

**NORTH CAROLINA DEPARTMENT OF STATE TREASURER
LOCAL GOVERNMENT COMMISSION**

MINUTES

November 12, 2024

The meeting was called to order by Chairman Dale R. Folwell at 1:30 p.m., on the above date. The meeting was conducted in person and by use of simultaneous communication by GoToWebinar™. Members present in person: State Treasurer Folwell, Secretary of State Elaine Marshall, John Burns, and Paul Butler. Members present virtually: State Auditor Jessica Holmes, Secretary of Revenue Ronald Penny, Vida Harvey, Nancy Hoffmann, and Mike Philbeck.

Members absent: None.

A quorum was present for the entire meeting.

Other DST participants present in person: Debbie Tomasko, Jennifer Wimmer, Kendra Boyle, and Cindy Aiken.

Others attending in person: DST staff: MJ Vieweg, Linde Skinner, Stephanie Bacik, Tony Blalock, Melissa Dearman, Carolyn Heden, Biff McGilvray. Also attending: State Treasurer-Elect Brad Briner, State Auditor-Elect Dave Boliek, NC Representative Kevin Crutchfield, Charles Dwyer (Office of State Auditor), Jacob Sargent (NCGA Fiscal Research), Bill Toole (Secretary of State Office).

Chair Folwell asked those members present if they had any actual, potential, or the appearance of a conflict of interest regarding the matters on the agenda. Ms. Harvey reported a conflict of interest and recused herself from the Village of Bald Head Island matter. Her statement of recusal is incorporated into these meeting minutes pursuant to the requirements of the State Government Ethics Act.

Auditor Holmes made a motion to approve the minutes of the October 1, 2024 meeting. Secretary Marshall seconded the motion, and the minutes were approved by unanimous vote of 9 – 0.

Chair Folwell called the members' attention to the OPEB & Pension Liabilities report attached to these minutes and is labelled **"EXHIBIT 1"**.

TOWN OF CARTHAGE – FIRE CHIEF VEHICLE

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

"RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF CARTHAGE, NORTH CAROLINA. THIS PROJECT CONSISTS OF THE PURCHASE OF A FIRE DEPARTMENT QUICK RESPONSE VEHICLE (THE "PROJECT") THROUGH AN INSTALLMENT PURCHASE CONTRACT AGREEMENT PURSUANT TO G.S. 160A-20.

WHEREAS, the Town of Carthage, North Carolina (the "Town") has determined that

the Project is necessary and expedient to replace the Fire Chief's quick response vehicle that was declared a total loss after an accident and to purchase a 2024 Ford F250 as a replacement; and

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

WHEREAS, the principal amount of the Contract shall not exceed \$43,348 with annual level debt service payments of principal and interest for a term of three (3) years at an approved interest rate of 6.75%; and

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, as a local government on the Unit Assistance List, the Town has made proper application to the North Carolina Local Government Commission (the "Commission") for approval of the proposed financing pursuant to S.L. 2022-53, s. 6; and

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

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

- (i) that the proposed Project is necessary and expedient for the Town;
- (ii) that the proposed undertaking cannot be economically financed by a bond issue;
- (iii) that the sums to fall due under the Contract are adequate and not excessive for its proposed purpose;
- (iv) that the Contract will not require an excessive increase in taxes; and
- (v) that the Town is not in default in any of its debt service obligations.

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

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

Town Manager Emily Yopp and Finance Director Kesha Matthews attended virtually on behalf of the Town.

TOWN OF CARTHAGE – POLICE VEHICLES

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

“RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF CARTHAGE, NORTH CAROLINA. THIS PROJECT CONSISTS OF THE PURCHASE OF POLICE DEPARTMENT VEHICLES (THE “PROJECT”) THROUGH AN INSTALLMENT PURCHASE CONTRACT AGREEMENT PURSUANT TO G.S. 160A-20.

WHEREAS, the Town of Carthage, North Carolina (the “Town”) has determined that the Project is necessary and expedient to replace aging vehicles and purchase three 2025 Ford Police Interceptor vehicles in order to provide adequate public safety services to Town residents; and

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

WHEREAS, the principal amount of the Contract shall not exceed \$171,801 with annual level debt service payments of principal and interest for a term of three (3) years at an approved interest rate of 7.99%; and

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, as a local government on the Unit Assistance List, the Town has made proper application to the North Carolina Local Government Commission (the “Commission”) for approval of the proposed financing pursuant to S.L. 2022-53, s. 6; and

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

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

- (i) that the proposed Project is necessary and expedient for the Town;
- (ii) that the proposed undertaking cannot be economically financed by a bond issue;
- (iii) that the sums to fall due under the Contract are adequate and not excessive for its proposed purpose;
- (iv) that the Contract will not require an excessive increase in taxes; and
- (v) that the Town is not in default in any of its debt service obligations.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for approval of the Contract and the planned financing are hereby approved under the provisions of G.S. 160A-20, as amended, Article 8 of Chapter 159 of the General Statutes, as amended, and relevant resolutions of the Commission.”

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

Town Manager Emily Yopp and Finance Director Kesha Matthews attended virtually on behalf of the Town.

BEGIN CONSENT AGENDA

INLIVIAN HOUSING -GROUNDS FOR CHANGE

Ms. Hoffmann made a motion to approve the following action:

**RESOLUTION APPROVING INLIVIAN MULTIFAMILY
NOTE IN AN AMOUNT UP TO \$18,000,000 (THE “NOTE”)
FOR GROUNDS FOR CHANGE AND THE FINANCING
TEAM THEREFOR**

WHEREAS, INLIVIAN (the “Authority”) has decided to issue its Multifamily Note (the “Note”) to finance the cost of the ground leasing, construction and equipping by Grounds for Change Apartments, LLC, a North Carolina limited liability company, or a related or affiliated entity (the “Borrower”), of a low income multifamily residential rental facility, consisting of approximately 80 units, to be known as Grounds for Change and located in the City of Charlotte, North Carolina (the “Development”); and

WHEREAS, in order to finance the Development, the Authority proposes to issue the Note in an aggregate principal amount not to exceed \$18,000,000, pursuant to the Housing Authorities Law, Article 1 of Chapter 157 of the North Carolina General Statutes, as amended (the “Act”); and

WHEREAS, the Note has to be approved by the North Carolina Local Government Commission (the “Commission”), for which approval the Commission may consider the criteria set forth in North Carolina General Statutes Section 159-153, and the Authority has applied to the Commission for such approval; and

WHEREAS, based upon the information and evidence received in connection with such application, including resolutions adopted by the Board of Commissioners of the Authority on October 15, 2024, it is hereby determined and found by the Commission:

- (a) that such proposed note issue is necessary or expedient;
- (b) that the proposed amount of such note issue is adequate and not excessive for the proposed purposes thereof;

(c) that the Borrower has demonstrated that it is financially responsible and capable of fulfilling its obligations with respect to the Note and the Development;

(d) that the Authority's debt management procedures and policies are good and that it is not in material default with respect to any of its debt service obligations; and

(e) the proposed date and manner of sale of the Note will not have an adverse effect upon any scheduled or anticipated sale of any obligations by the State of North Carolina or any political subdivision thereof or any agency of either of them; and

WHEREAS, the Authority has requested that the Commission approve its selection of the following financing team members for the upcoming issuance of the Note:

| | |
|-----------------------------------|--|
| Bond Counsel: | McGuireWoods LLP |
| Authority's Counsel: | The Banks Law Firm, P.A. |
| Borrower: | Grounds for Change Apartments, LLC |
| Borrower's Counsel: | The Brockman Law Firm, P.C. |
| Fiscal Agent: | Truist Bank |
| Fiscal Agent's Counsel: | Holland & Knight LLP |
| Initial Funding Lender: | Truist Bank |
| Initial Funding Lender's Counsel: | Holland & Knight LLP |
| Permanent Lender: | Federal Home Loan Mortgage Corporation |
| Freddie Mac Seller/Servicer: | Grandbridge Real Estate Capital LLC |
| Freddie Mac/Servicer's Counsel: | Kutak Rock LLP |
| Tax Credit Investor: | Truist Community Capital, LLC |
| Tax Credit Investor's Counsel: | Nixon Peabody LLP |

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

WHEREAS, it is expected that the Note will initially be privately placed with Truist Bank (the "Initial Funding Lender") during construction; and

WHEREAS, there have been presented to the Commission forms of the following documents (the "Documents") to be used in connection with the issuance of the Note:

(a) Funding Loan Agreement, among the Authority, the Initial Funding Lender, and Truist Bank, as fiscal agent (the "Fiscal Agent"), providing for the issuance of the Note, together with the form of the Note;

(b) Project Loan Agreement, among the Authority, the Borrower, and the Fiscal Agent, providing for the financing of the Development by the Authority, together with the form of the promissory note of the Borrower; and

(c) Regulatory Agreement and Declaration of Restrictive Covenants, among the Borrower, the Authority and the Fiscal Agent;

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

Section 1. The sale of the Note pursuant to the Documents in substantially the forms furnished to the Commission is hereby approved, such sale being subject to the satisfaction of the conditions set forth in the Documents and herein.

Section 2. It is hereby determined, with the approval of the Authority and the Borrower that the Note shall be issued in an aggregate principal amount not to exceed \$18,000,000, shall initially bear interest at a variable rate, such rate not to exceed 12.0% per annum, and shall have a final maturity not later than December 31, 2043.

Section 3. The Secretary of the Commission, or any Deputy Secretary, is hereby appointed the designated representative of the Commission for the purposes of this resolution and such designated representative is hereby authorized and directed, within the terms and conditions of this resolution, to approve such changes to the Documents, including details of the Note, as shall be satisfactory to him or her, and to approve the forms of other documents relating to the Note.

Section 4. The financing team set forth above is hereby approved.

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

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

* * * * *

NORTH CAROLINA HOUSING FINANCE AGENCY

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

RESOLUTION CONCERNING THE SALE OF BONDS OF THE NORTH CAROLINA HOUSING FINANCE AGENCY FROM TIME TO TIME IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$750,000,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PURCHASE MORTGAGE LOANS OR OTHER MORTGAGE RELATED OBLIGATIONS, REFUND BONDS PREVIOUSLY ISSUED BY THE AGENCY AND TO PAY OTHER COSTS IN CONNECTION THEREWITH

BE IT RESOLVED by the Local Government Commission of North Carolina (the "Commission"):

Section 1. It is hereby declared and determined that the North Carolina Housing Finance Agency (the "Agency") has furnished to the Commission the following:

- (a) a Trust Agreement, dated as of May 1, 1998 (the "1998 Trust Agreement"), as amended and supplemented by an Amended and Restated Trust Agreement, dated as of August 1, 2023 (the "Amended and Restated Trust Agreement"), as further amended by a First Amendment to Amended and Restated Trust Agreement, dated as of November 1, 2023 (the "First Amendment" and, together with the 1998 Trust Agreement and the Amended and Restated Trust

Agreement, the “Trust Agreement”), as supplemented, each by and between the Agency and The Bank of New York Mellon Trust Company, N.A., as successor trustee (the “Trustee”), authorizing the issuance thereunder of Housing Revenue Bonds (the “Bonds”); and

- (b) a request by the Agency that the Commission approve the sale and issuance from time to time of not to exceed \$750,000,000 of Home Ownership Revenue Bonds to provide funds, together with any other available funds, to (a) purchase mortgage loans and other obligations, including mortgage backed securities, made for the purpose of assisting in providing home ownership for low and moderate income households in the State, (b) refund all or a portion of the Bonds previously issued by the Agency for the purpose described in (a) (or to refund Bonds of the Agency issued for that purpose), (c) make required deposits to the credit of any debt service reserve fund or other reserve fund required by the terms of the instrument pursuant to which the Bonds are issued, (d) finance all or a portion of the cost of termination of interest rate swap agreements in connection with the refunding of Bonds hedged by the terminated interest rate swap agreement and (e) pay all or a portion of the costs of issuance of the Bonds.

The Agency has advised the Commission that such Bonds may be issued pursuant to the Trust Agreement and Supplemental Trust Agreements supplementing the Trust Agreement in substantially the form of the Supplemental Trust Agreements previously entered into by the Agency under the Trust Agreement, with such changes and revisions as shall be necessary or convenient to reflect the transaction (such a supplement herein referred to as an “Applicable Supplement”), or may be issued pursuant to a new Trust Agreement (an “Alternative Trust Agreement”) and any supplement thereto as deemed appropriate in order to effectuate the issuance of such Bonds.

The Agency has also advised the Commission that, depending on the financial conditions at the time the Bonds are issued from time to time, there may be benefits to the Agency of issuing a portion of the Bonds as variable interest rate obligations, and there may be benefits to the Agency of entering into interest rate swap agreement arrangements to hedge the variable interest rate. In the event that any of the Bonds bear interest at a variable interest rate, the terms of the Bonds may include provisions to facilitate the variable interest rate provisions, including provisions providing that the Bonds may be delivered to the Agency from time to time for purchase. In addition, the Agency would enter into such additional agreements as shall be necessary or desirable to facilitate the variable interest rate provisions of the Bonds, such as agreements for the delivery of a letter of credit to secure payment of the Bonds and a reimbursement agreement related thereto, standby bond purchase agreements and remarketing agreements.

Section 2. The Agency has requested approval of its selection of the following financing team members for the issuance from time to time of its Home Ownership Bonds:

| | |
|------------------------|---|
| Bond Counsel: | Womble Bond Dickinson (US) LLP |
| Trustee/Registrar: | The Bank of New York Mellon Trust Company, N.A. |
| Underwriters’ Counsel: | Bode, PLLC |

| | |
|--------------------|---|
| Underwriters: | RBC Capital Markets LLC; BofA Securities, Inc.; Morgan Stanley & Co. LLC, Raymond James & Associates, Inc. and Wells Fargo Bank, National Association |
| Financial Advisor: | Caine Mitter & Associates Incorporated |
| Trustee's Counsel: | Moore & Van Allen, PLLC |

Section 3. The sale of Home Ownership Revenue Bonds issued pursuant to the Trust Agreement or an Alternative Trust Agreement from time to time in an aggregate principal amount not to exceed \$750,000,000 at negotiated sale pursuant to an executed Purchase Contract, which shall reflect the issuance of the Bonds herein approved and to be approved by the Secretary or a Designated Assistant (hereinafter described) of the Commission (which approval shall be conclusively evidenced by the Designated Assistant's execution of the Purchase Contract) is hereby approved. The Secretary and the Designated Assistant may, at the request of the Agency, add any additional financial institutions to the underwriters named above, or remove any financial institution from the underwriting group for one or more issues or Series of Bonds. In addition, if, in consultation with the Commission, the Chair, the Executive Director or the Chief Financial Officer determine at the time of sale of the Bonds that it is in the best interests of the Agency that all or a portion of the Bonds be sold directly to one or more investors that are financial institutions, then all or a portion of the Bonds may be sold directly to such a financial institution under terms similar to the terms anticipated for a public offering of the Bonds. Bonds to be directly purchased by a financial institution shall be sold to such financial institution under a purchase contract acceptable to the Agency and approved by the Secretary or the Designated Assistant. The Agency may determine which of the underwriters for a bond issue will serve as "senior managing underwriter" for an issue.

Section 4. The purchase price for the Bonds shall not be less than 98% of the aggregate principal amount of the Bonds, plus interest accrued on the Bonds (other than any Bonds dated the date of delivery thereof) from the date thereof to the date of delivery of and payment therefor, or such greater price as may be approved by the Secretary or Designated Assistant and set forth in the Purchase Contract.

Section 5. The Bonds may be issued and sold in one or more Series from time to time. Each Series of Bonds shall mature on the dates, and in the principal amounts and shall bear interest at the rate or rates from the date thereof, and shall have a final maturity of not to exceed 40 years from the date of issuance of such Bonds, all as may be set forth in the Purchase Contract and as may be approved by the Secretary or Designated Assistant provided that such Bonds shall bear interest at a rate or rates resulting in a true interest cost (expressed as a percentage) of not in excess of 8.0% and any underwriting discount shall not exceed \$12.50 per bond.

Section 6. The Commission does hereby determine that the sale of the Bonds in the manner and for the prices as provided in this resolution is in the best interest of the Agency and best effectuates the purposes of Chapter 122A of the General Statutes of North Carolina.

Section 7. The Secretary and any Designated Assistant of the Commission is hereby authorized to execute, if necessary, the statement in the Official Statement for the Bonds relative to the Commission's determinations with regard to the Bonds.

Section 8. In the event that any of the Bonds bear interest at a variable interest rate, the terms of the Bonds may include such provisions as the Agency, in consultation with the Secretary of the Commission, shall find necessary or desirable to facilitate the variable interest rate provisions, including provisions providing that the Bonds may be delivered to the Agency from time to time for purchase. In addition, the Agency, in consultation with the Secretary of the Commission, is authorized to enter into, such additional agreements as shall be necessary or desirable to facilitate the variable interest rate provisions of the Bonds, such as agreements for the delivery of a letter of credit to secure payment of the Bonds and a reimbursement agreement related thereto, standby bond purchase agreements and remarketing agreements.

Section 9. The Commission, pursuant to G.S. 159-196, hereby approves the Agency entering into one or more interest rate swap agreements hedging the variable interest rate of any of the Bonds to a fixed rate. Any such interest rate swap agreement shall be in a form approved by the Secretary of the Commission and shall be in customary form for agreements of this nature, based on prior interest rate swap agreements entered by the Agency.

Section 10. The Secretary of the Commission shall have the power to appoint such Designated Assistants for the purposes of this resolution as the Secretary shall deem necessary in order to carry out the purposes of this resolution.

Section 11. This resolution shall be effective immediately upon its passage.

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

* * * * *

MISCELLANEOUS ACTION ITEMS

STATE REVOLVING FUND LOANS

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

“RESOLUTION APPROVING THE FINANCING REQUEST OF BATON WATER CORPORATION FOR A LEAD LINE INVENTORY PROJECT.

WHEREAS, Baton Water Corporation, a North Carolina nonprofit corporation (the “Corporation”) has determined that its Project is necessary or expedient to inspect its water service lines and build a water line inventory to comply with Lead and Copper Rule Revision requirements; and

WHEREAS, the Corporation filed an application with the Commission for approval of a Drinking Water State Revolving Loan in the not to exceed amount shown below with the term of twenty (20) years at a zero (0%) interest rate:

Baton Water Corporation Repayable Loan - \$179,624 Project Number: SRF-D-LSL-0021

WHEREAS, the Commission, upon the information and evidence it received, finds and determines, as required by G.S. 159G-40(a) and G.S. 159-153 for nonprofit water corporations, as follows:

- (1) That the loan amount proposed is not excessive for the purposes contemplated; and
- (2) That the Corporation has demonstrated the financial responsibility and capability to fulfill its obligations with respect to the loan.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the Commission hereby approves the award of the State Drinking Water Revolving Loan to the Corporation and approves the loan amount and approves the loan terms.”

Mr. Burns seconded the motion and the foregoing resolution was adopted by unanimous vote of 9 – 0.

CATAWBA COUNTY - CATAWBA VALLEY MEDICAL CENTER

Ms. Hoffmann made a motion to approve the following increased amount of lease assumption by Catawba County for the Catawba Valley Medical Center:

The LGC approved the Catawba County lease assumption for Catawba Valley Medical Center (CVMC) during the October 1, 2024 meeting. The original amount provided by CVMC on the application was \$736,029.97 and did not factor in the increases laid out in the lease assumption. Total liability as a result of the lease assumption is \$747,759.16 or \$11,732.19 greater than what was on the application. CVMC is requesting approval of an additional \$11,732.19 for the lease assumption.

Mr. Burns seconded the motion and the increased amount of lease assumption was approved by unanimous vote of 9 – 0.

CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY

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

“RESOLUTION APPROVING THE APPOINTMENT OF REMARKETING AGENTS AND REMARKETING AGREEMENTS FOR THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY’S SERIES 2021B-D BONDS

WHEREAS, on May 27, 2021, The Charlotte-Mecklenburg Hospital Authority (the “Authority”) issued its Variable Rate Health Care Revenue Bonds, Series 2021B (the “2021B Bonds”) in the aggregate principal amount of \$100,000,000, all of which remains outstanding, its Variable Rate Health Care Revenue Bonds, Series 2021C (the “2021C Bonds”) in the aggregate principal amount of \$100,000,000, all of which remains outstanding, and its Variable Rate Health Care Revenue Bonds, Series 2021D (the “2021D Bonds,” and

collectively with the 2021B Bonds and the 2021C Bonds, the “2021B-D Bonds”) in the aggregate principal amount of \$100,000,000, all of which remains outstanding, pursuant to a Second Amended and Restated Bond Order adopted by the Authority as of September 9, 1997, as amended by a First Amendment thereto dated as of November 1, 2001, a Second Amendment thereto dated as of June 1, 2002, a Third Amendment thereto dated as of September 11, 2007, a Fourth Amendment dated as of September 13, 2016, a Fifth Amendment dated as of November 10, 2020 and a Sixth Amendment dated as of December 7, 2021 (as amended, the “Bond Order”) and three separate Series Resolutions, one for each series of the 2021B-D Bonds, each adopted by the Authority as of October 26, 2020 (each, a “Series Resolution”); and

WHEREAS, the 2021B-D Bonds were initially issued bearing interest at a Long-Term Rate for Long-Term Rate Periods ending December 1, 2024, November 30, 2028 and November 30, 2031, respectively, and will be subject to mandatory tender for purchase on December 2, 2024, December 1, 2028 and December 1, 2031, respectively; and

WHEREAS, to facilitate the remarketing of the 2021B-D Bonds on these initial mandatory tender dates and any future mandatory or optional tender dates, the Authority desires to appoint a Remarketing Agent and enter into a Remarketing Agreement (as such terms are defined in the Series Resolutions) with such Remarketing Agent for each series of 2021B-D Bonds; and

WHEREAS, the Authority has requested that the North Carolina Local Government Commission (the “Commission”) approve the appointment of BofA Securities, Inc. as Remarketing Agent for the 2021B Bonds; and

WHEREAS, there has been submitted to the North Carolina Local Government Commission (the “Commission”) for its approval at this meeting a Remarketing Agreement for the 2021B Bonds; and

WHEREAS, because the initial mandatory tender dates for the 2021C Bonds and the 2021D Bonds are years in the future, the Authority has requested the Commission to approve the appointment of any entity on the Commission’s list of approved remarketing agents at the time of such appointment by the Authority of a Remarketing Agent for the 2021C Bonds and the 2021C Bonds and Remarketing Agreements substantially similar to the Remarketing Agreement for the 2021B Bonds submitted at this meeting;

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

Section 1. The Commission hereby approves the appointment by the Authority of BofA Securities, Inc. as Remarketing Agent for the 2021B Bonds and the Remarketing Agreement for the 2021B Bonds.

Section 2. The Commission hereby approves the appointment by the Authority of any entity on the Commission’s list of approved remarketing agents at the time the Authority appoints a Remarketing Agent for the 2021C Bonds.

Section 3. The Commission hereby approves the appointment by the Authority of any entity on the Commission's list of approved remarketing agents at the time the Authority appoints a Remarketing Agent for the 2021D Bonds.

Section 4. The Commission hereby approves the Remarketing Agreements for the 2021C Bonds and the 2021D Bonds substantially in the form of the Remarketing Agreement for the 2021B Bonds so submitted and approved at this meeting.

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

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

* * * * *

TOWN OF KERNERSVILLE

Ms. Hoffmann made a motion to approve the following annexation payments for the Town of Kernersville:

The Town of Kernersville and the Piney Grove Fire Department are requesting approval of annexation payments according to G.S. 160A-58.2A(d), whereby the Town will make 10 annual payments from 2024-2034 totaling \$1,485.49 for the equipment and building improvements. The annexation was completed on June 26, 2024.

Mr. Burns seconded the motion and the annexation payments were approved by unanimous vote of 9 – 0.

* * * * *

TOWN OF MOUNT PLEASANT

Ms. Hoffmann made a motion to approve the following maturity date extension for the Town of Mount Pleasant:

The Town of Mount Pleasant entered into a 15-month interim financing agreement with Uwharrie Bank on September 19, 2023 in the amount of \$6,048,000 for the construction of a sewer project to include a regional sewer pump station, sewer line installation, and manhole rehabilitation. At the end of the 15-month term scheduled to mature December 13, 2024, the loan was to be taken out by long term USDA financing. Due to the project timeline extending past what was originally anticipated, the Town will not be ready by the original deadline. Uwharrie Bank has agreed to extend the term for an additional 5 months up to May 14, 2025. The interest rate will remain the same at 4.25% and the extension will give the Town additional time to complete the project and close on the long term USDA financing.

Mr. Burns seconded the motion and the maturity date extension was approved by unanimous vote of 9 – 0.

END OF CONSENT AGENDA

VILLAGE OF BALD HEAD ISLAND

Secretary Marshall made a motion to adopt the following resolution:

“RESOLUTION CONCERNING THE PRIVATE SALE OF THE VILLAGE OF BALD HEAD ISLAND, NORTH CAROLINA, GENERAL OBLIGATION BEACH IMPROVEMENT BONDS, SERIES 2024

WHEREAS, Article 7 of Chapter 159 of the North Carolina General Statutes, as amended, authorizes the North Carolina Local Government Commission (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 issuing unit; and

WHEREAS, the Village of Bald Head Island, North Carolina (the “Village”) has requested the Commission to sell the Village’s General Obligation Beach Improvement Bonds, Series 2024 (the “Bonds”) at private sale without advertisement in accordance with Article 7 of Chapter 159 of the North Carolina General Statutes, as amended; and

WHEREAS, Regions Capital Advantage, Inc. (the “Purchaser”) has offered to purchase the Bonds from the Commission upon the terms and conditions set forth in its proposal to the Village; and

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

WHEREAS, the Commission wants to accept the offer of the Purchaser to purchase the Bonds upon the terms and conditions set forth in the Purchaser’s proposal to the Village;

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

Section 1. The sale of the Bonds to the Purchaser at private sale without advertisement pursuant to the terms of in the Purchaser’s proposal to the Village is hereby approved.

Section 2. The Secretary of the Commission or any Deputy Secretary of the Commission is hereby appointed the Designated Assistant of the Commission for the purposes 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 transaction as shall be satisfactory to such Designated Assistant, to approve the forms of documents relating to the transaction, to execute and deliver such documents on behalf of the Commission and to provide for the execution and delivery of the Bonds.

Section 3. The Bonds shall bear interest at an interest rate not to exceed 3.55% per annum, subject to adjustment as described in the Purchaser’s proposal to the Village.

Section 4. The Bonds shall mature not later than October 1, 2031.

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

Auditor Holmes seconded the motion and the foregoing resolution was adopted by unanimous vote of 8 – 0 (Recused: Harvey).

CENTENNIAL AUTHORITY

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

RESOLUTION APPROVING THE APPLICATION OF THE CENTENNIAL AUTHORITY FOR THE ISSUANCE OF NOT TO EXCEED \$100,000,000 REVENUE BONDS AND TO ISSUE A REVENUE BOND ANTICIPATION NOTE IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

WHEREAS, the Centennial Authority (the “Authority”) has applied to the North Carolina Local Government Commission (the “Commission”) pursuant to the Facility Authority Act, Article 20, Part 4 of Chapter 160A of the General Statutes of North Carolina, as amended (the “Act”), for approval of the issuance by the Authority of not to exceed \$100,000,000 revenue bonds (the “Bonds”) for the purpose of providing funds, together with other available funds, to (a) pay the costs of acquiring, constructing and equipping various improvements to the Authority’s sports and entertainment arena complex and ancillary facilities located in Wake County, North Carolina (the “Project”) and (b) pay the fees and expenses incurred in connection with the sale and issuance of the Bonds and the Series 2024 Note (hereinafter defined); and

WHEREAS, the Bonds are to be issued pursuant to a Master Trust Agreement, to be dated as of November 1, 2024 (as supplemented and amended from time to time, the “Master Trust Agreement”), between the Authority and U.S. Bank Trust Company, National Association, as trustee (the “Trustee”), and one or more supplemental trust agreements between the Authority and the Trustee; and

WHEREAS, under the plan of finance, the Authority will issue initially its Revenue Bond Anticipation Note, Series 2024 (the “Series 2024 Note”) in a principal amount not to exceed \$100,000,000, pursuant to a Note Purchase and Advance Agreement, to be dated as of the date of delivery thereof (the “Note Purchase Agreement”), among the Commission, the Authority and PNC Bank, National Association, as the purchaser of the Series 2024 Note, in anticipation of the issuance of the Bonds; and

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

(a) Master Trust Agreement;

(b) Note Purchase Agreement;

(c) Bond Order adopted by the Authority on November 7, 2024, authorizing the issuance of Bonds; and

(d) Note Resolution adopted by the Authority on November 7, 2024, authorizing the sale and issuance of the Series 2024 Note by the Authority, subject to the terms thereof; 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 the proposed issuance of the Bonds and the Series 2024 Note, in anticipation of the issuance of the Bonds, by the Authority is necessary or expedient;
- (ii) that the proposed amount of the proposed Bonds and the Series 2024 Note is adequate, when added to other monies available to the Authority, and not excessive for the proposed purposes thereof;
- (iii) that the Project is feasible;
- (iv) the Authority's debt management policies and procedures are good;
- (v) that the Bonds and the Series 2024 Note can be marketed at a reasonable interest cost to the Authority; and
- (vi) that the proposed issuance of the Bonds and the Series 2024 Note will effect the purposes of the Act.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application of the Centennial Authority for approval of the proposed Bonds in a principal amount not to exceed \$100,000,000 for the purposes set forth is hereby approved pursuant to the Act. In addition, the issuance of the Series 2024 Note in anticipation of the issuance of the Bonds is hereby approved in an aggregate principal amount not to exceed \$100,000,000.

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

Thereupon, Mr. Burns made a motion to adopt the following resolution:

**RESOLUTION CONCERNING THE PRIVATE SALE OF A
CENTENNIAL AUTHORITY REVENUE BOND ANTICIPATION NOTE,
SERIES 2024**

WHEREAS, Article 20, Part 4 of Chapter 160A of the General Statutes of North Carolina, as amended, 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 Centennial Authority (the "Authority") has requested the Commission to sell its Revenue Bond Anticipation Note, Series 2024 (the "Series 2024 Note")

approved concurrently herewith in accordance with Article 20, Part 4 of Chapter 160A of the General Statutes of North Carolina, as amended; and

WHEREAS, the Series 2024 Note is being issued in anticipation of the issuance of revenue bonds by the Authority to provide interim financing for various improvements to the Authority's sports and entertainment arena complex and ancillary facilities located in Wake County, North Carolina (the "Project"); and

WHEREAS, the Commission desires to approve the request of the Authority that it sell the Series 2024 Note at private sale without advertisement;

NOW, THEREFORE, BE IT RESOLVED by the Commission:

Section 1. The sale of the Series 2024 Note at private sale without advertisement to PNC Bank, National Association (the "Purchaser") pursuant to a Note Purchase and Advance Agreement, to be dated as of the date of delivery thereof (the "Note Purchase Agreement"), among the Commission, the Authority and the Purchaser is hereby approved, such sale being subject to the approval of the Authority and satisfaction of the conditions set forth below. The Secretary or any Deputy Secretary of the Commission 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 Note Purchase Agreement relating to the Series 2024 Note, including details of the Series 2024 Note, as shall be satisfactory to him or her, to approve the forms of other documents relating to the Series 2024 Note, to execute and deliver the Note Purchase Agreement and such other documents on behalf of the Commission and to provide for the execution and delivery of the Series 2024 Note in accordance with the bond order and resolutions of the Authority and the Note Purchase Agreement.

Section 2. The aggregate principal amount of the Series 2024 Note shall not exceed \$100,000,000, and the purchase price for the Series 2024 Note shall be equal to the par amount thereof.

Section 3. The Series 2024 Note shall bear interest at a variable rate as set forth in the resolution authorizing the sale and issuance of the Series 2024 Note and the Note Purchase Agreement with a maximum interest rate being the lesser of (a) twelve percent (12%) per annum and (b) the maximum rate permitted by applicable law, and the final maturity of the Series 2024 Note shall not exceed November 30, 2030.

Section 4. The Commission hereby determines that the sale of the Series 2024 Note in the manner and for the price as provided in this resolution is in the best interest of the Authority, provided that such sale shall be approved by the Authority.

Section 5. The Commission hereby approves the engagement of Womble Bond Dickinson (US) LLP as bond counsel, DEC Associates, Inc. as financial advisor to the Authority, U.S. Bank Trust Company, National Association as Trustee and Moore & Van Allen, PLLC as counsel to the Trustee, in connection with the issuance of the Bonds and the Series 2024 Note. The Commission hereby also approves the Chief Financial Officer of the Authority serving as the registrar and paying agent for the Series 2024 Note.

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

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

Representatives from the Centennial Authority attended the meeting to speak and answer members' questions: Philip Isley, Chairman of the Authority Board; Sarah Dozier, CFO; and Jeff Merritt, Executive Director.

* * * * *

**CUMBERLAND COUNTY INDUSTRIAL FACILITIES AND
POLLUTION CONTROL FINANCING AUTHORITY**

Mr. Burns made a motion to approve the following resolution:

**“RESOLUTION APPROVING THE FINANCING TEAM FOR
THE CUMBERLAND COUNTY INDUSTRIAL FACILITIES
AND POLLUTION CONTROL FINANCING AUTHORITY
SOLID WASTE DISPOSAL REVENUE BONDS (PROJECT
AERO), SERIES 2024”**

WHEREAS, The Cumberland County Industrial Facilities and Pollution Control Financing Authority (the “Issuer”) has requested that the North Carolina Local Government Commission (the “Commission”) approve its selection of the following financing team members for the upcoming revenue bond issue:

| | |
|---------------------------|---|
| Borrower: | American Titanium Metal, LLC |
| Underwriter: | Oppenheimer & Co., Inc. |
| Trustee: | Wilmington Trust, National Association |
| Issuer’s Counsel: | Rick Moorefield, County Attorney |
| Bond Counsel: | McGuireWoods LLP |
| Tax Counsel: | Pope Flynn, PLLC |
| Borrower’s Counsel: | Pope Flynn, PLLC |
| | Nelson Mullins Riley & Scarborough, LLP |
| Underwriter’s Counsel: | Ballard Spahr, LLP |
| Trustee’s Counsel: | Taboada Rochlin Govier, LLP |

WHEREAS, based upon the information and evidence received by the Commission, it is of the opinion that the request by the Issuer 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 Cumberland County Industrial Facilities and Pollution Control Financing Authority Solid Waste Disposal Revenue Bonds (Project Aero), Series 2024.

Mr. Philbeck seconded the motion and the foregoing resolution was adopted by a vote of 5 – 3 (Yes: Burns, Philbeck, Marshall, Penny, Harvey; No: Butler, Hoffmann, Folwell; Abstain: Holmes).

* * * * *

Mr. Burns made a motion to approve the following resolution:

“RESOLUTION APPROVING THE ISSUANCE AND SALE OF
BONDS OF THE CUMBERLAND COUNTY INDUSTRIAL
FACILITIES AND POLLUTION CONTROL FINANCING
AUTHORITY FOR THE BENEFIT OF AMERICAN TITANIUM
METAL, LLC”

WHEREAS, The Cumberland County Industrial Facilities and Pollution Control Financing Authority (the “Issuer”) has decided to issue its Solid Waste Disposal Revenue Bonds (Project Aero), Series 2024 (the “Bonds”), and to lend the proceeds thereof to American Titanium Metal, LLC (the “Borrower”) to finance a portion of the costs of the acquisition, construction and installation of a titanium reprocessing facility to be located in Fayetteville, Cumberland County, North Carolina (the “Project”), which Project is a “special purpose project” within the meaning of § 159C-3(15a) of the Industrial and Pollution Control Facilities Financing Act, Chapter 159C of the General Statutes of North Carolina, as amended (the “Act”); and

WHEREAS, the Issuer has filed an Application for Approval of not to exceed \$250,000,000 in aggregate principal amount of its Solid Waste Disposal Revenue Bonds (Project Aero), Series 2024 (the “Bonds”), with the Secretary of the North Carolina Local Government Commission pursuant to § 159C-8 of the Act, including the following documents:

- (a) Form of (1) Trust Indenture dated as of December 1, 2024 (the “Indenture”), between the Issuer and Wilmington Trust, National Association, as trustee, (2) Loan Agreement dated as of December 1, 2024 (the “Loan Agreement”), between the Issuer and American Titanium Metal, LLC (the “Borrower”), and (3) Bond Purchase Agreement among the Issuer, the Borrower and Oppenheimer & Co., Inc. (the “Bond Purchase Agreement,” and together with the Indenture and the Loan Agreement, the “Transaction Documents”);
- (b) A letter application on behalf of the Issuer requesting that the Commission approve the issuance of the Bonds pursuant to § 159C-8 of the Act; and
- (c) Evidence that a public hearing with respect to the issuance of the Bonds and the Project was held by the Board of Commissioners of Cumberland County on May 6, 2024, and the issuance of the Bonds was approved in principle by the Board of Commissioners, as required by the Act.

WHEREAS, the Commission has duly considered, among other things, the following:

- (a) the financial responsibility and capability of the Borrower to fulfill its obligations with respect to the Loan Agreement in the form filed with the Commission;
- (b) the ability of the political subdivisions in or near which the Project is to be located to cope satisfactorily with the impact of the Project and to provide necessary public facilities and services; and

(c) that the proposed date and manner of sale of the Bonds will not have an adverse effect upon any scheduled or anticipated sale of any obligations by the State of North Carolina or any political subdivision thereof or any agency of either of them;

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

1. The issuance of the Bonds in an aggregate principal amount not to exceed \$250,000,000 is hereby approved.

2. The sale of the Bonds in a public sale in accordance with the Transaction Documents, substantially in the form filed with the Commission, with the approval of the Issuer and the Borrower, is in the best interests of the Issuer and will best effectuate the purposes of the Act.

3. It is hereby determined, with the approval of the Issuer and the Borrower, that the Bonds shall initially bear interest at a fixed rate determined in accordance with the Indenture, such rate not to exceed 12.00% per annum, and shall have a final maturity not beyond December 31, 2028.

4. The system of registration for the Bonds as set forth in the Indenture and the appointment of Wilmington Trust, National Association as Registrar pursuant thereto are hereby approved under Chapter 159E of the North Carolina General Statutes.

5. This Resolution shall be effective immediately upon its passage.

Mr. Philbeck seconded the motion and the foregoing resolution was adopted by a vote of 5 – 3 (Yes: Burns, Philbeck, Marshall, Penny, Harvey; No: Butler, Hoffmann, Folwell; Abstain: Holmes).

The following representatives of the Issuer and Borrower attended the meeting in person to speak and answer members' questions: Harald Rackel, CEO of American Titanium Metal, LLC; Brian Kurtz, CFO of American Titanium Metal, LLC; Teresa McBride, CEO of McBride Capital Partners; Robert Van Geons, President of Fayetteville Cumberland County Economic Development Corporation; and Mary Nash Rusher, Bond Counsel with McGuireWoods LLP.

* * * * *

Chair Folwell asked for a recess at 3:06 p.m. The meeting resumed at 3:16 p.m.

**CABARRUS COUNTY - \$73 MILLION LIMITED OBLIGATION BONDS
FOR SCHOOLS AND GOVERNMENT BUILDINGS**

Mr. Butler made a motion to approve the following resolution:

"RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF CABARRUS (THE "COUNTY") TO FUND ALL OR A PORTION OF THE COSTS OF VARIOUS CAPITAL IMPROVEMENTS WITH AN INSTALLMENT FINANCING CONTRACT EXECUTED AND DELIVERED PURSUANT TO G.S.

§160A-20; AND AUTHORIZING THE EXECUTION AND DELIVERY BY THE CABARRUS COUNTY DEVELOPMENT CORPORATION OF LIMITED OBLIGATION BONDS (COUNTY OF CABARRUS, NORTH CAROLINA), SERIES 2024B RELATED THERETO IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$73,000,000.

WHEREAS, the County of Cabarrus (the "County") has determined that it is necessary and expedient to fund (a) all or a portion of the costs of (i) the acquisition, construction, installation and equipping of a new public library and senior center, (ii) the acquisition, construction, installation and equipping of a new addition at Fred L. Wilson Elementary School, (iii) the acquisition, construction, installation and equipping of HVAC replacements at Rowan-Cabarrus Community College South Campus, (iv), the acquisition, construction, installation and equipping of roof replacements at various public school sites, (v) the acquisition, construction, installation and equipping of HVAC replacements at various public school sites, (vi) the acquisition of any necessary rights-of-way and easements related to each of the foregoing (i) through (v) and (vii) various real and personal property improvements related to each of the foregoing (i) through (vi) (collectively, the "2024B Governmental and School Projects") and (b) certain expenses incurred in connection with the execution and delivery of the 2024B LOBs (as hereinafter defined); and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the County intends to finance the 2024B Governmental and School Projects through an Installment Financing Contract (the "Contract") between the County and the Cabarrus County Development Corporation (the "Corporation"), whereby the Corporation will advance moneys to the County from time to time for the purpose of financing the 2024B Governmental and School Projects, and the County, subject to its right of nonappropriation, shall repay the advancement with interest in installments; and

WHEREAS, the Corporation intends to enter into an Indenture of Trust, proposed to be dated as of November 1, 2024, (the "Indenture"), between the Corporation and Regions Bank, as trustee (the "Trustee"), pursuant to which the Corporation will execute and deliver its Limited Obligation Bonds (County of Cabarrus, North Carolina Installment Financing Contract), Series 2024B (the "2024B LOBs"); and

WHEREAS, the 2024B LOBs are to be underwritten by BofA Securities, Inc. and Piper Sandler & Co. (the "Underwriters") and the proceeds from the sale of the 2024B LOBs will be remitted by the Underwriters to the County to fund the advancement by the Corporation to the County under the Contract;

WHEREAS, the 2024B LOBS may be sold by the Underwriters on any available sale date in the month of November 2024;

WHEREAS, the aggregate principal amount of the advancement under the Contract or the 2024B LOBs that is allocable to the financing of the 2024B Governmental and School Projects shall not exceed shall not exceed \$73,000,000; and

WHEREAS, the maturity of the installment payments under the Contract or the 2024B LOBs shall not extend beyond December 30, 2044; and

WHEREAS, the effective interest cost of the Contract or the 2024B LOBs shall not exceed 5.0%; and

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

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

- i) that the Contract is necessary or expedient for the County;
- ii) that the Contract, under the circumstances, is preferable to a bond issue by the County 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 increase in taxes, if any, necessary to meet the sums to fall due under the Contract will not be excessive; and
- vi) that 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 Contract, the 2024B LOBs and the planned financing of the 2024B Governmental and School Projects, are hereby approved under the provisions of G.S. 160A-20, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission.

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

Mr. Butler made a motion to approve the following:

"RESOLUTION APPROVING THE FINANCING TEAM FOR THE CABARRUS COUNTY DEVELOPMENT CORPORATION LIMITED OBLIGATION BONDS (COUNTY OF CABARRUS, NORTH CAROLINA), SERIES 2024B"

WHEREAS, the Cabarrus County Development Corporation and the County of Cabarrus have requested that the North Carolina Local Government Commission approve their selection of the following financing team members for the referenced limited obligation bonds financing:

| | |
|---|--|
| Bond/Special Counsel/ Corporation Counsel: | Maynard Nexsen PC |
| Underwriters: | BofA Securities, Inc. (Sr.) Piper Sandler & Co. (Co.) |
| Underwriters' Counsel: | Womble Bond Dickinson (US) LLP |
| Financial Advisor: | DEC Associates, Inc. |
| Registrar/Trustee: | Regions Bank |

WHEREAS, based upon 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 bonds financing.

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

**CABARRUS COUNTY - \$78 MILLION
LIMITED OBLIGATION BONDS FOR SCHOOLS**

The Commission considered the Cabarrus County application for approval to issue \$78,000,000 in Limited Obligation Bonds to fund the construction and/or renovation of three elementary schools: Demolition of Coltrane/Webb and the construction of Webb STEM, Beverly Hills; Mary Francis Wall renovation and addition; and Opportunity School new construction. The LGC staff did not recommend approval of the application because the application did not include final guaranteed maximum price (GMP) contracts for these projects. LGC staff recommended waiting until final GMP contracts were received and staff anticipated the application would be ready for the February 2025 LGC meeting.

A lengthy discussion and question and answer period was held between the Commission members and the following representatives of Cabarrus County and Cabarrus County Schools: Board of County Commissioners Chairman Steve Morris, Commissioner Kenny Wortman, Commissioner Chris Measmer, and Brian Cone, Cabarrus County Schools Director of Construction. Also attending the meeting in person: County Manager Mike Downs, Assistant County Manager Kelly Sifford, Finance Director Jim Howden, Cabarrus County Schools (CCS) Superintendent John Kopicki, CCS COO Jonathan Bowers; and Financial Advisors Doug Carter, Andrew Carter, and Jeremy Carter of DEC Associates, Inc.

Auditor Holmes made a motion to approve the following resolution:

"RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF CABARRUS (THE "COUNTY") TO FUND ALL OR A PORTION OF THE COSTS OF VARIOUS CAPITAL IMPROVEMENTS WITH AN INSTALLMENT FINANCING CONTRACT EXECUTED AND DELIVERED PURSUANT TO G.S. §160A-20; AND AUTHORIZING THE EXECUTION AND DELIVERY BY THE CABARRUS COUNTY DEVELOPMENT CORPORATION OF LIMITED OBLIGATION BONDS (COUNTY OF CABARRUS, NORTH CAROLINA), SERIES 2024B RELATED THERETO IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$78,000,000.

WHEREAS, the County of Cabarrus (the "County") has determined that it is necessary and expedient to fund (a) all or a portion of the costs of (i) the acquisition, construction, installation and equipping of a new public elementary school, (ii) the acquisition, construction, relocation, installation and equipping of the Mary Frances Wall

Public School, (iii) the acquisition, construction, relocation, installation and equipping of the Opportunity Public School, (iv) the acquisition of any necessary rights-of-way and easements related to each of the foregoing (i) through (iii) and (v) various real and personal property improvements related to each of the foregoing (i) through (iv) (collectively, the “2024B Public School Projects”) and (b) certain expenses incurred in connection with the execution and delivery of the 2024B LOBs (as hereinafter defined); and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the County intends to finance the 2024B Public School Projects through an Installment Financing Contract (the “Contract”) between the County and the Cabarrus County Development Corporation (the “Corporation”), whereby the Corporation will advance moneys to the County from time to time for the purpose of financing the 2024B Public School Projects, and the County, subject to its right of nonappropriation, shall repay the advancement with interest in installments; and

WHEREAS, the Corporation intends to enter into an Indenture of Trust, proposed to be dated as of November 1, 2024, (the “Indenture”), between the Corporation and Regions Bank, as trustee (the “Trustee”), pursuant to which the Corporation will execute and deliver its Limited Obligation Bonds (County of Cabarrus, North Carolina Installment Financing Contract), Series 2024B (the “2024B LOBs”); and

WHEREAS, the 2024B LOBs are to be underwritten by BofA Securities, Inc. and Piper Sandler & Co. (the “Underwriters”) and the proceeds from the sale of the 2024B LOBs will be remitted by the Underwriters to the County to fund the advancement by the Corporation to the County under the Contract;

WHEREAS, the 2024B LOBS may be sold by the Underwriters on any available sale date in the month of November 2024;

WHEREAS, the aggregate principal amount of the advancement under the Contract or the 2024B LOBs that is allocable to the financing of the 2024B Public School Projects shall not exceed shall not exceed \$78,000,000; and

WHEREAS, the maturity of the installment payments under the Contract or the 2024B LOBs shall not extend beyond December 30, 2044; and

WHEREAS, the effective interest cost of the Contract or the 2024B LOBs shall not exceed 5.0%; and

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

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

- i) that the Contract is necessary or expedient for the County;
- ii) that the Contract, under the circumstances, is preferable to a bond issue by the County 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 increase in taxes, if any, necessary to meet the sums to fall due under the Contract will not be excessive; and
- vi) that 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 Contract, the 2024B LOBs and the planned financing of the 2024B Public School Projects, are hereby approved under the provisions of G.S. 160A-20, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission.

Mr. Burns seconded the motion and the foregoing resolution was adopted by a vote of 5 -4 (Yes: Holmes, Burns, Marshall, Penny, Philbeck; No: Butler, Harvey, Hoffmann, Folwell).

Auditor Holmes made a motion to approve the following:

"RESOLUTION APPROVING THE FINANCING TEAM FOR THE CABARRUS COUNTY DEVELOPMENT CORPORATION LIMITED OBLIGATION BONDS (COUNTY OF CABARRUS, NORTH CAROLINA), SERIES 2024B"

WHEREAS, the Cabarrus County Development Corporation and the County of Cabarrus have requested that the North Carolina Local Government Commission approve their selection of the following financing team members for the referenced limited obligation bonds financing:

| | |
|---|--|
| Bond/Special Counsel/ Corporation Counsel: | Maynard Nexsen PC |
| Underwriters: | BofA Securities, Inc. (Sr.) Piper Sandler & Co. (Co.) |
| Underwriters' Counsel: | Womble Bond Dickinson (US) LLP |
| Financial Advisor: | DEC Associates, Inc. |
| Registrar/Trustee: | Regions Bank |

WHEREAS, based upon 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 bonds financing.

Mr. Burns seconded the motion and the foregoing resolution was adopted by a vote of 5 -4 (Yes: Holmes, Burns, Marshall, Penny, Philbeck; No: Butler, Harvey, Hoffmann, Folwell).

Secretary Marshall made a motion to adopt the following resolution:

See EXHIBIT 2: Resolution Establishing Revised Guidelines for Successful Appeal of Sales Tax Withholding Pursuant to Session Law 2023-59.

Mr. Burns seconded the motion and the foregoing resolution was adopted by a vote of 9 – 0.

Secretary Marshall made a motion to adopt the following resolution:

See EXHIBIT 3: Resolution Accepting Staff Report on Initial Determination of Administrative Rules for Decennial Rules Review.

Mr. Philbeck seconded the motion and the foregoing resolution was adopted by a vote of 9 – 0.

INFORMATION ONLY ITEMS

Assistant Director of Debt Management Tony Blalock presented the preliminary, unofficial local government bond referenda results from the November 5, 2024 general election.

Representatives from the NC League of Municipalities gave an overview of the League’s services to municipalities and a presentation on the League’s Municipal Accounting Services program. Attending the meeting: Rose Vaughn Williams, Executive Director; Carla Obiol, Chief American Rescue Plan officer; and Chris Nida, Director of Technical Assistance for Cities.

Ms. Harvey left the meeting at 5:07 p.m.

Mr. Philbeck made a motion to adjourn. Mr. Burns seconded the motion which passed by unanimous vote. The meeting adjourned at 5:16 p.m.

The next regularly scheduled meeting of the North Carolina Local Government Commission will be held on December 3, 2024, at 1:30 p.m.

I, Jennifer Wimmer, Deputy Secretary of the North Carolina Local Government Commission, CERTIFY that the foregoing is a true and correct account of actions taken at a meeting of the North Carolina Local Government Commission duly called and held on November 12, 2024.

WITNESS my hand at Raleigh, NC, this 12th day of November 2024.

Jennifer Wimmer

Jennifer Wimmer, Deputy Secretary of the
Local Government Commission of North Carolina

EXHIBIT 1

| Local Governments Requesting Debt Approval by LGC | | | | | | | | | |
|--|-------------|---|-----------------------------|--------------------|---------------------------------------|-----------------------------|------------------------------|---|---------------------------------------|
| Meeting Date 11/12/24 | | | | | | | | | |
| As Reported in 2024 Fiscal Year End Audits | | | | | | | | | |
| Name of Unit | County | Total OPEB Liability Ending | Plan Fiduciary Net Position | Net OPEB Liability | Total LEOSSA Pension Liability Ending | Plan Fiduciary Net Position | Net LEOSSA Pension Liability | Total Net Liability for OPEB and LEOSSA | LGERS/TSERS Net Pension Liability (1) |
| Bald Head Island (2) | Brunswick | N/A | N/A | N/A | 758,623 | 0 | 758,623 | 758,623 | 3,185,150 |
| Cabarrus County (2) | Cabarrus | 39,967,487 | 4,074,775 | 35,892,712 | 12,244,359 | 0 | 12,244,359 | 48,137,071 | 49,020,060 |
| Carthage (2) | Moore | N/A | N/A | N/A | 279,778 | 0 | 279,778 | 279,778 | 1,039,151 |
| Centennial Authority | Wake | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 184,254 |
| Inlivian Housing Redefined (3) | Mecklenburg | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 12,934,758 |
| Kernersville (2) | Forsyth | 11,078,511 | 0 | 11,078,511 | 3,400,877 | 0 | 3,400,877 | 14,479,388 | 10,737,330 |
| Mount Pleasant (2) | Cabarrus | 15,763 | 0 | 15,763 | N/A | N/A | N/A | 15,763 | 324,946 |
| LGERS - Local Government Employees' Retirement System | | OPEB - Other Post Employment Benefits (e.g. retiree healthcare) | | | | | | | |
| TSERS - Teachers' and State Employees' Retirement System | | NA - Not applicable | | | | | | | |
| (1) LGERS/TSERS liabilities are satisfied by monthly employer contributions to the plans. The contribution rates are reviewed annually and adjusted as needed. See detailed explanation on cover page. | | | | | | | | | |
| (2) Financials as of 06/30/2023 | | | | | | | | | |
| (3) Financials as of 12/31/2023 | | | | | | | | | |



Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

RESOLUTION ESTABLISHING REVISED GUIDELINES FOR SUCCESSFUL APPEAL
OF SALES TAX WITHHOLDING PURSUANT TO SESSION LAW 2023-59

WHEREAS, North Carolina Session Law [2023-59](#) (SB299), An Act to Increase Compliance by Counties and Municipalities That Fail to Timely Submit an Annual Audit Report, was enacted on June 27, 2023; and

WHEREAS, the law provides that the Secretary of the Local Government Commission (the "Commission") must provide notices of noncompliance to each county or municipality that fails to submit an annual audit report within nine months of its fiscal year end; and that a county or municipality that fails to complete its annual audit within 12 months of its fiscal year end shall be deemed to have given consent to the withholding of a portion of its sales tax distributions (G.S. 159-34(e)) and may have a portion of its sales tax distributions withheld; and

WHEREAS, the law provides that a county or municipality that receives a notice of noncompliance may notify the Secretary in writing that it plans to appeal the action and state the basis for the appeal as well as evidence to support the appeal (G.S. 159-34(f)); and

WHEREAS, the law requires that the Commission establish guidelines outlining specific criteria that would warrant a successful appeal (G.S. 159-34(f)); that these guidelines must be established and made available prior to issuing notices of noncompliance; that the guidelines may be established prior to January 1, 2024 but may not become effective until on or after that date;

WHEREAS, the Commission adopted a resolution at its December 5, 2023 meeting which established guidelines outlining specific criteria that would warrant a successful appeal (G.S. 159-34(f)) ("Guidelines for Successful Appeal") effective January 1, 2024; and

WHEREAS, the Commission wishes to establish revised guidelines;

NOW THEREFORE BE IT RESOLVED,

- 1) That the Commission shall deem an appeal successful if the audit for which the non-compliance notice was issued to the county or municipality is the only audit not submitted as required pursuant to G.S. 159-34(a).

EXHIBIT 2

Resolution Establishing Revised Guidelines for Successful Appeal of Sales Tax Withholding
Required Pursuant to Session Law 2023-59
November 12, 2024

- 2) A written appeal filed pursuant to Paragraph 1 above should also include (a) an explanation by the unit for the delay in audit submission and (b) a plan and timeline for submission of the outstanding audit.
- 3) That the Commission may waive the requirement for a county or municipality to appear before the Commission if the appeal is considered successful based on the guideline established in Paragraph 1 above.
- 4) That a county or municipality that cannot successfully appeal the Commission's action based on the guideline established in Paragraph 1 above may submit an appeal to the Secretary based on other good cause with evidence to support the basis for the appeal.
- 5) A written appeal filed pursuant to Paragraph 4 above shall also include (a) an explanation by the unit for the delay in audit submission which addresses all applicable criteria contained in guidance published by the LGC staff, along with clear, verifiable facts supporting each criteria cited for the Commission's consideration and (b) a plan and timeline for submission of the outstanding audits.
- 6) That a county or municipality filing an appeal pursuant to Paragraph 4 above will be scheduled to appear before the Commission at its next scheduled meeting, held as soon as practicable after July 1, to answer any questions of the Commission related to the appeal.
- 7) That the Commission retains the discretion to direct or delay withholding portions of sales tax distributions of counties and municipalities that have failed to submit an appeal or are unable to successfully appeal the Commission's action under the guidelines established in Paragraphs 1 or 4 above.
- 8) That the Commission directs staff to maintain procedures and processes to facilitate the submission of appeals by counties and municipalities.
- 9) That the Commission directs staff to develop guidance for the content of appeals including specific criteria on which appeals should be based and to publish this guidance to the LGC's website and via other communications prior to issuing notices of noncompliance.
- 10) That the guidelines above are hereby established as of the date of this Resolution and are effective as of January 1, 2025.
- 11) That the Commission directs staff to make these guidelines available prior to issuing notices of noncompliance.

EXHIBIT 2

Resolution Establishing Revised Guidelines for Successful Appeal of Sales Tax Withholding
Required Pursuant to Session Law 2023-59
November 12, 2024

I, Debbie Tomasko 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 November 12, 2024.

WITNESS my hand this 12th day of November 2024.

A handwritten signature in cursive script, reading "Debbie Tomasko", is written over a horizontal line.

Debbie Tomasko Secretary
North Carolina Local Government Commission



Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

RESOLUTION ACCEPTING STAFF REPORT ON
INITIAL DETERMINATION OF ADMINISTRATIVE RULES
FOR DECENNIAL RULES REVIEW

WHEREAS, the Local Government Commission ("Commission") is a governmental entity of the State of North Carolina housed within the Department of State Treasurer ("DST"); and

WHEREAS, the Commission and DST are vested with rulemaking authority as described in the North Carolina Administrative Procedure Act ("APA") codified in Chapter 150B of the North Carolina General Statutes ("NCGS") and are rulemaking agencies as defined therein; and

WHEREAS, as a rulemaking agency, DST has appointed a Rulemaking Coordinator, and as part of a DST division, the Commission participates in DST's rulemaking program, works with DST's Rulemaking Coordinator, and directs its staff to do the same; and

WHEREAS, as a rulemaking agency, the Commission has promulgated administrative rules, codified as part of the rules of DST in Chapter 20 Section 03 of the North Carolina Administrative Code ("NCAC"); and

WHEREAS, as rulemaking agencies, DST and the Commission are subject to the decennial rules review process set forth in NCGS 150B-21.3A; and

WHEREAS, Commission staff are working with DST's Rulemaking Coordinator to complete the decennial rules review process and have prepared the report on the initial determination of rules as being "necessary" or "unnecessary" as required by NCGS 150B-21.3A(c)(1), said report being attached hereto; and

WHEREAS, Commission staff have presented this report on the initial determination of rules to the Commission and requested it approve and accept the report so that it may be filed with the Office of Administrative Hearings ("OAH") as required by the decennial rules review process.

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

1. The Commission approves and accepts the report on the initial determination of rules being "necessary" or "unnecessary" attached hereto and authorizes its staff, working with the DST Rulemaking Coordinator, to file the report with the OAH in accordance with the decennial rules review process established by NCGS 150B-21.3A, and to take all additional necessary steps required to complete the decennial rules review process.
2. This resolution shall take effect immediately upon its passage.

WITNESS my hand this 12th day of November 2024.

Debbie Tomasko

Debbie Tomasko, Secretary
North Carolina Local Government Commission

EXHIBIT 3

| G.S. 150B-21.3A Report for 20 NCAC 03, LOCAL GOVERNMENT COMMISSION | | | | | | | |
|--|---|------------------|--|---|--|---|-----------------------------|
| Agency - Local Government Commission | | | | | | | |
| Comment Period - | | | | | | | |
| Date Submitted to APO - Filled in by RRC staff | | | | | | | |
| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation |
| | SECTION .0100 - GENERAL PROVISIONS | 20 NCAC 03 .0101 | ORGANIZATION AND FUNCTIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0102 | DEFINITIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0103 | RULE-MAKING PROCEDURES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0104 | DECLARATORY RULES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0105 | CONTESTED CASE PROCEDURES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0106 | ADDITIONAL REQUIREMENTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0107 | OTHER REQUESTS FOR ACTION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0108 | STATUS OF MEMORANDA: STATEMENTS AND PUBLICATIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0109 | ENFORCEMENT PROCEDURES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0110 | MAILING LISTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0111 | SETTING FEES ON REVENUE BOND APPROVALS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0112 | FEES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |

EXHIBIT 3

| G.S. 150B-21.3A Report for 20 NCAC 03, LOCAL GOVERNMENT COMMISSION | | | | | | | |
|--|---|------------------|--|---|--|---|-----------------------------|
| Agency - Local Government Commission | | | | | | | |
| Comment Period - | | | | | | | |
| Date Submitted to APO - Filled in by RRC staff | | | | | | | |
| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation |
| | SECTION .0200 - APPROVAL OF DEBT OBLIGATIONS | 20 NCAC 03 .0202 | APPROVAL OF GENERAL OBLIGATION BONDS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0203 | ADDITIONAL DOCUMENTS TO BE FILED | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0204 | APPROVAL OF REVENUE BONDS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0205 | APPROVAL OF TAX ANTICIPATION NOTES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0206 | APPROVAL OF REVENUE ANTICIPATION NOTES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0207 | APPROVAL OF GRANT ANTICIPATION NOTES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0208 | SPECIAL PURPOSE BONDS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | SECTION .0300 - SALE AND DELIVERY OF BONDS AND NOTES | 20 NCAC 03 .0301 | PRESALE REQUIREMENTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0302 | SALE OF BONDS OR NOTES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0303 | DELIVERY OF BONDS OR NOTES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0304 | FEES FOR SALE AND DELIVERY OF BONDS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |

EXHIBIT 3

| G.S. 150B-21.3A Report for 20 NCAC 03, LOCAL GOVERNMENT COMMISSION | | | | | | | |
|--|---|------------------|---|---|--|---|-----------------------------|
| Agency - Local Government Commission | | | | | | | |
| Comment Period - | | | | | | | |
| Date Submitted to APO - Filled in by RRC staff | | | | | | | |
| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation |
| | | 20 NCAC 03 .0305 | MATURITIES OF BONDS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | SECTION .0400 - ACCOUNTING AND INTERNAL CONTROLS | 20 NCAC 03 .0401 | ACCOUNTING AND INTERNAL CONTROL SYSTEMS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0402 | REVENUES SUSCEPTIBLE TO ACCRUAL | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0405 | COMMENTS TO FEDERAL AND STATE GRANTOR AGENCIES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0406 | APPROVAL OF FINANCE OFFICER ACTING AS TAX COLLECTOR | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0407 | REPORT OF CASH BALANCE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0408 | REPORT OF FINANCIAL INFORMATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0409 | EXEMPTION FROM PREAUDIT CERTIFICATE REQUIREMENT FOR ELECTRONIC payments | Eff. November 1, 2017 | Necessary | No | |
| | | 20 NCAC 03 .0410 | EXEMPTION FROM DISBURSEMENT CERTIFICATE REQUIREMENT FOR ELECTRONIC PaYMENTS | Eff. November 1, 2017 | Necessary | No | |
| | SECTION .0500 - AUDIT CONTRACTS | 20 NCAC 03 .0501 | APPLICATION FOR APPROVAL OF AUDIT CONTRACT | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |

EXHIBIT 3

| G.S. 150B-21.3A Report for 20 NCAC 03, LOCAL GOVERNMENT COMMISSION | | | | | | | |
|--|--|------------------|--|---|--|---|-----------------------------|
| Agency - Local Government Commission | | | | | | | |
| Comment Period - | | | | | | | |
| Date Submitted to APO - Filled in by RRC staff | | | | | | | |
| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation |
| | | 20 NCAC 03 .0502 | AUDIT CONTRACT | Amended Eff. November 1, 2020 | Necessary | No | |
| | | 20 NCAC 03 .0503 | AUDIT ENGAGEMENTS DEFINED | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0504 | WHO MAY PERFORM AUDITS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0505 | AUDIT BILLINGS | Amended Eff. November 1, 2020 | Necessary | No | |
| | | 20 NCAC 03 .0506 | WITHHOLDING OF APPROVAL | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0508 | RESPONSE TO THE INDEPENDENT AUDITOR'S FINDINGS, RECOMMENDATIONS , AND FISCAL MATTERS | Eff. November 1, 2020 | Necessary | No | |
| | SECTION .0600 - SCHOOL BUDGETING AND ACCOUNTING | 20 NCAC 03 .0601 | ENCUMBRANCE ACCOUNTING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | SECTION .0700 - MUTUAL FUND FOR LOCAL GOVERNMENT INVESTMENT | 20 NCAC 03 .0710 | GENERAL INFORMATION | Eff. October 1, 2023 | Necessary | No | |
| | | 20 NCAC 03 .0711 | DEFINITION OF TERMS | Eff. October 1, 2023 | Necessary | No | |
| | | 20 NCAC 03 .0712 | MINIMUM FUND STANDARDS | Eff. October 1, 2023 | Necessary | No | |
| | | 20 NCAC 03 .0713 | CERTIFICATION OF A FUND | Eff. October 1, 2023 | Necessary | No | |
| | | 20 NCAC 03 .0714 | REVIEW OF FUND AND ATTESTATION | Eff. October 1, 2023 | Necessary | No | |

EXHIBIT 3

| G.S. 150B-21.3A Report for 20 NCAC 03, LOCAL GOVERNMENT COMMISSION | | | | | | | |
|--|--|------------------|---|---|--|---|-----------------------------|
| Agency - Local Government Commission | | | | | | | |
| Comment Period - | | | | | | | |
| Date Submitted to APO - Filled in by RRC staff | | | | | | | |
| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation |
| | | 20 NCAC 03 .0715 | TERMINATION OF CERTIFICATION | Eff. October 1, 2023 | Necessary | No | |
| | SECTION .0800 - SYSTEM OF REGISTRATION | 20 NCAC 03 .0801 | APPROVAL OF A SYSTEM OF REGISTRATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0802 | APPROVAL OF APPOINTMENT OF AGENTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0803 | MAXIMUM RATES FOR AGENCY SERVICES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | SECTION .0900 - OTHER REQUESTS FOR APPROVAL | 20 NCAC 03 .0901 | PROCESSING APPLICATIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0903 | APPLICATION TO AMEND: PRIOR APPROVALS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0904 | COUNTY USE OF SALES TAXES PURSUANT TO G.S. 105-487(C) | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0905 | MUNICIPALITY USE OF SALES TAXES PURSUANT TO G.S. 105-487(C) | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0906 | ANNEXATION: REQUESTS BY RURAL FIRE DEPARTMENT | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .0907 | ANNEXATION: ASSUMPTION OF DEBT | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |

EXHIBIT 3

| G.S. 150B-21.3A Report for 20 NCAC 03, LOCAL GOVERNMENT COMMISSION | | | | | | | |
|--|---|------------------|---------------------------|---|--|---|-----------------------------|
| Agency - Local Government Commission | | | | | | | |
| Comment Period - | | | | | | | |
| Date Submitted to APO - Filled in by RRC staff | | | | | | | |
| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation |
| | SECTION .1000 - EVIDENTIARY HEARING ON REFUNDING BONDS | 20 NCAC 03 .1001 | DEFINITIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .1002 | WHO MAY REQUEST A HEARING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .1003 | PETITION FOR HEARING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .1004 | HEARING OFFICER | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .1005 | TIME FOR THE HEARING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .1006 | NOTICE OF HEARING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .1007 | CONDUCT OF THE HEARING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .1008 | RECOMMENDED DECISION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |
| | | 20 NCAC 03 .1009 | FINAL DECISION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | |