in connection with the sale and issuance of the Bond; and

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

(a) Trust Agreement, dated as of December 1, 2010, between the City and U.S. Bank National Association, as trustee (the "Trustee");

(b) Third Supplemental Trust Agreement, to be dated as of February 1, 2021, between the City and the Trustee; and

(c) Bond Purchase Agreement, to be date as of the date of delivery thereof (the "Bond Purchase Agreement"), among TD Bank, N.A., as the initial purchaser of the Bond, the Commission and the City; and

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

(i) that such proposed Bond is necessary and expedient;

(ii) that the proposed amount of such proposed Bond is adequate, when added to other monies available to the City, and not excessive for the proposed purposes thereof;

(iii) that the proposed refunding is feasible;

(iv) that the City's debt management procedures and policies are good; and

(v) that the proposed Bond can be marketed as 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 Burlington, North Carolina for approval of the proposed Bond in a principal amount not to exceed \$12,300,000 for the purposes set forth herein is hereby approved pursuant to The State and Local Government Revenue Bond Act, as amended.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

Thereupon, Ms. Harris made a motion to adopt the following resolution:

RESOLUTION CONCERNING THE PRIVATE SALE OF THE CITY OF BURLINGTON, NORTH CAROLINA COMBINED ENTERPRISE SYSTEM REVENUE REFUNDING BOND, SERIES 2021A

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 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, TD Bank, N.A. (the "Purchaser") has offered to purchase from the City of Burlington, North Carolina (the "City") its Combined Enterprise System Revenue Refunding Bond,

Series 2021A (the “Bond”) upon the terms and conditions set forth below and in the form of the Bond Purchase Agreement furnished to the Commission (the “Bond Purchase Agreement”); and

WHEREAS, the City has requested the Commission to sell the Bond at private sale without advertisement 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 Bond at private sale without advertisement; and

WHEREAS, the Commission desires to accept the offer of the Purchaser to purchase the Bond pursuant to the terms of the Bond Purchase Agreement and upon the terms and conditions set forth below;

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

Section 1. The sale of the Bond to the Purchaser at private sale without advertisement pursuant to the Bond Purchase Agreement substantially in the form furnished to the Commission 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 principal amount of the Bond shall not exceed \$12,300,000 and the purchase price for the Bond shall be approved by the Designated Assistant on the date of the sale of the Bond as set forth in the Bond Purchase Agreement.

Section 3. The Bond shall bear interest at an interest rate not to exceed 1.33% per annum (subject to adjustment as provided in the Bond), and the Bond shall be sold to the Purchaser at a purchase price equal to the par amount of the Bond.

Section 4. The final maturity of the Bond shall not exceed February 1, 2036.

Section 5. The Commission hereby determines that the sale of the Bond 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. 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 Bond, as shall be satisfactory to him or her, to approve the forms of other documents relating to the Bond, to execute and deliver the Bond Purchase Agreement and any such documents on behalf of the Commission and to provide for the execution and delivery of the Bond in accordance with the order of the City, the Trust Agreement and the Third Supplemental Trust Agreement relating to the issuance of the Bond and the Bond Purchase Agreement.

Section 7. This resolution shall be effective immediately upon its adoption.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

“RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF GRIFTON, NORTH CAROLINA FOR THE ISSUANCE OF NOT TO EXCEED \$441,000 WATER AND SEWER SYSTEM REVENUE BONDS AND TO ISSUE A LIKE AMOUNT OF A WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

WHEREAS, the Town of Grifton (the “Town”) has applied to the North Carolina Local Government Commission (the “Commission”), necessary and expedient to finance various improvements to the Town’s 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 Town to issue its Water and Sewer System Revenue Bond Anticipation Note in an aggregate principal amount of not to exceed \$441,000 in anticipation of the issuance of the Bonds (the “Note”).

WHEREAS, in connection with the long-term plan of finance, the Town 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 Town has furnished to the Commission forms of the following documents:

- (a) Bond Order, adopted November 13, 2012, authorizing the issuance of Bonds, the Note and any Additional Notes of the Town, subject to the terms thereof; and
- (b) Series Resolution of the Town, to be adopted February 9, 2021, authorizing the issuance of the Note by the Town, subject to the terms thereof (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 Note 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 Note and any Additional Notes are adequate, when added to other money available to the Town, and not excessive for the proposed purposes thereof;
- (iii) that the Project is feasible;
- (iv) that the annual audit of the Town shows the Town to be in strict compliance with debt management policies, and the budgetary and fiscal management policies of the Town are in compliance with the law; and
- (v) that the Bonds, the Note and any Additional Notes can be marketed at a reasonable interest cost to the Town.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application of the Town for approval of the proposed Bonds, the Note and any Additional Notes in an aggregate amount not to exceed \$441,000 for the purposes set forth is hereby approved pursuant to The State and Local Government Revenue Bond Act, as amended.”

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

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

“RESOLUTION CONCERNING THE PRIVATE SALE OF TOWN OF GRIFTON, NORTH CAROLINA WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE

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 Town of Grifton, North Carolina (the “Town”) has requested the Commission to sell a Water and Sewer System Revenue Bond Anticipation Note (the “Note”) and any Additional Notes approved concurrently herewith 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 Town (the “Bonds”) to be purchased by the United States Department of Agriculture (the “USDA”) pursuant to commitments to purchase the Bonds, subject to certain terms and conditions, upon completion of the project for which each Note is being issued (the “Project”); and

WHEREAS, the Town 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 Town 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 Town 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 Note at private sale without advertisement to Southern Bank & Trust Company is hereby approved, such sale being subject to the approval of the Town 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 Town 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 Town and satisfaction of the conditions set forth below.

Section 3. The aggregate principal amount of the Note shall not exceed \$441,000, 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. The Note will bear interest at a true interest cost not to exceed 1.18% and will mature no later than May 18, 2022.

Section 5. Renewal notes may be sold to private purchasers to refinance any maturing Note or Additional Notes, or renewals thereof.

Section 6. 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 Town, provided that such sale shall be approved by the Town.

Section 7. This resolution shall be effective immediately upon its passage.

Section 8. The Commission hereby approves the engagement of Parker Poe Adams & Bernstein LLP as bond counsel to the Town in connection with the issuance of the Note.

Ms. Wood seconded the motion and the minutes were approved by unanimous vote.

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

“RESOLUTION CONCERNING THE PRIVATE SALE OF THE TOWN OF GRIFTON, 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 Town of Grifton North Carolina (the “Town”) 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 Town 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 Town and satisfaction of the conditions set forth below.

Section 2. The aggregate purchase price for the Bonds shall not exceed \$441,000.

Section 3. The Bonds will bear interest at a true interest cost not to exceed 2.375% and 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 Town, provided that such sale shall be approved by the Town.

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 Town in connection with the issuance of the Note and the Bonds.

Ms. Wood seconded the motion and the minutes were approved by unanimous vote.

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

**FINANCING TEAM FOR THE NORTH CAROLINA CAPITAL FACILITIES
FINANCE AGENCY EDUCATIONAL FACILITIES REVENUE REFUNDING
BONDS (HIGH POINT UNIVERSITY), SERIES 2021**

WHEREAS, the North Carolina Capital Facilities Finance Agency (the “Agency”) has requested that the North Carolina Local Government Commission (the “Commission”) approve its selection of the following financing team members for its upcoming Educational Facilities Revenue Refunding Bonds, Series 2021 (the “Bonds”):

Borrower:	High Point University
Underwriters:	Truist Securities, Inc. Davenport & Company LLC
Bond Counsel:	McGuireWoods LLP
Trustee:	Truist Bank
Trustee Counsel:	Alston and Bird
Underwriter’s Counsel:	Moore & Van Allen PLLC
Borrowers’ Counsel:	Keziah Gates, LLP

WHEREAS, based upon the information and evidence received by the Commission, it is of the opinion that the request by the Borrower should be approved;

NOW, THEREFORE, the Commission hereby approves the above financing team for the North Carolina Capital Facilities Finance Agency’s Educational Facilities Revenue Refunding Bonds (High Point University), Series 2021.

**APPROVAL OF THE ISSUANCE AND SALE OF THE NORTH CAROLINA
CAPITAL FACILITIES FINANCE AGENCY EDUCATIONAL FACILITIES
REVENUE REFUNDING BONDS (HIGH POINT UNIVERSITY), SERIES 2021**

WHEREAS, the North Carolina Capital Facilities Finance Agency (the “Agency”), pursuant to the provisions of Article 2 of Chapter 159D of the General Statutes of North Carolina, as amended (the “Act”), has authorized the issuance of its Educational Facilities Revenue Refunding Bonds (High Point University), Series 2021 (the “Bonds”) for the purpose of providing funds, together with other available funds, to refinance the Agency’s Educational Facilities Revenue Bonds (High Point University) Series 2011 (the “Series 2011 Bonds”), and its Educational Facilities Revenue Bonds (High Point University)

Series 2012 (the "Series 2012 Bonds"), and to pay certain costs incurred in connection with the authorization and issuance of the Bonds; and

WHEREAS, the Bonds will be issued under an Indenture of Trust dated as of March 1, 2021 (the "Indenture") between the Agency and Truist Bank, as trustee (the "Bond Trustee"), and the proceeds of the Bonds will be loaned to the University pursuant to a Loan Agreement dated as of March 1, 2021 between the Agency and the University (the "Loan Agreement"); and

WHEREAS, the Bonds will be issued in an aggregate principal amount not to exceed \$56,200,000 pursuant to a Bond Purchase Agreement (the "Bond Purchase Agreement") among the University, the Agency, the North Carolina Local Government Commission and Truist Securities, Inc., as representative for itself and Davenport & Company, LLC as the Underwriters (the "Underwriters"); and

WHEREAS, the Bonds shall have a final maturity not later than May 1, 2034, and are expected to have a true interest cost not to exceed 6.0%; and

WHEREAS, the Agency and the University have filed an application with the staff of the Commission including therewith, among other things, drafts of the following documents relating to the issuance of the Bond (all such documents being called the "Transaction Documents"):

- (a) the Indenture;
- (b) the Bond Purchase Agreement;
- (c) the Loan Agreement; and
- (g) the Preliminary Official Statement relating to the Bonds (the "Preliminary Official Statement");

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

1. The Agency's issuance of the Bonds in an aggregate principal amount not to exceed \$56,200,000, as provided for in the Transaction Documents, is hereby approved. The issuance of the Bonds by the Agency effectuates the purposes of the Act.

2. The Bonds will be sold to the Underwriters on a negotiated basis without advertisement pursuant to the provisions of the Act, and subject to the approval of the Agency and the University. The Bonds shall have a true interest cost not to exceed 6% and shall have a maturity not beyond May 1, 2034.

3. The distribution of the Preliminary Official Statement, in substantially the form submitted to the Commission, is hereby authorized, and the distribution of the final Official Statement relating to the Bonds, upon approval by the Agency and the University, is hereby authorized.

4. The Bonds shall be issued in accordance with and pursuant to the terms and conditions of the Indenture and the Bond Purchase Agreement. Subject to the limitations in Section 2 of this resolution, the Bond Purchase Agreement is hereby approved, and the Secretary of the Commission or any Deputy Secretary of the Commission is hereby appointed the Designated Assistant of the Commission (the "Designated Assistant") 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 the Designated Assistant, to approve the forms of other documents relating to the Bonds, and to execute and deliver the Bond Purchase Agreement and such other documents on behalf of the Commission.

5. The system for registration of the Bonds is hereby approved in accordance with the Registered Public Obligations Act, Chapter 159E of the North Carolina General Statutes, as amended.

6. This resolution shall take effect immediately upon its passage.

Ms. Wood seconded the motion and the foregoing resolution was adopted by unanimous vote.

MISCELLANEOUS – ACTION ITEMS:

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

“RESOLUTION APPROVING THE REQUEST OF EAST YANCEY WATER & SEWER DISTRICT FOR THE INCREASE OF ADDITIONAL FUNDS ON A STATE REVOLVING LOAN.

WHEREAS, East Yancey Water & Sewer District (the “District) requests an increase of \$480,315 for a total loan of \$1,046,150. The original loan was approved by the Local Government Commission on June 4, 2019 for \$565,835; and

WHEREAS, the loan is for construction of approximately 4,700 linear feet of 12-inch PVC and DIP gravity sewer lines, 25 manholes, and all related appurtenances to connect multiple previously constructed sewer segments in East Yancey County. This project is Phase 2 of a project that will complete the construction of a major sewer collection and treatment system; and

WHEREAS, the increase is due to actual construction bids received being higher than expected due to an increasing cost environment; and

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the request by the Town mentioned above is hereby approved.”

Ms. Wood seconded the motion and the minutes were approved by unanimous vote.

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

“RESOLUTION APPROVING THE REQUEST OF TOWN OF GRIFTON, NORTH CAROLINA FOR THE INCREASE OF ADDITIONAL FUNDS ON A STATE REVOLVING LOAN.

WHEREAS, Town of Grifton, North Carolina (the “Town”) requests an increase of \$52,572 for a total loan of \$91,785. The original loan was approved by the Local Government Commission on September 1, 2020 for \$39,213; and

WHEREAS, the loan is for the rehabilitation of a groundwater well in the Town of Grifton system; and

WHEREAS, the increase is due to actual construction bids received being higher than expected due to an increasing cost environment; and

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the request by the Town mentioned above is hereby approved.”

Ms. Wood seconded the motion and the minutes were approved by unanimous vote.

“RESOLUTION APPROVING THE REQUEST OF THE TOWN OF WAYNESVILLE, NORTH CAROLINA TO EXTEND THE TERM FROM 20 YEARS TO 26 YEARS ON A REVOLVING LOAN APPROVED BY THE LGC ON JANUARY 5, 2021

WHEREAS, the Town of Waynesville, North Carolina (“the “Town”) requested, and Division of Environmental Quality (DEQ) has recommended, a term of 26 years for a State Revolving Loan that was approved by the LGC with a term of 20 year term at its meeting on January 5, 2021; and

WHEREAS, the project is for needed improvements to the Town’s wastewater treatment plant; and

WHEREAS, the Town requested a 30-year term, but DEQ determined a 26-year term was appropriate based on its calculation of the weighted design-life of the project; and

WHEREAS, the longer loan term will also allow acceptable levels for the future rate increases required for the project and additional capital improvement to the water and sewer system; and

WHEREAS, a 26% (\$11.74) rate increase for FY 2021 brought the average monthly combined bill to \$56.19 (5,000 gallons).

WHEREAS, the Town has projected an additional rate increase of \$17.04 (30%) will be required upon completion of the project to pay debt service on the loan. This will result in an average monthly combined bill of \$73.23;

WHEREAS, the LGC staff concurs with DEQ and recommends approval of the 26-year term;

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the request of the Town mentioned above is hereby approved”

Ms. Wood seconded the motion and the minutes were approved by unanimous vote.

MISCELLANEOUS - NON-ACTION ITEMS:

City of Greensboro has negotiated a rate and initial term modification with PNC Bank, National Association to its existing, privately held, Revenue Bond Anticipation Note for its Combined Enterprise (Water & Sewer) System. The Variable Rate applied to drawn amounts has been reduced from (81.1% of one-month LIBOR) + 1.48% to (81.1% of one-month LIBOR) +0.68%. the Initial Term Period has changed from June 30, 2022 to June 30, 2023. Additionally, there has been a modification to the Note Purchase Agreement relating to the Note to eliminate the unused fee payable.

Town of Highlands – The Town has negotiated a rate modification with Truist Bank to its existing, privately held tax exempt, installment purchase for land for park use. Effective 12/5/2020 (modification date)

Original Date	Original Amount	Current Balance	Previous Rate	New Rate	Interest Savings	Maturity Date
3/5/2019	\$4,600,000	\$4,293,333	3.66%	2.90%	\$338,792	3/13/2034

Secretary Marshall made a motion to place the Bald Head Island Transportation Authority (BHITA) matter on the March LGC agenda with the condition that BHITA hold a public hearing on the transaction prior to the LGC meeting. Secretary Penny seconded the motion. After much discussion, Secretary Marshall withdrew the motion and the consensus of the Members was to instruct LGC Secretary Sharon Edmundson to send a letter to BHITA stating that the LGC would delay placing their matter on an agenda for up to 3 months. BHITA was requested to hold a public hearing or meeting to obtain the public’s questions and concerns, answer those questions and concerns, and then share the information with the LGC.

Chair Folwell made a motion to adjourn the meeting in honor the pending retirement of Alisia Smith in acknowledgement of the outstanding and dedicated years of service to the Local Government Commission and the Department of State Treasurer. Ms. Wood seconded the motion which passed by unanimous vote. The meeting adjourned at 4:51 p.m.

The next regularly scheduled meeting of the North Carolina Local Government Commission will be held on March 2, 2021 at 2:30 p.m.

* * * * *

I, Sharon Edmundson, Secretary of the North Carolina Local Government Commission, CERTIFY that the foregoing is a true and correct extract from minutes of a meeting of the North Carolina Local Government Commission duly called and held on February 2, 2021 and sets forth so much of said minutes as in any way relates to the introduction, consideration and passage of the resolutions herein set forth.

WITNESS my hand at Raleigh, this 2nd day of February 2021.

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