

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

MINUTES

March 4, 2025

The meeting was called to order by Chairman Bradford B. Briner at 1:36 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 Briner, Secretary of State Elaine Marshall, State Auditor Dave Boliek, Secretary of Revenue McKinley Wooten, John Burns, and Paul Butler. Members present virtually: 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.

Chair Briner asked those members present if they had any actual or potential conflict of interest regarding the matters on the agenda. Ms. Harvey reported a conflict of interest and recused herself from the City of Greensboro and Town of Matthews matters. Ms. Hoffmann reported conflicts of interest and recused herself from the City of Greensboro matter. Their statements of recusal are incorporated into these meeting minutes pursuant to the requirements of the State Government Ethics Act.

Secretary Marshall made a motion to approve the minutes of the February 4, 2025 meeting. Mr. Butler seconded the motion, and the minutes were approved by unanimous vote of 9 – 0.

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

CITY OF GOLDSBORO

Auditor Boliek made a motion to adopt the following resolution:

**RESOLUTION APPROVING THE FINANCING TEAM
FOR THE CITY OF GOLDSBORO, NORTH CAROLINA
INSTALLMENT FINANCING AGREEMENT**

WHEREAS, the City of Goldsboro, 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 execution and delivery of an installment

financing agreement to be dated on or about March 12, 2025, between the City of Goldsboro, North Carolina and PNC Bank, National Association:

Bond Counsel:	McGuireWoods LLP
Lender:	PNC Bank, National Association
Lender's Counsel:	Womble Bond Dickinson (US) LLP
Financial Advisor:	Davenport & Company LLC

WHEREAS, based upon 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 members of the Commission that the above financing team is hereby approved.

Secretary Wooten seconded the motion and the foregoing resolution was adopted by a unanimous vote of 9 - 0.

Auditor Boliek made a motion to adopt the following resolution:

**RESOLUTION APPROVING THE APPLICATION OF THE
CITY OF GOLDSBORO, NORTH CAROLINA FOR THE
APPROVAL OF AN INSTALLMENT FINANCING
AGREEMENT BETWEEN THE CITY AND PNC BANK,
NATIONAL ASSOCIATION TO FINANCE THE
ACQUISITION AND INSTALLATION OF CERTAIN
VEHICLES AND EQUIPMENT**

WHEREAS, the City of Goldsboro, North Carolina (the "City") desires to finance the acquisition and installation of certain vehicles and equipment for use by various City departments (the "Equipment"); and

WHEREAS, the City Council of the City has approved the execution and delivery of an Installment Financing Agreement (the "Agreement") to be dated on or about March 12, 2025, with PNC Bank, National Association (the "Lender") to finance the acquisition and installation of the Equipment; and

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

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

WHEREAS, the City has filed with the application to the Commission a draft of the Agreement relating to the proposed financing; and

WHEREAS, under the Agreement, the Lender shall make a loan to the City in a principal amount not to exceed \$6,720,000 with a final maturity not beyond March 1, 2035 and bear interest at a rate not to exceed 3.82% per annum; 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 Agreement is necessary or expedient for the City;
- (b) the Agreement, 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 Agreement are adequate and not excessive for the proposed purposes thereof;
- (d) the City's debt management procedures and policies are good;
- (e) no increase in taxes will be necessary to meet the sums to fall due under the Agreement; and
- (f) 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 of the City for approval of the Agreement is hereby approved under the provisions of Article 8 of Chapter 159 and Section 160A-20 of the General Statutes of North Carolina and the relevant resolutions of the Commission.

Goldsboro Interim City Manager Matt Livingston and Goldsboro Finance Director Catherine Gwynn attended virtually and answered the members' questions.

Secretary Wooten seconded the motion and the foregoing resolution was adopted by a unanimous vote of 9 - 0.

* * * * *

BEGIN CONSENT AGENDA

ALLEGHANY COUNTY

Secretary Marshall made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF ALLEGHANY, NORTH CAROLINA. THIS PROJECT CONSISTS OF CONSTRUCTION OF A NEW HIGH SCHOOL (THE “PROJECT”) THROUGH AN INSTALLMENT FINANCING CONTRACT AGREEMENT PURSUANT TO G.S. 160A-20.

WHEREAS, the County of Alleghany, North Carolina (the “County”) has determined that the Project, the replacement of the sole Alleghany County High School is necessary or expedient to replace the aging high school which was damaged by the August 2020

earthquake; and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the County intends to finance the Project, together with other funding sources, through an Installment Financing Contract (the "Contract") between the County and Truist Bank (the "Bank") whereby the Bank 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 \$6,849,620 with monthly principal and interest payments for a term of ten (10) years at an approved interest rate of 4.30%; and

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

WHEREAS, the Secretary of the Commission has determined that the unit has complied with 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 proposed 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, or that reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;
- (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 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. Burns seconded the motion and the foregoing resolution was adopted by unanimous vote of 9 – 0.

* * * * *

CITY OF ASHEVILLE

Secretary Marshall made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE CITY OF ASHEVILLE, NORTH CAROLINA FOR THE ISSUANCE OF NOT TO EXCEED \$20,000,000 GENERAL OBLIGATION HOUSING BONDS, NOT TO EXCEED \$20,000,000 GENERAL OBLIGATION TRANSPORTATION BONDS, NOT TO EXCEED \$20,000,000 GENERAL OBLIGATION PARKS AND RECREATION BONDS, AND NOT TO EXCEED \$20,000,000 GENERAL OBLIGATION PUBLIC SAFETY BONDS”

WHEREAS, the City of Asheville, North Carolina (the “City”) has applied to the Local Government Commission of North Carolina (the “Commission”) and requested the Commission’s approval of the issuance of not exceeding \$20,000,000 General Obligation Housing Bonds of the City (the “Housing Bonds”), the issuance of not exceeding \$20,000,000 General Obligation Transportation Bonds of the City (the “Transportation Bonds”), the issuance of not exceeding \$20,000,000 General Obligation Transportation Bonds of the City (the “Parks and Recreation Bonds”), and the issuance of not exceeding \$20,000,000 General Obligation Public Safety Bonds of the City (the “Public Safety Bonds” and collectively with the Housing Bonds, the Transportation Bonds and the Parks and Recreation Bonds, the “Bonds”); and

WHEREAS, the Bonds were approved by the affirmative vote of a majority of those in the City who voted thereon at a referendum on November 5, 2024;

WHEREAS, the City will use the proceeds of the Housing Bonds consistent with the voter approved referendum to pay the capital costs of acquiring, constructing, renovating, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto, and the relocation of City facilities to make land available for the construction of housing for persons of low income, or moderate income, or low and moderate income, and the acquisition of land and rights-of-way required therefor;

WHEREAS, the City will use the proceeds of the Transportation Bonds consistent with the voter approved referendum to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including without limitation streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and the cost of studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; acquiring, constructing, extending and improving greenways, providing related landscaping,

retaining walls, storm drainage and any other necessary improvements; and the acquisition of land and rights-of-way in land required therefor;

WHEREAS, the City will use the proceeds of the Parks and Recreation Bonds consistent with the voter approved referendum to pay the capital costs of parks and recreation facilities including without limitation, the construction, reconstruction and improvement of recreation aquatic facilities, community centers, courts, fields, landscaping, lighting, multipurpose trails, sidewalks, park restroom facilities, and public open space; the grading, paving, and resurfacing of parking lots, roads, and intersections around park spaces; and acquiring necessary recreation amenities, equipment, and land acquisition therefor;

WHEREAS, the City will use the proceeds of the Public Safety Bonds consistent with the voter approved referendum to pay the capital costs of acquiring, constructing, renovating, improving, equipping and furnishing fire-fighting and prevention facilities and law enforcement facilities, including without limitation administrative buildings, station buildings and training facilities, and the acquisition of land and rights-of-way in land required therefor;

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

- (i) that said Bonds are necessary or expedient;
- (ii) that the proposed amount of said Bonds is adequate and not excessive for the proposed purpose thereof;
- (iii) that the debt management procedures and policies of the City are good and reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;
- (iv) that the increase in taxes, if any, necessary to service said Bonds will not be excessive; and
- (v) that said Bonds can be marketed at reasonable rates of interest;
- (vi) the assumptions used by the finance officer of the City in preparing the Statement of Disclosure filed with the City Clerk pursuant to Section 159-55.1(a) of the General Statutes of North Carolina are reasonable.

WHEREAS, the City may issue the Bonds in one or more series as determined by the City;

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application of the City of Asheville for approval of the issuance of not to exceed \$20,000,000 aggregate principal amount of the City of Asheville General Obligation Housing Bonds, the issuance of not to exceed \$20,000,000 aggregate principal amount of the City of Asheville General Obligation Transportation Bonds, the issuance of not to exceed \$20,000,000 aggregate

principal amount of the City of Asheville General Obligation Parks and Recreation Bonds, and the issuance of not to exceed \$20,000,000 aggregate principal amount of the City of Asheville General Obligation Public Safety Bonds is hereby approved. This constitutes the entering of the Commission's order approving the application for the Bonds under Section 159-53 of the General Statutes of North Carolina, as amended.

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

Thereupon, Secretary Marshall made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE FINANCING TEAM FOR NOT TO EXCEED \$20,000,000 GENERAL OBLIGATION HOUSING BONDS, NOT TO EXCEED \$20,000,000 GENERAL OBLIGATION TRANSPORTATION BONDS, NOT TO EXCEED \$20,000,000 GENERAL OBLIGATION PARKS AND RECREATION BONDS AND NOT TO EXCEED \$20,000,000 GENERAL OBLIGATION PUBLIC SAFETY BONDS”

WHEREAS, the City of Asheville (the “City”) has engaged the services of Parker Poe Adams & Bernstein LLP as Bond Counsel to the City and DEC Associates, Inc. as financial advisor to the City in connection with the issuance and sale of its General Obligation Housing Bonds, General Obligation Transportation Bonds, General Obligation Parks and Recreation Bonds and General Obligation Public Safety Bonds, each approved by the affirmative vote of a majority of those in the City who voted thereon at a referendum on November 5, 2024, and has requested that the Local Government Commission of North Carolina (the “Commission”) approves its financing team; and

WHEREAS, based upon the information and evidence received in connection with such request, the Commission is of the opinion that the request of the City should be approved;

NOW, THEREFORE, BE IT RESOLVED by the Commission that the financing team engaged by the City is hereby approved.

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

BEAUFORT COUNTY WATER DISTRICT 1

Secretary Marshall made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE FINANCING REQUEST OF BEAUFORT COUNTY WATER DISTRICT 1, NORTH CAROLINA: THIS PROJECT CONSISTS OF IMPROVEMENTS TO THE SOUTHSIDE WATER TREATMENT PLANT.

WHEREAS, Beaufort County Water District 1, North Carolina (the “District”) has determined that the Project is necessary or expedient to install a new supply well and add treatment filters to the Southside water treatment plant to meet existing water demand, to

meet potential water supply shortages, and to promote regional interconnection between southside and northside service areas; and

WHEREAS, the North Carolina Local Government Commission (the Commission) previously approved a Drinking Water State Revolving Loan on October 3, 2017 for the District in the amount of \$750,000 (the “Loan”) based on cost estimates; and

WHEREAS, since the Loan was originally awarded by the Department of Environmental Quality (“DEQ”) prior to the COVID pandemic, the Project costs have escalated and contractor bids have been renegotiated; and

WHEREAS, DEQ has approved a loan increase of \$1,950,000 for the District; and

WHEREAS, the District filed an application with the Commission for approval of a Drinking Water State Revolving Loan increase not to exceed \$1,950,000, with the term of twenty (20) years at the rate, as established under this program for the respective loan, State or Federal, not to exceed 4%; and

WHEREAS, the Commission, upon the information and evidence it received, finds and determines as follows:

- (1) That the proposed loan increase is necessary or expedient;
- (2) That the amount proposed is adequate and not excessive for the proposed purpose of the loan;
- (3) That the District’s debt management procedures and policies are good, or that reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;
- (4) That the increase in taxes, if any, necessary to service the proposed debt will not be excessive; and
- (5) That the interest rate for the proposed loan will be a reasonable rate.

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

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

* * * * *

TOWN OF FUQUAY-VARINA

Secretary Marshall made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE FINANCING REQUEST OF THE TOWN OF FUQUAY-VARINA, NORTH CAROLINA: THIS PROJECT CONSISTS OF THE TOWN’S PARTICIPATION IN THE EXPANSION OF THE SANFORD REGIONAL WATER TREATMENT PLANT.

WHEREAS, the Town of Fuquay-Varina, North Carolina (the “Town”) is participating in a cooperative project with the Town of Holly Springs and the City of Sanford to increase capacity at the Sanford regional water treatment plant to benefit all participating communities; and

WHEREAS, the Town is funding its share of increased capacity, which is 6 million gallons per day; and

WHEREAS, the Town has determined that the Project is necessary or expedient to provide additional drinking water capacity for the Town, and to meet anticipated growth in the region; and

WHEREAS, the Town filed an application with the Commission for approval of a Drinking Water State Revolving Loan not to exceed \$5,532,889, with the term of twenty (20) years at the rate, as established under this program for the respective loan, State or Federal, not to exceed 4%; and

WHEREAS, the Commission, upon the information and evidence it received, finds and determines as follows:

- (1) That the proposed loan is necessary or expedient;
- (2) That the amount proposed is adequate and not excessive for the proposed purpose of the loan;
- (3) That the Town’s debt management procedures and policies are good, or that reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;
- (4) That the increase in taxes, if any, necessary to service the proposed debt will not be excessive; and
- (5) That the interest rate for the proposed loan will be a reasonable rate.

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

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

TOWN OF HOLLY SPRINGS

Secretary Marshall made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE FINANCING REQUEST OF THE TOWN OF HOLLY SPRINGS, NORTH CAROLINA: THIS PROJECT CONSISTS OF THE TOWN’S PARTICIPATION IN THE EXPANSION OF THE SANFORD REGIONAL WATER TREATMENT PLANT.

WHEREAS, the Town of Holly Springs, North Carolina (the “Town”) is participating in a cooperative project with the Town of Fuquay-Varina and the City of Sanford to increase capacity at the Sanford regional water treatment plant to benefit all participating communities; and

WHEREAS, the Town is funding its share of increased capacity, which is 4 million gallons per day; and

WHEREAS, the Town has determined that the Project is necessary or expedient to provide additional drinking water capacity for the Town, and to meet anticipated growth in the region; and

WHEREAS, the Town filed an application with the Commission for approval of a Drinking Water State Revolving Loan not to exceed \$2,021,926, with the term of twenty (20) years at the rate, as established under this program for the respective loan, State or Federal, not to exceed 4%; and

WHEREAS, the Commission, upon the information and evidence it received, finds and determines as follows:

- (1) That the proposed loan is necessary or expedient;
- (2) That the amount proposed is adequate and not excessive for the proposed purpose of the loan;
- (3) That the Town’s debt management procedures and policies are good, or that reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;
- (4) That the increase in taxes, if any, necessary to service the proposed debt will not be excessive; and
- (5) That the interest rate for the proposed loan will be a reasonable rate.

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

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

TOWN OF GARNER

Secretary Marshall made a motion to adopt the following resolution:

RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF GARNER, NORTH CAROLINA FOR THE ISSUANCE OF \$1,000,000 STREET AND SIDEWALK IMPROVEMENT BONDS AND \$935,000 PARKS AND RECREATIONAL BONDS

WHEREAS, the Town of Garner, North Carolina (the “Town”) has applied to the North Carolina Local Government Commission (the “Commission”) pursuant to the Local Government Bond Act, as amended, for approval of the issuance by the Town of (a) \$1,000,000 Street and Sidewalk Improvement Bonds (the “Street and Sidewalk Improvement Bonds”), for the purpose of providing funds, together with any other available funds, for constructing, reconstructing, widening and improving streets and sidewalk improvements for the Town, inside and outside its corporate limits, including, without limitation, the construction, reconstruction and installation of sidewalks, landscaping and streetscaping, lighting, bridges, bicycle lanes, curbs and gutters, culverts and drains, other drainage improvements, traffic controls and other transit improvements, and the acquisition of any related land, rights of way and equipment and (b) \$935,000 Parks and Recreational Bonds (the “Parks and Recreational Bonds” and, together with the Street and Sidewalk Improvement Bonds, the “Bonds”), for the purpose of providing funds, together with any other available funds, for acquiring, constructing, improving and expanding new and existing park, greenway and recreational facilities of the Town, inside and outside its corporate limits, including, without limitation, the acquisition of any related land, rights of way and equipment; and

WHEREAS, pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of the Town has been reduced in the preceding fiscal year, an election is not required for approval of the Bonds; and

WHEREAS, upon the authorization, in accordance with law, of the Bonds, the Town will be empowered to issue bonds and notes in anticipation of the receipt of the proceeds of the sale of the Bonds; and

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

- (i) that the Bonds are necessary or expedient;
- (ii) that the proposed amount of the Bonds is adequate and not excessive for the proposed purposes thereof;
- (iii) that the debt management procedures and policies of the Town are good and reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;

- (iv) that the increase in taxes, if any, necessary to service the Bonds will not be excessive;
- (v) that the Bonds can be marketed at reasonable rates of interest; and
- (vi) that the assumptions used by the Finance Director of the Town in preparing the statement of disclosures filed with the Town Clerk pursuant to G.S. 159-55.1(a) are reasonable.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application of the Town for the issuance of the Bonds is hereby approved pursuant to the Local Government Bond Act, as amended.

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

Thereupon, Secretary Marshall made a motion to adopt the following resolution:

**RESOLUTION APPROVING THE FINANCING TEAM FOR THE
ISSUANCE OF NOT TO EXCEED \$1,935,000 GENERAL OBLIGATION
GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES
2025A AND NOT TO EXCEED \$28,265,000 GENERAL OBLIGATION
PUBLIC IMPROVEMENT BONDS, SERIES 2025B**

WHEREAS, the Town of Garner, North Carolina (the “Town”) 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 not to exceed \$1,935,000 General Obligation Public Improvement Bonds, Series 2025A and not to exceed \$28,265,000 General Obligation Public Improvement Bonds, Series 2025B (collectively, the “Bonds”):

Bond Counsel: Womble Bond Dickinson (US) 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 Town 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 Bonds.

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

GASTONIA HOUSING AUTHORITY

Secretary Marshall made a motion to approve the following action:

**RESOLUTION APPROVING GASTONIA HOUSING
AUTHORITY MULTIFAMILY HOUSING REVENUE
BONDS IN AN AMOUNT UP TO \$35,000,000 (THE
“BONDS”) FOR THE LOFTS AT HUDSON AND THE
FINANCING TEAM THEREFOR**

WHEREAS, the Gastonia Housing Authority (the “Authority”) has decided to issue its Multifamily Housing Revenue Bonds (Fannie Mae MBS-Secured) (The Lofts at Hudson), Series 2025 (the “Bonds”) to finance the acquisition, construction and equipping by The Lofts at Hudson, LLC, a North Carolina limited liability company (the “Borrower”), of a 252-unit low and moderate income multifamily residential rental housing development to be known as The Lofts at Hudson and located in the City of Gastonia, North Carolina (the “Development”); and

WHEREAS, in order to finance the Development, the Authority proposes to issue the Bonds in an aggregate principal amount not to exceed \$35,000,000, pursuant to the Housing Authorities Law, Article 1 of Chapter 157 of the North Carolina General Statutes, as amended (the “Act”); and

WHEREAS, the Bonds must 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 February 3, 2025 and March 3, 2025, it is hereby determined and found by the Commission:

- (a) that such proposed bond issue is necessary or expedient;
- (b) that the proposed amount of such bond 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 Bonds 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 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; and

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

Bond Counsel:	McGuireWoods LLP
Authority’s Counsel:	Mullen Holland & Cooper P.A.
Borrower:	The Lofts at Hudson, LLC

Borrower's Counsel:	Blanco Tackabery & Matamoros, P.A.
Trustee:	U.S. Bank Trust Company, National Association
Trustee's Counsel:	Duane Morris LLP
Underwriter:	Stifel, Nicolaus & Company, Incorporated
Underwriter's Counsel:	Tiber Hudson LLC
Mortgage Lender:	Merchants Capital Corp.
Mortgage Lender's Counsel:	Fox Rothschild LLP
Tax Credit Investor:	CREA, LLC
Tax Credit Investor's Counsel:	Nixon Peabody, LLC

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

(a) Indenture of Trust between the Authority and U.S. Bank Trust Company, National Association, as trustee (the "Trustee"), providing for the issuance of the Bonds, together with the form of the Bonds;

(b) Financing Agreement among the Authority, the Borrower and the Trustee, pursuant to which the Authority will lend the proceeds of the Bonds to the Borrower, 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 Trustee;

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

Section 1. The sale of the Bonds 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 Bonds shall be issued in an aggregate principal amount not to exceed \$35,000,000, shall initially bear interest at fixed rates not to exceed 12.0% per annum, and shall have a final maturity not later than December 31, 2044.

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 Bonds, as shall be satisfactory to him or her, and to approve the forms of other documents relating to the Bonds.

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.

* * * * *

CITY OF GREENVILLE

Secretary Marshall made a motion to adopt the following resolution:

RESOLUTION APPROVING THE FINANCING TEAM FOR THE CITY OF GREENVILLE, NORTH CAROLINA LIMITED OBLIGATION BONDS, SERIES 2025

WHEREAS, the City of Greenville, North Carolina (the “City”) has requested that the North Carolina Local Government Commission (the “Commission”) approve their selection of the following financing team members in connection with the issuance by the City of its Limited Obligation Bonds, Series 2025:

Bond Counsel:	Womble Bond Dickinson (US) LLP
Underwriter:	Robert W. Baird & Co. Incorporated
Underwriter’s Counsel:	Parker Poe Adams & Bernstein LLP
Financial Advisor:	First Tryon Advisors
Trustee:	U.S. Bank Trust Company, National Association
Trustee’s Counsel:	Holland & Knight LLP

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.

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

Thereupon, Secretary Marshall made a motion to adopt the following resolution:

RESOLUTION APPROVING THE APPLICATION OF THE CITY OF GREENVILLE, NORTH CAROLINA FOR THE FINANCING OF VARIOUS CAPITAL IMPROVEMENTS FOR SAID CITY PURSUANT TO AN INSTALLMENT FINANCING BY SAID CITY THROUGH THE ISSUANCE OF LIMITED OBLIGATION BONDS AND THE EXECUTION AND DELIVERY OF A TRUST AGREEMENT AND A DEED OF TRUST IN CONNECTION THEREWITH

WHEREAS, the City of Greenville, North Carolina (the “City”) has determined that a need exists to acquire, construct, renovate and equip various capital improvements for the City including, but not limited to, (a) the construction of certain street, road and sidewalk improvements and (b) the replacement of stormwater pipes and related facilities at the City’s existing Public Works Department building (collectively, the “Project”);

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, as amended, the City has made proper application to the North Carolina Local Government Commission (the “Commission”) for approval of the proposed financing;

WHEREAS, the City proposes to finance the Project through the issuance of its City of Greenville, North Carolina Limited Obligation Bonds, Series 2025 (the “Series 2025 Bonds”) in accordance with Section 160A-20, as amended, of the General Statutes of North Carolina (the “Act”);

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

(a) Trust Agreement, to be dated as of April 1, 2025 (the “Trust Agreement”), between the City and U.S. Bank Trust Company, National Association, as trustee (the “Trustee”), including the form of the Series 2025 Bonds set forth as Exhibit B thereto;

(b) Deed of Trust, to be dated as of April 1, 2025 (the “Deed of Trust”), from the City to the Deed of Trust trustee named therein for the benefit of the Trustee and its successors and assigns;

(c) Bond Purchase Agreement, to be dated the date of delivery thereof (the “Bond Purchase Agreement”), between the City and Robert W. Baird & Co. Incorporated (the “Underwriter”); 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 2025 Bonds.

WHEREAS, the Series 2025 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 City for the purpose of financing the Project;

WHEREAS, in order to secure its obligations with respect to the Series 2025 Bonds under the Trust Agreement, the City will execute and deliver the Deed of Trust granting a first lien of record on the site of the Public Works Department building constituting a portion of the Project, together with any improvements or fixtures located or to be located thereon;

WHEREAS, the City proposes to sell the Series 2025 Bonds to the Underwriter pursuant to the Bond Purchase Agreement;

WHEREAS, the Series 2025 Bonds will 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 2025 Bonds;

WHEREAS, the principal amount of the Series 2025 Bonds shall not exceed \$11,000,000;

WHEREAS, the Series 2025 Bonds shall have a final maturity not to exceed March 1, 2045;

WHEREAS, the true interest cost of the Series 2025 Bonds shall not exceed 5.00% per annum;

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 2025 Bonds are necessary or expedient for the City;

(b) the financing of the Project through the issuance of the Series 2025 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 2025 Bonds are adequate and not excessive for the proposed purposes thereof;

(d) the City'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 2025 Bonds will not be excessive; and

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

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application of the City for approval of the Trust Agreement, the Deed of Trust and the proposed issuance of the Series 2025 Bonds pursuant thereto is hereby approved under the provisions of the Act subject to the conditions set forth in this resolution. The Series 2025 Bonds may be sold to the Underwriter pursuant to the terms of the Bond Purchase Agreement subject to the conditions set forth in this resolution.

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

* * * * *

CITY OF RALEIGH

Secretary Marshall made a motion to adopt the following resolution:

RESOLUTION APPROVING THE FINANCING TEAM FOR THE CITY OF RALEIGH, NORTH CAROLINA LIMITED OBLIGATION BONDS, SERIES 2025

WHEREAS, the City of Raleigh, North Carolina (the "City") has requested that the North Carolina Local Government Commission (the "Commission") approve its selection of the following financing team members in relation to the City of Raleigh, North Carolina Limited Obligation Bonds, Series 2025 (the "Bonds"):

Bond Counsel:	Womble Bond Dickinson (US) LLP
Underwriters:	BofA Securities, Inc. (Senior Manager)
	Ramirez & Co. (Co-Manager)
Underwriters' Counsel:	Parker Poe Adams & Bernstein LLP

Trustee: U.S. Bank Trust Company, National Association
Financial Advisor: DEC Associates, Inc.

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.

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

Thereupon, Secretary Marshall made a motion to adopt the following resolution:

RESOLUTION APPROVING THE APPLICATION OF THE CITY OF RALEIGH, NORTH CAROLINA FOR THE FINANCING OF CERTAIN IMPROVEMENTS PURSUANT TO AN INSTALLMENT CONTRACT FINANCING BY SAID CITY THROUGH THE ISSUANCE OF LIMITED OBLIGATION BONDS AND THE EXECUTION AND DELIVERY OF A SUPPLEMENTAL TRUST AGREEMENT IN CONNECTION THEREWITH

WHEREAS, the City of Raleigh, North Carolina (the “City”) has previously undertaken a plan of finance under which the City entered into a Trust Agreement, dated as of July 1, 2024 (the “Trust Agreement”) with U.S. Bank Trust Company, National Association (the “Trustee”) providing for the issuance thereunder of multiple Series of new limited obligation bonds of the City to (a) refinance certain installment financing contract obligations and Limited Obligation Bonds previously incurred for the construction and acquisition of the Raleigh Convention Center and certain other City improvements, (b) provide for the financing of the acquisition, installation and improvements of the expansion of the Convention Center, (c) provide for the financing by the City of certain improvements to be located in a new hotel to be constructed adjacent to the Convention Center, which is being constructed by a private party in support of the Convention Center, (d) provide for the financing of the cost of construction of a new amphitheater to replace the amphitheater in the vicinity of the existing Convention Center, (e) provide for the financing of the cost of construction and equipping of East Civic Tower, including the cost of demolition of the existing structures located on the site where the East Civic Tower will be located, and (f) provide for the financing of other City improvements;

WHEREAS, the City has heretofore entered into the First Supplemental Trust Agreement thereunder with the Trustee to issue Limited Obligation Bonds for the purposes described in (a) above;

WHEREAS, in connection with the execution and delivery of the Trust Agreement, the City delivered a Deed of Trust (the “Deed of Trust”) to the deed of trust trustee named therein for the benefit of the Trustee, granting a lien of record on the site of the existing Convention Center;

WHEREAS, the City Council has determined to proceed with the plan of finance by arranging for the issuance of additional Limited Obligation Bonds (the “Series 2025 Bonds”) under the Trust Agreement and a Supplemental Trust Agreement to be entered between the City and Trustee (to be herein called the “Second Supplemental Trust Agreement”) to provide for the financing of \$75,000,000 to (a) pay the cost of certain improvements, consisting of construction of meeting space and parking facilities, to be owned by the City and to be located in a new hotel to be constructed adjacent to the Convention Center (the “Project”), which is being constructed by a private party in support of the Convention Center and (b) pay all or a portion of the financing costs relating thereto;

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, as amended, the City has made proper application to the North Carolina Local Government Commission (the “Commission”) for approval of the proposed Series 2025 Bonds for the purposes herein;

WHEREAS, the City has filed with the application to the Commission drafts, or executed copies (as applicable), of the following documents relating to the proposed financing:

(a) Trust Agreement;

(b) Second Supplemental Trust Agreement, including the form of the Series 2025 Bonds set forth as Exhibit A thereto;

(c) Deed of Trust;

(d) Bond Purchase Agreement, to be dated the date of delivery thereof (the “Bond Purchase Agreement”), between the City and BofA Securities, Inc., on behalf of itself and Ramirez & Co. (collectively, the “Underwriters”); 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 Series 2025 Bonds;

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended (the “Act”), the City intends to (a) finance the Project and (b) pay all or a portion of the financing costs relating thereto by entering into the Second Supplemental Trust Agreement, whereby the City will issue its Series 2025 Bonds, each Series 2025 Bond constituting a contract between the City and the owner thereof for the purpose of financing the Project described above;

WHEREAS, the City proposes to sell the Series 2025 Bonds to the Underwriters pursuant to the Bond Purchase Agreement for a public offering pursuant to the Preliminary Official Statement and an Official Statement;

WHEREAS, the principal amount of the Series 2025 Bonds shall not exceed \$75,000,000;

WHEREAS, the Series 2025 Bonds shall have a final maturity not to exceed December 31, 2055;

WHEREAS, the all-in true interest cost of the Series 2025 Bonds shall not exceed 6.00% 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 2025 Bonds are necessary or expedient for the City;
- (b) the financing of the Project through the issuance of the Series 2025 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 Series 2025 Bonds are adequate and not excessive for the proposed purposes thereof;
- (d) the City'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 2025 Bonds will not be excessive; and
- (f) the City is not in default in any of its debt service obligations.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application of the City for approval of the Second Supplemental Trust Agreement and the proposed issuance of the Series 2025 Bonds pursuant thereto is hereby approved under the provisions of the Act subject to the conditions set forth in this resolution. The Series 2025 Bonds may be sold to the Underwriters pursuant to the Bond Purchase Agreement subject to the conditions set forth in this resolution.

The sale of the Series 2025 Bonds to the Underwriters and the issuance of the Series 2025 Bonds shall be subject to the condition that prior to such sale and issuance satisfactory evidence shall be provided to the Secretary of the Commission or her designee (a "Designated Assistant") that each of the following has occurred:

- (1) The private party constructing the hotel in which the Project will be included has entered into agreements for the construction of the hotel (including the Project).
- (2) The private party has arranged financing for the hotel it will develop and that such financing is available for expenditure towards the cost of construction, acquisition and equipping of the hotel project (or will be available once the Bonds are issued).
- (3) Subject to the issuance of the Bonds, necessary steps have been taken to commence the development of the hotel project as soon as practicable after the Bonds are issued.
- (4) The City has confirmed that satisfactory contractual arrangements are in place to assure that the hotel project will be constructed and operated in a manner expected to support the Raleigh Convention Center.

(5) The City's payment towards the cost of the Project will not exceed \$75,000,000.

The Secretary or her Designated Assistant may determine in good faith what constitutes "satisfactory evidence" that each of the foregoing requirements has been met, and such satisfactory evidence may include representations by representatives of the private party or the City. The execution of the Certificate of the Local Government Commission on the Series 2025 Bonds shall constitute conclusive evidence that satisfactory evidence has been provided to show that the additional conditions for the sale and issuance of the Series 2025 Bonds were met.

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

City of Raleigh Chief Financial Officer Allison Bradsher attended virtually and answered members' questions.

* * * * *

CITY OF SANFORD REVOLVING LOAN INCREASE

Secretary Marshall made a motion to adopt the following resolution:

"RESOLUTION APPROVING THE FINANCING REQUEST OF THE CITY OF SANFORD, NORTH CAROLINA: THIS PROJECT CONSISTS OF IMPROVEMENTS TO THE PITTSBORO FORCE MAIN AND LIFT STATION.

WHEREAS, the City of Sanford has acquired the Town of Pittsboro's water and sewer systems by merger of their respective systems; and

WHEREAS, the City of Sanford, North Carolina (the "City") has determined that the Project is necessary or expedient to provide wastewater treatment for future capacity needs for the Town of Pittsboro service area; and

WHEREAS, the North Carolina Local Government Commission (the Commission) previously approved a Wastewater State Revolving Loan on October 4, 2022 for the Town of Pittsboro in the amount of \$26,535,500 (the "Loan") based on cost estimates; and

WHEREAS, on August 6, 2024 the Commission approved the transfer of the Loan to the City of Sanford as a part of the Sanford Pittsboro water and sewer systems merger; and

WHEREAS, since the Loan was originally awarded by the Department of Environmental Quality ("DEQ") prior to the COVID pandemic, the Project costs have escalated due to price increases caused by supply chain delays, labor shortages, and higher material costs; and

WHEREAS, DEQ has approved a loan increase of \$10,050,000 for the City; and

WHEREAS, the City filed an application with the Commission for approval of a Wastewater State Revolving Loan increase not to exceed \$10,050,000, with the term of twenty (20) years at the rate of zero percent (0.0%); and

WHEREAS, the Commission, upon the information and evidence it received, finds and determines as follows:

- (1) That the proposed loan increase is necessary or expedient;
- (2) That the amount proposed is adequate and not excessive for the proposed purpose of the loan;
- (3) That the unit's debt management procedures and policies are good, or that reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;
- (4) That the increase in taxes, if any, necessary to service the proposed debt will not be excessive; and
- (5) That the interest rate for the proposed loan will be a reasonable rate.

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

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

CITY OF SANFORD ENTERPRISE SYSTEMS REVENUE BONDS

Secretary Marshall made a motion to approve the following resolution:

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE CITY OF SANFORD, NORTH CAROLINA ENTERPRISE SYSTEMS REVENUE BONDS, SERIES 2025A

WHEREAS, the City of Sanford, North Carolina (the “City”) has requested that the Local Government Commission of North Carolina (the “*Commission*”) approve its selection of the following financing team members for the upcoming Enterprise Systems Revenue Bond issue:

Underwriter:	Wells Fargo Bank, National Association
Bond Counsel:	Parker Poe Adams & Bernstein LLP
Underwriter’s Counsel:	Womble Bond Dickinson (US) LLP
Financial Advisor:	First Tryon Advisors, LLC
Feasibility Consultant:	Raftelis Financial Consultants, Inc.
Trustee:	Regions Bank

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

NOW, THEREFORE, BE IT RESOLVED by the Commission that the above-referenced financing team is approved for the City's upcoming Enterprise Systems Revenue Bonds, Series 2025A."

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

Secretary Marshall made a motion to approve the following resolution:

"RESOLUTION APPROVING THE APPLICATION OF THE CITY OF SANFORD, NORTH CAROLINA FOR THE ISSUANCE OF NOT TO EXCEED \$19,000,000 ENTERPRISE SYSTEMS REVENUE BONDS

WHEREAS, the City of Sanford, North Carolina (the "*City*") has applied to the Local Government Commission of North Carolina (the "*Commission*"), pursuant to the State and Local Government Revenue Bond Act, as amended, for approval of the issuance of not to exceed \$19,000,000 aggregate principal amount of Enterprise Systems Revenue Bonds, Series 2025A (the "*Bonds*") of the City of Sanford, North Carolina to (1) finance the costs of extensions, additions, and capital improvements to, or the renewal and replacement of capital assets of, or purchasing and installing new equipment for, the City's Enterprise Systems (collectively, the "*Projects*"), including, among other things, (i) the construction of a force main and lift station connecting the Pittsboro service area to the City's wastewater treatment plant, and (ii) the acquisition of a reservoir and an AMI system in connection with the merger of the City's and Siler City's utility systems, and (2) pay the costs of issuing the Bonds;

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

- (1) an Amended and Restated General Trust Indenture dated as of June 1, 2020 (the "*General Indenture*") between the City and Regions Bank, as trustee (the "*Trustee*");
- (2) a Series Indenture, Number 4 to be dated as of March 1, 2025 (the "*Series Indenture*"), between the City and the Trustee;
- (3) a Preliminary Official Statement with respect to the Bonds; and
- (4) a Bond Purchase Agreement (the "*Purchase Agreement*") to be dated as of March 6, 2025 among the Commission, the City and Wells Fargo Bank, National Association, as underwriter (the "*Underwriter*"), pursuant to which the Commission will sell the Bonds on behalf of the City to the Underwriter in accordance with the terms and conditions set forth therein.

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

- (i) the proposed revenue bond issue is necessary or expedient for the City;

(ii) the amount proposed is adequate and not excessive for the proposed purpose of the issue;

(iii) the proposed Projects are feasible;

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

(v) the proposed revenue bonds can be marketed at reasonable interest cost to the City.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application of the City for approval of the proposed Bonds in an amount not to exceed \$19,000,000 for the purposes set forth is approved pursuant to the State and Local Government Revenue Bond Act, as amended."

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

Secretary Marshall made a motion to approve the following resolution:

"RESOLUTION CONCERNING THE PRIVATE SALE OF THE CITY OF SANFORD, NORTH CAROLINA ENTERPRISE SYSTEMS REVENUE BONDS

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 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;

WHEREAS, the City of Sanford, North Carolina (the "*City*") has applied to the Commission, pursuant to the State and Local Government Revenue Bond Act, as amended, for approval of the issuance of not to exceed \$19,000,000 aggregate principal amount of Enterprise Systems Revenue Bonds, Series 2025A (the "*Bonds*") of the City of Sanford, North Carolina, to (1) finance the costs of extensions, additions, and capital improvements to, or the renewal and replacement of capital assets of, or purchasing and installing new equipment for, the City's Enterprise Systems (collectively, the "*Projects*"), including, among other things, (i) the construction of a force main and lift station connecting the Pittsboro service area to the City's wastewater treatment plant, and (ii) the acquisition of a reservoir and an AMI system in connection with the merger of the City's and Siler City's utility systems, and (2) pay the costs of issuing the Bonds;

WHEREAS, Wells Fargo Bank, National Association, as underwriter (the "*Underwriter*"), has offered to purchase the Bonds from the Commission on the terms and conditions set forth below and in the form of the Bond Purchase Agreement (the "*Purchase Agreement*") among the Commission, the City and the Underwriter;

WHEREAS, the Commission has received a copy of a Preliminary Official Statement with respect to the Bonds (the “*Official Statement*”);

WHEREAS, the City 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;

WHEREAS, the Commission desires to approve the request of the City 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;

NOW, THEREFORE, BE IT RESOLVED by the Commission:

Section 1. The sale of the Bonds to the Underwriter at private sale without advertisement pursuant to the executed Purchase Agreement, an Amended and Restated General Trust Indenture dated as of June 1, 2020 (the “*General Indenture*”) between the City and Regions Bank, as trustee (the “*Trustee*”), and Series Indenture, Number 4 to be dated as of March 1, 2025 (the “*Series Indenture*”), between the City and the Trustee, is approved, such sale being subject to the approval of the Designated Assistant (as defined below) and satisfaction of the conditions set forth below.

Section 2. The aggregate principal amount of the Bonds will not exceed \$19,000,000. The purchase price for the Bonds will be approved by the Designated Assistant on the date of the sale of the Bonds and set forth in the Purchase Agreement.

Section 3. The Bonds will bear interest at an all-in true interest cost not to exceed 5.50%, as determined by the Commission.

Section 4. No maturity of the Bonds will exceed June 1, 2050.

Section 5. The Commission determines that the sale of the Bonds in the manner and for the price as provided in this resolution is in the best interest of the City, provided that such sale is approved by the City.

Section 6. The Secretary of the Commission, or any Deputy Secretary is appointed the “*Designated Assistant*” for the purpose of this resolution, and the Designated Assistant is 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 shall be 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 General Indenture, the Series Indenture, and the Purchase Agreement.

Section 7. The Official Statement relating to the Bonds, substantially in the form 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, is approved and authorized. The Designated Assistant is authorized and directed to deliver on behalf of the Commission the final Official Statement in such form.

Section 8. This Resolution is effective immediately on its passage.”

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

* * * * *

WAKE COUNTY

Secretary Marshall made a motion to adopt the following resolution:

RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF WAKE, NORTH CAROLINA FOR THE ISSUANCE OF NOT TO EXCEED \$49,500,000 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, the County of Wake, North Carolina (the “County”) has applied to the North Carolina Local Government Commission (the “Commission”) pursuant to the Local Government Bond Act, as amended, for approval of the issuance by the County of not to exceed \$49,500,000 General Obligation Refunding Bonds (the “Bonds”) for the purpose of providing funds, together with any other available funds, to (a) refund all or a portion of the County’s outstanding General Obligation Public Improvement Bonds, Series 2015, dated April 15, 2015, and (b) pay certain expenses related thereto; and

WHEREAS, the Commission has considered the provisions set forth in G.S. 159-52(a) to the extent applicable to the Bonds and has reviewed the documents provided by the County in connection with its application and are of the opinion that the issuance of the Bonds should be approved; and

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

- (a) that such proposed Bonds are necessary or expedient;
- (b) that the proposed amount of such proposed Bonds is adequate and not excessive for the proposed purposes thereof;
- (c) that the County’s debt management procedures and policies are good;
- (d) that the increase in taxes, if any, necessary to service the proposed Bonds will not be excessive;
- (e) that the proposed Bonds can be marketed at a reasonable interest cost to the County; and
- (f) that the assumptions used by the Chief Financial Officer of the County in preparing the statement of disclosures filed with the Clerk to the Board of Commissioners for the County pursuant to G.S. 159-55.1(a) are reasonable; and

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application of the County of Wake, North Carolina for approval of the proposed Bonds in an amount not to exceed \$49,500,000 with a final maturity of not to exceed April 1, 2035 for the purposes set forth above is hereby approved pursuant to the Local Government Bond Act, as amended.

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

* * * * *

CITY OF REIDSVILLE

Secretary Marshall made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE FINANCING REQUEST OF THE CITY OF REIDSVILLE, NORTH CAROLINA FOR ITS LEAD LINE INVENTORY PROJECT.

WHEREAS, the City of Reidsville, North Carolina (the “City”) has determined that the Project is necessary or expedient to inspect water service lines and build a water line inventory to comply with Lead and Copper Rule Revision requirements; and

WHEREAS, the City filed an application with the Commission for approval of a Drinking Water State Revolving Loan in the amount not to exceed \$60,000 with a not-to-exceed term of twenty (20) years at a zero (0%) interest rate; and

WHEREAS, the Commission, upon the information and evidence it received, finds, and determines as follows:

- (1) That the proposed loan is necessary or expedient;
- (2) That the amount proposed is adequate and not excessive for the proposed purpose of the loan;
- (3) That the unit's debt management procedures and policies are good, or that reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;
- (4) That the increase in taxes, if any, necessary to service the proposed debt will not be excessive; and
- (5) That the interest rate for the proposed loan will be a reasonable rate.

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 City 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.

END OF CONSENT AGENDA

CITY OF GREENSBORO

Secretary Wooten made a motion to adopt the following resolution:

RESOLUTION APPROVING THE FINANCING TEAM FOR THE CITY OF GREENSBORO, NORTH CAROLINA TAXABLE LIMITED OBLIGATION BONDS, SERIES 2025A AND CITY OF GREENSBORO, NORTH CAROLINA LIMITED OBLIGATION BONDS, SERIES 2025B

WHEREAS, the City of Greensboro, North Carolina (the “City”) has requested that the North Carolina Local Government Commission (the “Commission”) approve its selection of the following financing team members in connection with the issuance by the City of its Taxable Limited Obligation Bonds, Series 2025A and Limited Obligation Bonds, Series 2025B:

Co-Bond Counsel:	Womble Bond Dickinson (US) LLP McKenzie & Associates
Underwriter:	Wells Fargo Bank Securities
Underwriter’s Counsel:	Robinson Bradshaw & Hinson, P.A.
Financial Advisor:	First Tryon Advisors
Trustee:	U.S. Bank Trust Company, National Association
Trustee’s Counsel:	Holland & Knight LLP

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.

Mr. Burns seconded the motion and the foregoing resolution was adopted by unanimous vote of 7 – 0 (Recused: Harvey, Hoffmann).

Thereupon, Secretary Wooten made a motion to adopt the following resolution:

RESOLUTION APPROVING THE APPLICATION OF THE CITY OF GREENSBORO, NORTH CAROLINA FOR THE FINANCING OF VARIOUS CAPITAL PROJECTS THROUGH THE ISSUANCE OF TAXABLE LIMITED OBLIGATION BONDS, SERIES 2025A AND LIMITED OBLIGATION BONDS, SERIES 2025B IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$23,000,000 AND THE EXECUTION AND DELIVERY OF A MASTER TRUST AGREEMENT, A FIRST SUPPLEMENTAL TRUST AGREEMENT, A DEED OF TRUST AND A SECURITY AGREEMENT IN CONNECTION THEREWITH

WHEREAS, the City of Greensboro, North Carolina (the “City”) has determined that a need exists to (a) acquire, construct and equip a new fire station, (b) demolish the City’s existing Bellemeade Parking Deck, (c) acquire land for future City use or for economic development purposes and (d) acquire, install and maintain radio communications equipment for various City departments (collectively, the “Project”);

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, as amended, the City has made proper application to the North Carolina Local Government Commission (the “Commission”) for approval of the proposed financing;

WHEREAS, the City proposes to finance the Project through the issuance of its City of Greensboro, North Carolina Taxable Limited Obligation Bonds, Series 2025A (the “Series 2025A Bonds”) and City of Greensboro, North Carolina Limited Obligation Bonds, Series 2025B (the “Series 2025B Bonds” and, together with the Series 2025A Bonds, the “Series 2025 Bonds”) in accordance with Section 160A-20, as amended, of the General Statutes of North Carolina (the “Act”);

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

(a) Master Trust Agreement, to be dated as of March 1, 2025 (the “Master Trust Agreement”), between the City and U.S. Bank Trust Company, National Association, as trustee (the “Trustee”);

(b) First Supplemental Trust Agreement, to be dated as of March 1, 2025 (the “First Supplemental Trust Agreement”), between the City and the Trustee, including the form of the Series 2025 Bonds set forth as Exhibit B thereto;

(c) Deed of Trust, to be dated as of March 1, 2025 (the “Deed of Trust”), from the City to the Deed of Trust trustee named therein for the benefit of the Trustee and its successors and assigns;

(d) Security Agreement, to be dated as of March 1, 2025 (the “Security Agreement”), from the City for the benefit of the Trustee and its successors and assigns;

(e) Bond Purchase Agreement, to be dated the date of delivery thereof (the “Bond Purchase Agreement”), between the City and Wells Fargo Bank, National Association (the “Underwriter”); and

(f) Preliminary Official Statement, to be dated the date of delivery thereof (the “Preliminary Official Statement”), relating to the offering and sale of the Series 2025 Bonds;

WHEREAS, in order to secure its obligations with respect to the Series 2025 Bonds under the Master Trust Agreement and the First Supplemental Trust Agreement, the City will execute and deliver the (a) Deed of Trust granting a lien on the site of the new fire station constituting a portion of the Project, together with any improvements and fixtures located or to be located thereon, subject to permitted encumbrances and (b) Security Agreement

granting a security interest in the radio communications equipment constituting a portion of the Project;

WHEREAS, the Series 2025 Bonds, together with corresponding obligations under the Master Trust Agreement, the First Supplemental Trust Agreement, the Deed of Trust and the Security Agreement relating thereto, constitute an installment contract or contract within the meaning of the Act entered into by the City for the purpose of financing the Project;

WHEREAS, the City proposes to sell the Series 2025 Bonds to the Underwriter pursuant to the Bond Purchase Agreement;

WHEREAS, the Series 2025 Bonds will 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 2025 Bonds;

WHEREAS, the aggregate principal amount of the Series 2025 Bonds shall not exceed \$23,000,000;

WHEREAS, the Series 2025A Bonds shall have a final maturity not to exceed April 1, 2032, and the Series 2025B Bonds shall have a final maturity not to exceed April 1, 2045;

WHEREAS, the all-in true interest cost of the Series 2025 Bonds shall not exceed 5.00% 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 2025 Bonds are necessary or expedient for the City;
- (b) the financing of the Project through the issuance of the Series 2025 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 2025 Bonds are adequate and not excessive for the proposed purposes thereof;
- (d) the City's debt management procedures and policies are good;
- (e) no increase in taxes is expected to be necessary to meet the sums to fall due with respect to the Series 2025 Bonds; and
- (f) the City is not in default in any of its debt service obligations.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application of the City for approval of the Master Trust Agreement, the First Supplemental Trust Agreement, the Deed of Trust, the Security Agreement and the proposed issuance of the Series 2025 Bonds pursuant thereto is hereby approved under the provisions of the Act subject to the conditions set forth in this resolution. The Series 2025 Bonds may be sold to the Underwriter pursuant to the terms of the Bond Purchase Agreement subject to the conditions set forth in this resolution.

Mr. Burns seconded the motion and the foregoing resolution was adopted by unanimous vote of 7 – 0 (Recused: Harvey, Hoffmann).

TOWN OF MATTHEWS

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

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE NOT TO EXCEED \$14,000,000 TOWN OF MATTHEWS, NORTH CAROLINA GENERAL OBLIGATION PARKS AND RECREATION BONDS AND THE NOT TO EXCEED \$21,000,000 TOWN OF MATTHEWS, NORTH CAROLINA GENERAL OBLIGATION TRANSPORTATION BONDS

WHEREAS, on September 22, 2022, the Local Government Commission of North Carolina approved the issuance of the not to exceed \$14,000,000 Town of Matthews, North Carolina General Obligation Parks and Recreation Bonds and the not to exceed \$21,000,000 Town of Matthews, North Carolina General Obligation Transportation Bonds (collectively, and as may be issued together or independently in one or more series, the “Bonds”); and

WHEREAS, since that time, the Town has decided to change the financing team members and has requested that the Commission approve the selection of the following financing team members for the issuance of the Bonds:

Bond Counsel:	Robinson, Bradshaw & Hinson, P.A.
Financial Advisor:	First Tryon Advisors

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

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

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

VIABLE UTILITY RESERVE RESOLUTIONS

LGC Secretary Debbie Tomasko gave a presentation about the Viable Utility Reserve program. Department of Environmental Quality representatives attended and answered Commission members’ questions (Division of Water Infrastructure Director Shadi Eskaf and Viable Utilities Unit Supervisor Vic D’Amato). Following the presentation, Secretary Wooten made a motion to adopt the following resolutions:

See **EXHIBIT 2:** *Resolution Approving Viable Utility Reserve Training Grants;*

See **EXHIBIT 3:** *Resolution Approving Viable Utility Reserve Grant Applications;* and

See **EXHIBIT 4:** *Resolution Modifying the Criteria for Assessing Local Government Units; Modifying the Criteria for Identifying Distressed Units; and Modifying the Frequency of the Cycle for Assessment and Review of Local Government Units in Accordance with NC General Statute 159G-45.*

Auditor Boliek seconded the motion and the foregoing resolutions were adopted by a vote of 9 – 0.

INFORMATION ONLY ITEMS

Department of Transportation GARVEE Bonds Presentation

Representatives from the NC Department of Transportation (CFO Mark Newsome, Controller Matt Lane, and Director of Finance Shivani Jani) gave a presentation about the upcoming planned issuance of GARVEE bonds. DOT representatives explained that GARVEE bonds are revenue-backed instruments backed by anticipated federal gas tax revenues distributed to the several states based on a formula. North Carolina does not guarantee repayment of GARVEE bonds. Commission members asked questions, including what options or “fallback” positions the DOT would have if federal funding were to be reduced or withheld. DOT representatives stated that the federal payments are considered to be a secure stream of revenue, and it would be an extreme situation if funds were not distributed to the states.

Statements of Economic Interest

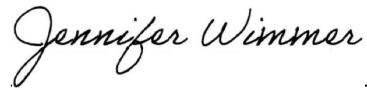
The attached Statement of Economic Interest evaluations issued by the State Ethics Commission for Treasurer Bradford B. Briner, Eric Naisbitt (designee of Bradford B. Briner), Auditor David Boliek, Brenton C. Woodcox (designee of David Boliek) and Secretary of Revenue McKinley Wooten, Jr. were presented to the Commission members for review, are incorporated into these meeting minutes pursuant to the requirements of the State Government Ethics Act and are labeled “**EXHIBIT 5**”.

Auditor Boliek made a motion to adjourn. Secretary Wooten seconded the motion which passed by unanimous vote. The meeting adjourned at 3:02 p.m.

The next regularly scheduled meeting of the North Carolina Local Government Commission will be held on April 1, 2025, 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 March 4, 2025.

WITNESS my hand at Raleigh, NC, this 4th day of March 2025.

A handwritten signature in cursive script that reads "Jennifer Wimmer".

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

Local Governments Requesting Debt Approval by LGC									
Meeting Date 03/04/25									
		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)
Alleghany County	Alleghany	8,642,101	0	8,642,101	724,991	0	724,991	9,367,092	4,502,838
Asheville	Buncombe	38,498,013	24,847,884	13,650,129	8,153,653	0	8,153,653	21,803,782	67,339,177
Beaufort County Water District	Beaufort	1,467,830	0	1,467,830	N/A	N/A	N/A	1,467,830	864,277
Fuquay-Varina	Wake	3,775,245	0	3,775,245	2,524,465	0	2,524,465	6,299,710	18,928,385
Garner	Wake	16,405,523	0	16,405,523	4,383,198	0	4,383,198	20,788,721	12,486,970
Gastonia Housing Authority (2)	Gaston	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Goldsboro	Wayne	7,532,154	0	7,532,154	3,886,807	0	3,886,807	11,418,961	17,453,755
Greensboro	Guilford	151,475,036	39,451,167	112,023,869	40,124,675	8,349,166	31,775,509	143,799,378	151,737,374
Greenville	Pitt	69,086,205	11,653,490	57,432,715	10,489,077	0	10,489,077	67,921,792	37,309,769
Holly Springs	Wake	6,217,514	1,113,483	5,104,031	3,126,022	0	3,126,022	8,230,053	22,780,042
Matthews	Mecklenburg	N/A	N/A	N/A	3,676,436	0	3,676,436	3,676,436	8,859,386
Raleigh	Wake	296,674,578	82,970,992	213,703,586	58,592,159	8,300,555	50,291,604	263,995,190	215,540,351
Reidsville	Rockingham	6,642,199	0	6,642,199	2,248,192	0	2,248,192	8,890,391	7,414,082
Sanford	Lee	45,575,473	5,075,044	40,500,429	5,151,701	0	5,151,701	45,652,130	14,764,715
Wake County	Wake	413,808,636	23,725,032	390,083,604	26,040,889	0	26,040,889	416,124,493	253,364,802
LGERS - Local Government Employees' Retirement System TSERS - Teachers' and State Employees' Retirement System		OPEB - Other Post Employment Benefits (e.g. retiree healthcare) NA - Not applicable				LEOSSA - Law Enforcement Officers' Special Separation Allowance			
(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 09/30/2023									



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE AND LOCAL GOVERNMENT DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

BRADFORD B. BRINER
STATE TREASURER OF NORTH CAROLINA

DEBBIE TOMASKO
DEPUTY TREASURER

RESOLUTION APPROVING VIABLE UTILITY RESERVE TRAINING GRANTS

WHEREAS, the North Carolina General Assembly enacted Session Law 2020-79, entitled in part "AN ACT TO IMPROVE THE VIABILITY OF THE WATER AND WASTEWATER SYSTEMS OF CERTAIN UNITS OF LOCAL GOVERNMENT . . . ; TO CREATE AND PROVIDE FUNDING FOR THE VIABLE UTILITY RESERVE TO PROVIDE GRANT MONEY FOR LOCAL GOVERNMENT UNITS, . . ." (the "Act"); and

WHEREAS, the Act amended Chapter 159G of the General Statutes ("G.S."), establishing the Viable Utility Reserve to be used for grants to local government units for specified purposes; and

WHEREAS, the Act amended Chapter 159G of the General Statutes by adding a new Subsection 159G-32(d)(5) authorizing the Department of Environmental Quality (the "Department") to make grants from the Viable Utility Reserve (VUR) to fund other options deemed feasible which result in local government units generating sufficient revenues to adequately fund management and operations, personnel, appropriate levels of maintenance, and reinvestment that facilitate the provision of reliable water or wastewater services; and

WHEREAS, the Act amended Chapter 159G of the General Statutes by adding a new Subsection 159G-39(e), requiring that the Department shall not award a grant from the Viable Utility Reserve unless the Local Government Commission (the "Commission") approves the award of the grant and the terms of the grant; and

WHEREAS, the Commission and the State Water Infrastructure Authority (the "Authority") have developed and adopted criteria to determine how local government units should be assessed and reviewed pursuant to G.S. 159G-45(a), and have used the assessment and review process to identify distressed units, pursuant to G.S. 159G-45(b); and

WHEREAS, the Act requires that units identified as distressed must, among other requirements: participate in a training and educational program approved by the Authority and the Commission [G.S. 159G-45(b)(2)];

Resolution Approving Viable Utility Reserve Training Grants

March 4, 2025

Page 2

WHEREAS, the Act requires that units identified as distressed must, among other requirements: develop an action plan, taking into consideration the continuing education of the governing board and system operating staff [G.S. 159G-45(b)(3)b.]; and

WHEREAS, the continuing education of unit and system staff regarding the operations and management of water and wastewater systems supports long-term viability of these systems; and

WHEREAS, grants from the Viable Utility Reserve are reimbursement-based, with units receiving funds only after requesting reimbursement from the Department for allowable expenses, and with all unused amounts (up to the grant amount) reverting to the Viable Utility Reserve; and

WHEREAS, in 2022, the Authority, at its February 9, 2022 meeting, and the Commission, at its March 1, 2022 meeting, approved \$2,000 training grants to each local government unit ("LGU") currently designated as distressed and designated later as distressed through Calendar year 2025 for eligible training cost reimbursements with the award used to reimburse registration and mileage costs incurred by utility staff and governing board members to attend training programs that are relevant to NC G.S. 159G-32(d). The funds from the \$2,000 grant were required to be expended within two years of award, by December 31, 2026 (if using ARPA funds), or prior to the local government unit completing the requirements of NC G.S. 159G-45(b), whichever comes first; and

WHEREAS, out of \$302,000 obligated for training grants, only \$25,699 has been disbursed, with some training grants nearing or reaching their two-year expiration; and

WHEREAS, initial and ongoing training is needed in order for distressed LGUs to comply with the education requirement defined in statute, and for LGU staff and elected officials to acquire the education and training needed to plan for, manage, and maintain utility viability; and

WHEREAS, the Authority, at its February 19, 2025 meeting, approved training grants from the Viable Utility Reserve up to a maximum of \$2,000 per LGU to any LGU designated as distressed to be paid from available funds in a Training Reserve established and administered by the Division of Water Infrastructure, at the Division's discretion; and

WHEREAS, training grants may be used reimburse registration and mileage costs incurred by utility staff and governing board members to attend training programs that are relevant to NC G.S. 159G-32(d);

NOW THEREFORE, BE IT RESOLVED by the Commission, pursuant to its authority recited herein, THAT the Commission approves \$2,000 in training grants for local government units designated as distressed as reimbursement for eligible training expenses of registration and mileage incurred by utility staff and governing board members to attend training programs as described above. Grants shall be paid from available funds in a Training Reserve established and administered by the Division of Water Infrastructure, at the Division's discretion

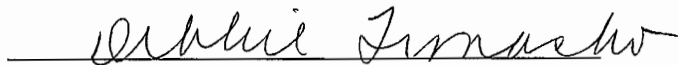
Resolution Approving Viable Utility Reserve Training Grants

March 4, 2025

Page 3

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 March 4, 2025.

WITNESS my hand this 4th day of March 2025.

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

Debbie Tomasko, Secretary

North Carolina Local Government Commission



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE AND LOCAL GOVERNMENT DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

BRADFORD B. BRINER
STATE TREASURER OF NORTH CAROLINA

DEBBIE TOMASKO
DEPUTY TREASURER

RESOLUTION APPROVING VIABLE UTILITY RESERVE GRANT APPLICATIONS

WHEREAS, the North Carolina General Assembly enacted Session Law 2020-79, entitled in part "AN ACT TO IMPROVE THE VIABILITY OF THE WATER AND WASTEWATER SYSTEMS OF CERTAIN UNITS OF LOCAL GOVERNMENT . . . ; TO CREATE AND PROVIDE FUNDING FOR THE VIABLE UTILITY RESERVE TO PROVIDE GRANT MONEY FOR LOCAL GOVERNMENT UNITS, . . ." (the "Act"); and

WHEREAS, the Act amended Chapter 159G of the General Statutes ("G.S."), establishing the Viable Utility Reserve to be used for grants to local government units for specified purposes; and

WHEREAS, the Local Government Commission (the "Commission") and the State Water Infrastructure Authority (the "Authority") have developed evaluation criteria for grants from the Viable Utility Reserve to review applications and award grants; and

WHEREAS, the local government units ("LGUs") in Table 1 have been designated as distressed units by the Authority and the Commission; and

WHEREAS, the LGUs in Table 1 below have submitted resolutions indicating they are committed to completing the viable utility (VU) program requirements: studies; education/training; short- and long-term planning for maintenance, repair, and replacement; and long-term financial management, and that they are working with the other distressed LGUs in their county, including any LGU(s) currently under LGC fiscal control, and that they will provide adequate access to staff, documents, equipment, and other resources pertinent to complete the studies; and

WHEREAS, at its February 19, 2025 meeting, the Authority voted to approve VUR grant funding for the applicants and projects in Table 1;

NOW THEREFORE, BE IT RESOLVED by the Commission, pursuant to its authority recited herein, that the Commission approve up to the maximum funding amounts for the LGUs listed in Table 1.

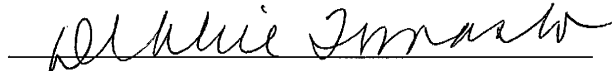
Resolution Approving Viable Utility Reserve Grants

March 4, 2025

Page 2

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 August 6, 2024.

WITNESS my hand this 4th day of March 2025.

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

Debbie Tomasko, Secretary

North Carolina Local Government Commission

EXHIBIT 3 Page 3 of 3

Resolution Approving Viable Utility Reserve Grants

March 4, 2025

Page 3

LGU	Project Type	Project Name	Amount
Town of Mount Olive	WW	Find and fix sewer rehab project	\$1,000,000
Town of Kingstown	WW	Lift station, gravity sewer, force main	\$ 652,647
Town of Milton	WW	Milton wastewater grinder pump	\$ 500,000
Town of Fair Bluff	DW	Water supply well improvements	\$1,000,000
Town of Magnolia	DW	Water supply well replacement project	\$2,381,775
Town of Wilkesboro	DW	Yadkin River intake and interconnect upgrade	\$1,491,896
TOTAL			\$7,026,318

DW = Drinking Water; WW = Wastewater



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

BRADFORD B. BRINER
STATE TREASURER OF NORTH CAROLINA

STATE AND LOCAL GOVERNMENT DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

DEBBIE TOMASKO
DEPUTY TREASURER

**RESOLUTION MODIFYING THE CRITERIA FOR ASSESSING LOCAL GOVERNMENT
UNITS; MODIFYING THE CRITERIA FOR IDENTIFYING DISTRESSED UNITS; AND
MODIFYING THE FREQUENCY OF THE CYCLE FOR ASSESSMENT AND REVIEW OF
LOCAL GOVERNMENT UNITS IN ACCORDANCE WITH NORTH CAROLINA GENERAL
STATUTE 159G-45**

WHEREAS, the North Carolina General Assembly enacted Session Law 2020-79, entitled in part "AN ACT TO IMPROVE THE VIABILITY OF THE WATER AND WASTEWATER SYSTEMS OF CERTAIN UNITS OF LOCAL GOVERNMENT . . . ; TO CREATE AND PROVIDE FUNDING FOR THE VIABLE UTILITY RESERVE TO PROVIDE GRANT MONEY FOR LOCAL GOVERNMENT UNITS, . . ." (the "Act"); and

WHEREAS, Section 1.(k) of the Act amended Article 2 of Chapter 159G of the General Statutes ("G.S.") by adding a new Section 159G-45 requiring that the State Water Infrastructure Authority (the "Authority") and the Local Government Commission (the "Commission"):

- (a) develop criteria to assess and review local government units and
- (b) utilize the assessment and review process to identify distressed units; and

WHEREAS, at its November 10, 2020 meeting, the Commission approved a *Resolution Adopting the Criteria For Assessing Local Government Units And Identifying Distressed Units As Provided Under North Carolina General Statute 159G-45* in which it adopted criteria to assess and review local government units (the "Assessment Criteria") and criteria to identify distressed units (the "Identification Criteria"); and

WHEREAS, at its March 5, 2024 meeting, the Commission approved a *Resolution Modifying The Criteria For Assessing Local Government Units As Provided Under North Carolina General Statute 159G-45* in which it modified the Assessment Criteria, specifically, to remove the "DW Pop / Mile" and "Sewer Pop / Mile" population/mile parameters and to modify the DW compliance parameter and the rates parameter; and

WHEREAS, the staffs of the Commission and Authority propose that the **Assessment Criteria** be further modified to update the description of the "UAL Control Issues" parameter to reflect changes to the development of the Unit Assistance List ("UAL") developed by Commission staff; and

EXHIBIT 4

Resolution Modifying VUR Assessment Criteria, Identification Criteria, and Assessment Schedule
March 4, 2025
Page 2

WHEREAS, the “Identification Criteria” adopted by the Commission and the Authority are currently:

1. a unit whose fiscal affairs are under the control of the Commission pursuant to its authority granted by G.S. 159-181 (“under Commission fiscal control”), or
2. a unit that has not submitted its annual audits for the last two (2) fiscal years to the Commission as required by G.S. 159-34, or
3. a unit with a total Assessment Criteria score that:
 - a) Equals or exceeds 9 for units providing both drinking water and wastewater services, or
 - b) Equals or exceeds 8 for units providing only one service, either drinking water or wastewater, or
4. a unit for which other information is available to or known by Commission or Authority staff that reflects and is consistent with, but does not expressly appear in, the Assessment Criteria to account for situations in which the Assessment Criteria score does not wholly or accurately reflect a system’s level of risk due to the limitations of available data; and

WHEREAS, the staffs of the Commission and Authority propose that the **Identification Criteria** be modified to update Identification Criterion 3 to establish “9” as the total Assessment Criteria score threshold for all assessed units; and

WHEREAS, the proposed changes to the **Assessment Criteria** and the **Identification Criteria** are presented in Attachment A; and

WHEREAS, at its February 1, 2022 meeting, the Commission approved a *Resolution Approving Frequency of The Cycle For Assessment And Review of Local Government Units In Accordance With North Carolina General Statute 159G-45* in which it adopted a schedule for the assessment of local government units (the “Assessment Schedule”); and

WHEREAS, the staffs of the Commission and the Authority have recommended an update to the **Assessment Schedule** to improve the outcome of the assessment by scheduling the assessment in July of each year, instead of April each year as previously adopted, to align assessment dates with recently enacted legislation related to audit submissions and to improve the availability of data used for assessment.

NOW THEREFORE, BE IT RESOLVED by the Commission, pursuant to its authority recited herein, that the Commission:

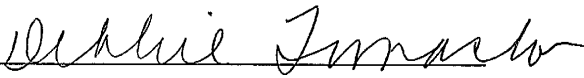
1. Adopt the changes to the VUR **Assessment Criteria** as identified above and in Attachment A;
2. Adopt the changes to the VUR **Identification Criteria** as identified above and in Attachment A;
3. Adopt the changes to the VUR **Assessment Schedule** as identified above and in Attachment B.

EXHIBIT 4

Resolution Modifying VUR Assessment Criteria, Identification Criteria, and Assessment Schedule
March 4, 2025
Page 3

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 March 4, 2025.

WITNESS my hand this 4th day of March 2025.



Debbie Tomasko, Secretary

North Carolina Local Government Commission

EXHIBIT 4

Resolution Modifying VUR Assessment Criteria, Identification Criteria, and Assessment Schedule

March 4, 2025

Page 4

Attachment A

VUR Assessment Criteria

Parameter	Total Possible Points	Description	Other Notes	Data Source
Service Population	1	Identifies smaller systems. Point scored for systems serving less than 10,000 people.	This is a statutorily required criterion.	Varied
Debt Service Coverage Ratio (DSCR)	1	Measures unit's ability to cover loan payments after paying for day to day operations. Measured by looking at revenue, expenses, and loan payments (principal and interest). Calculated as (Operating revenues-operating expenses excluding depreciation) / (principal + interest payments) Point scored if value is less than 1.1.	Over 70% of utilities have a DSCR greater than 1.1. This is a statutorily required criterion.	Calculated from audit data
Transfers Out	1	May indicate that revenue generated by the utilities is not being used for utility expenses. Point scored when money is transferred out of the system's dedicated utility fund in 2 or more of the last 5 fiscal years if the system also has a negative surplus in the fiscal year of the transfer, or if the system has no debt and there is a negative surplus with debt service for a \$1 million "test" project.	This is a statutorily required criterion.	Calculated from audit data
Transfers In	1	Indicates that the system is not generating enough money to cover expenditures. Point scored when money is transferred into the primary water/sewer fund from other sources in 2 or more of the last 5 years.	This is a statutorily required criterion.	Calculated from audit data

EXHIBIT 4

Resolution Modifying VUR Assessment Criteria, Identification Criteria, and Assessment Schedule

March 4, 2025

Page 5

Affordability	1	<p>Recognizes a service area's population change rate, poverty rate, median household income (MHI), unemployment rate, and property valuation per capita to established state benchmarks. Note that the benchmark values are updated every year.</p> <p><u>Current Benchmarks:</u> Population change: 4.42% Poverty rate: 14.0% MHI: \$52,413 Unemployment rate: 4.0% Property valuation per capita: \$107,620</p> <p>Point scored if 4 or 5 of these indicators are worse than the state benchmark.</p>		American Community Survey, Employment Security Commission, and Dept. of Revenue
UAL Control Issues	3	<p>The UAL is published by LGC staff and identifies units whose audits indicate that they may have financial or fiscal management accounting issues contributing to financial risk.</p> <p>Points are scored if a unit's UAL "Internal Controls" category score exceeds the established category score threshold set by LGC staff for that category. for systems that have been identified by the LGC as medium risk (2) or high risk (1) of accounting control issues</p>		LGC
DW Compliance	1	<p>Identifies units with DW system compliance issues.</p> <p>Point scored if system has more than 5 MCL violations and/or Action Level Exceedances in a 5-year period or has ongoing treatment technique violations.</p>		NC DEQ-DWR

EXHIBIT 4

Resolution Modifying VUR Assessment Criteria, Identification Criteria, and Assessment Schedule

March 4, 2025

Page 6

WW / CS Compliance	1	<p>Identifies units with wastewater treatment or collection system compliance issues.</p> <ul style="list-style-type: none"> • WW: Point scored if either in the top 10% for number of violations in a 5-year period, or a combination of in the top 20% for number of violations in a 5-year period and more than 50% of inspections document violations for wastewater treatment operations. • CS: Point scored if either the following occur: <ul style="list-style-type: none"> ○ The system is in the top 10% of systems for the number of SSO violations in a 5-year period and the top 20% for the number of SSOs per mile of collection system, or ○ The system is in the top 20% of systems for the number of SSO violations in a 5-year period and the top 10% for the number of SSOs per mile of collection system. 		NC DEQ-DWR
Flow Moratorium	4	Points scored when the system is under a moratorium preventing service expansion due to inability to treat wastewater or because the system has reached 90% of permitted capacity.		NC DEQ-DWR
Rates	1	<p>High rates Indicate that a system is unlikely to be able to increase rates to improve revenue.</p> <p>The scoring threshold is based on the 85th percentile of monthly bill for inside customers for 5,000 gallons for the corresponding type of system (combined water and wastewater, water only, wastewater)</p> <p>For 2024, point scored when inside rates for 5,000 gallons are higher than \$127/month for combined water and sewer service; \$61/month for water service only; and \$69/month for wastewater service only.</p>		EFC
Revenue Outlook	4	<p>Reflects unit's ability to generate income in the future while recognizing affordability issues.</p> <p>Points scored when the system has high rates (see above) AND declining population.</p>		EFC rates; source of population varies

EXHIBIT 4

Resolution Modifying VUR Assessment Criteria, Identification Criteria, and Assessment Schedule

March 4, 2025

Page 7

Surplus (deficit) w/ Debt	2	Identifies systems that are not generating enough revenue to cover expenditures including debt payments. Points scored when number is less than or equal to \$0, indicating insufficient funds to cover expenses. Calculated as Operating Revenues-((Operating Expenses - Depreciation) + Long-term Debt Service)	Approximately 75% of utilities have revenue exceed expenditures.	Calculated from audit data
No Debt DSCR Test	1	Similar to the DSCR calculated above but includes \$1 million "test" project if system has no debt to evaluate the unit's ability to finance a simple project with a loan. Point scored if less than 1.1.		Calculated from audit data
% Depreciated	1	Evaluates the financial impact of wear and tear on water and sewer assets as they age and how much service life is left. Point scored if greater than 50%.	Approximately 70% of utilities have depreciation less than 50%.	Calculated from audit data
Operating Margin	1	Indicates the system's ability to generate enough revenue to cover operating expenses including depreciation. Point scored if the operating margin is less than 0. Calculated as (Operating Revenue - Operating Expenses) / Operating Revenue	Approximately 50% of utilities have an operating margin greater than 0.	Calculated from audit data
Quick Ratio	1	Indicates whether a system is able to meet short-term financial obligations with cash or easily accessible funds by comparing current assets to liabilities. Point scored if less than 1.1.	Approximately 95% of utilities have a quick ratio greater than 1.1.	Calculated from audit data
Receivables Ratio	1	Measures how well the system is collecting money from customers. Point scored for 3-year average greater than or equal to 2.3 or if there is an increase of greater than or equal to 0.2 in each of the last two years which demonstrates a declining trend in bill payment.	Over 85% of utilities have a receivables ratio less than 2.3 or less than a 0.2 increase in each of the last two years.	Calculated from audit data

EXHIBIT 4

Resolution Modifying VUR Assessment Criteria, Identification Criteria, and Assessment Schedule

March 4, 2025

Page 8

List of Acronyms		
CS = Collection System	DWR = Division of Water Resources	SSO = Sanitary Sewer Overflow
DEQ = Dept. of Environmental Quality	EFC = Environmental Finance Center	SWIA = State Water Infrastructure Authority
DSCR = Debt Service Coverage Ratio	LGC = Local Government Commission	WW = Wastewater (sewer)
DW = Drinking Water	LWSR = Local Water Supply Plan	UAL = Unit Assistant List generated by LGC to identify communities that may have problems with accounting procedures identified through audits
DWI = Division of Water Infrastructure	MCL = Maximum Contaminant Level	

Attachment A (Continued)
Distressed Unit Identification Criteria

The State Water Infrastructure Authority and Local Government Commission adopted the following Identification Criteria to be used to identify distressed units:

1. A unit whose fiscal affairs are under the control of the Commission pursuant to its authority granted by G.S. 159-181 (“under Commission fiscal control”), or
2. A unit that has not submitted its annual audits for the last two (2) fiscal years to the Commission as required by G.S. 159-34, or
3. A unit with a total Assessment Criteria (see Attachment 1) score that:
 - a) Equals or exceeds 9 for units providing both drinking water and wastewater services, or
 - b) Equals or exceeds 9 8 for units providing only one service, either drinking water or wastewater, or
4. A unit for which other information is available to or known by the Authority or Commission that reflects and is consistent with, but does not expressly appear in, the Assessment Criteria to account for situations in which the Assessment Criteria score does not wholly or accurately reflect a system’s level of risk due to the limitations of available data.

Attachment B
Viable Utility Reserve Assessment Schedule

Identification Criterion 1 – LGC control

The need for the LGC to assume financial control of a LGU has been rare and does not occur on a regular or predictable frequency. It is recommended that if the LGC has assumed control of the financial affairs of a LGU with an operating water and/or wastewater system and has adopted a resolution designating the unit as distressed, the LGU is automatically designated as distressed by the Authority without further action.

Units designated as distressed by the Commission and the Authority under Criterion 1 will be reassessed pursuant to the annual reassessment schedule established in Criterion 3, below, but will remain designated as distressed until they have fulfilled the requirements of a distressed unit pursuant to G.S. 159G-45(b).

Identification Criterion 2 –Missing Audits for Last Two Fiscal Years

The determination of missing audits is made by LGC staff based on a unit's failure to timely submit an annual audit report as required under N.C.G.S 159-34(a). Under Identification Criterion 2, a unit may be identified as distressed if it has not submitted its annual audits for the last two fiscal years. In order to ensure that LGUs are made aware of the potential to be designated as distressed, LGUs that have not submitted an annual audit report by ~~July March~~ 1 of the current calendar year for the prior fiscal year (ending June 30 of the prior calendar year) will receive a letter jointly from the Authority and the Commission informing them that if a second consecutive audit is not submitted by the ~~July March~~ 1 preceding the next regularly scheduled reassessment, the LGU may be designated as distressed. Once an LGU has not submitted two consecutive annual audits, the Commission may adopt a resolution identifying the unit as distressed; following such a resolution, the LGU will be automatically designated distressed by the Authority without further action.

Units designated as distressed by the Commission and the Authority under Criterion 2 will be reassessed pursuant to the annual reassessment schedule established in Criterion 3, below, but will remain designated as distressed until they have fulfilled the requirements of a distressed unit pursuant to G.S. 159G-45(b).

EXHIBIT 4

Resolution Modifying VUR Assessment Criteria, Identification Criteria, and Assessment Schedule
March 4, 2025
Page 11

Identification Criterion 3 – Assessment Criteria Score

Identification Criterion 3 is based on Viable Utility Reserve Assessment Criteria adopted by the Authority and Commission and used to determine an Assessment Criteria score for each LGU with an operating water/wastewater system. Data used in the Assessment Criteria come from several different sources and become available at different times during the year.

Because of this varying availability of data, **and because of recent statutory changes establishing deadlines for the submission of audits related to the Commission's authority to withhold a portion of sales tax distributions (Session Law 2023-59)**, it is recommended that all LGUs with water and/or wastewater systems be reassessed **in July at the end of April** each year, beginning in **April 2022-2025, modifying the assessment schedule adopted in 2022 which scheduled the assessment in April of each year. For units without current audit data, the data from the immediately preceding fiscal year audit may be used for assessment.**

Local government units not currently designated as distressed and that are assessed and meet or exceed criteria threshold scores will receive notice of potential distressed designation, information about the Viable Utility (VU) program, and the requirements for units designated as distressed LGUs. These LGUs may either:

- 1) take actions they deem appropriate to remedy the deficiencies identified through the assessment; at the time of the next regularly scheduled annual assessment, units scoring at or above the distressed threshold may be designated as distressed.
- 2) contact the Division of Water Infrastructure in writing to request designation as a distressed unit. The Authority and the Commission will consider these LGUs for distressed designation at their next regularly scheduled meetings.

Local government units which meet or exceed the criteria score for two consecutive years may be designated as distressed by the Authority and the Commission. Once designated as distressed, these LGUs are subject to the study, training, and action plan requirements of N.C.G.S 159G-45(b).

All LGUs will be reassessed and considered for distressed designation under the process outlined above. LGUs designated as distressed under Criterion 3 in any prior assessment that have not fulfilled the requirements of a distressed unit pursuant to G.S. 159G-45(b) will retain their distressed designation regardless of their score under the reassessment.

Identification Criterion 4 – Other Factors

Identification Criterion 4 allows the Authority and Commission to consider more recent data or events to designate a unit as distressed rather than utilizing the other identification criteria. These units will be reassessed pursuant to the annual reassessment schedule established in Criterion 3, above, but will remain designated as distressed until they have fulfilled the requirements of a distressed unit pursuant to G.S. 159G-45(b).



STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

Via Email

January 7, 2025

The Honorable Bradford B. Briner
 North Carolina Department of State Treasurer
 3200 Atlantic Avenue
 Raleigh, North Carolina 27604

Re: Evaluation of Statement of Economic Interest Local Government Commission

Dear Treasurer Briner:

Our office is in receipt of your 2025 Statement of Economic Interest for the **Local Government Commission ("the Commission")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act ("the Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. The letter is not meant to impugn the integrity of the covered person in any way. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

We did not find an actual conflict of interest but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.

The Local Government Commission ("LGC") is authorized to issue rules and regulations governing procedures for the receipt, deposit, investment, transfer, and disbursement of money and other assets by local governments and other public authorities, including public hospitals, including rules establishing the standards for financial auditing and reporting and mutual fund investments. LGC also reviews the internal control procedures utilized by local governments and implements modifications to prevent mishandling of public monies, approves local government bonds and project development financing debt instruments, sells bonds issued by local governments, and approves financing agreements between local governments and other entities. LGC is authorized to impound the books and records of any public authority or unit of local government and assume full control of its financial affairs under specific circumstances.

The Act establishes ethical standards for certain public servants and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated

persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

You no longer serve as the investment chief for Willett Advisors. However, you disclosed that you and your spouse have financial interests in several companies including but not limited to Boston Omaha, Berkshire Hathaway, Eaton Vance, Blackstone Mortgage Trust, Ventas and City Office REIT. In addition, you have disclosed financial interests in several private equity, index, real estate and hedge funds. Furthermore, you disclosed that you are the manager of North Street Properties and Brisun Partners. As such, you have the potential for a conflict of interest and should exercise appropriate caution in the performance of your public duties should issues involving any entity in which you or an immediate family member own a financial interest come before the Commission for official action.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts, directly or indirectly (1) from anyone in return for being influenced in the discharge of their official responsibilities, (2) from a lobbyist or lobbyist principal, or (3) from a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in N.C.G.S. §138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. 138A-24(e), the conflict shall be recorded in the minutes of the applicable board and duly brought to the attention of the membership by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. (N.C.G.S. §138A-15 (c)).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation (N.C.G.S. § 138A-14). Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Jane Steffens, SEI Unit
State Ethics Commission

cc: Elizabeth Hawley, Ethics Liaison

Attachment: Ethics Education Guide



STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

Via Email

January 7, 2025

The Honorable Bradford B. Briner
 North Carolina Department of State Treasurer
 3200 Atlantic Avenue
 Raleigh, North Carolina 27604

Re: Evaluation of Statement of Economic Interest Filed by Mr. Eric Naisbitt
Local Government Commission

Dear Treasurer Briner:

Our office is in receipt of **Mr. Eric Naisbitt's** 2025 Statement of Economic Interest as a designee for the State Treasurer to the **Local Government Commission ("the Commission")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act ("the Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. The letter is not meant to impugn the integrity of the covered person in any way. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

We did not find an actual conflict of interest or the likelihood of a conflict of interest.

The Local Government Commission ("LGC") is authorized to issue rules and regulations governing procedures for the receipt, deposit, investment, transfer, and disbursement of money and other assets by local governments and other public authorities, including public hospitals, including rules establishing the standards for financial auditing and reporting and mutual fund investments. LGC also reviews the internal control procedures utilized by local governments and implements modifications to prevent mishandling of public monies, approves local government bonds and project development financing debt instruments, sells bonds issued by local governments, and approves financing agreements between local governments and other entities. LGC is authorized to impound the books and records of any public authority or unit of local government and assume full control of its financial affairs under specific circumstances.

The Act establishes ethical standards for certain public servants and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also

requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts, directly or indirectly (1) from anyone in return for being influenced in the discharge of their official responsibilities, (2) from a lobbyist or lobbyist principal, or (3) from a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in N.C.G.S. §138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. 138A-24(e), the conflict shall be recorded in the minutes of the applicable board and duly brought to the attention of the membership by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. (N.C.G.S. §138A-15 (c)).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation (N.C.G.S. § 138A-14). Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Jane Steffens, SEI Unit
State Ethics Commission

cc: Eric Naisbitt
Elizabeth Hawley, Ethics Liaison

Attachment: Ethics Education Guide



STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

Via Email

February 10, 2025

The Honorable David Boliek
North Carolina Office of the State Auditor
20601 Mail Service Center
Raleigh, North Carolina 27699-0601

Re: Evaluation of Statement of Economic Interest

Dear State Auditor Boliek:

Our office has received your 2025 Statement of Economic Interest as an ex officio member of the **Local Government Commission (the "Commission")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the Elections and Ethics Enforcement Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person on potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

We did not find an actual conflict of interest or the likelihood of a conflict of interest.

The Local Government Commission ("LGC") is authorized to issue rules and regulations governing procedures for the receipt, deposit, investment, transfer, and disbursement of money and other assets by local governments and other public authorities, including public hospitals, including rules establishing the standards for financial auditing and reporting and mutual fund investments. LGC also reviews the internal control procedures utilized by local governments and implements modifications to prevent mishandling of public monies, approves local government bonds and project development financing debt instruments, sells bonds issued by local governments, and approves financing agreements between local governments and other entities. LGC is authorized to impound the books and records of any public authority or unit of local government and assume full control of its financial affairs under specific circumstances.

The Act establishes ethical standards for certain public servants and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

As the State Auditor, you are an ex officio member of the Commission.

In addition to the conflict standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,

A handwritten signature in cursive script that reads "Mary Roerden".

Mary Roerden, SEI Unit
State Ethics Commission

cc: Elizabeth Hawley
Attachment: Ethics Education Guide



STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

Via Email

February 17, 2025

The Honorable Dave Boliek
 North Carolina Office of the State Auditor
 20601 Mail Service Center
 Raleigh, North Carolina 27699-0601

Re: Evaluation of Statement of Economic Interest Filed by Mr. Brenton C. Woodcox
Local Government Commission

Dear Auditor Boliek:

Our office is in receipt of **Mr. Brenton C. Woodcox's** 2025 Statement of Economic Interest as an appointee to the **Local Government Commission ("the Commission")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act ("the Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. The letter is not meant to impugn the integrity of the covered person in any way. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

We did not find an actual conflict of interest or the likelihood of a conflict of interest.

The Local Government Commission ("LGC") is authorized to issue rules and regulations governing procedures for the receipt, deposit, investment, transfer, and disbursement of money and other assets by local governments and other public authorities, including public hospitals, including rules establishing the standards for financial auditing and reporting and mutual fund investments. LGC also reviews the internal control procedures utilized by local governments and implements modifications to prevent mishandling of public monies, approves local government bonds and project development financing debt instruments, sells bonds issued by local governments, and approves financing agreements between local governments and other entities. LGC is authorized to impound the books and records of any public authority or unit of local government and assume full control of its financial affairs under specific circumstances.

The Act establishes ethical standards for certain public servants and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also

requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts, directly or indirectly (1) from anyone in return for being influenced in the discharge of their official responsibilities, (2) from a lobbyist or lobbyist principal, or (3) from a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in N.C.G.S. §138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. 138A-24(e), the conflict shall be recorded in the minutes of the applicable board and duly brought to the attention of the membership by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. (N.C.G.S. §138A-15 (c)).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation (N.C.G.S. § 138A-14). Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jane Steffens", with a long horizontal flourish extending to the right.

Jane Steffens, SEI Unit
State Ethics Commission

cc: Brenton C. Woodcox
Elizabeth Hawley, Ethics Liaison

Attachment: Ethics Education Guide



STATE ETHICS COMMISSION

POST OFFICE BOX 27685
RALEIGH, NC 27611
PHONE: 919-814-3600

Via Email

January 7, 2025

The Honorable McKinley Wooten, Jr.
North Carolina Department of Revenue
501 North Wilmington Street
Raleigh, North Carolina 27604

Re: Evaluation of Statement of Economic Interest Filed by Mr. McKinley Wooten, Jr.
Local Government Commission

Dear Secretary Wooten:

Our office is in receipt of your 2025 Statement of Economic Interest as ex-officio to the **Local Government Commission ("the Commission")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act ("the Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. The letter is not meant to impugn the integrity of the covered person in any way. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

We did not find an actual conflict of interest or the likelihood of a conflict of interest.

The Local Government Commission ("LGC") is authorized to issue rules and regulations governing procedures for the receipt, deposit, investment, transfer, and disbursement of money and other assets by local governments and other public authorities, including public hospitals, including rules establishing the standards for financial auditing and reporting and mutual fund investments. LGC also reviews the internal control procedures utilized by local governments and implements modifications to prevent mishandling of public monies, approves local government bonds and project development financing debt instruments, sells bonds issued by local governments, and approves financing agreements between local governments and other entities. LGC is authorized to impound the books and records of any public authority or unit of local government and assume full control of its financial affairs under specific circumstances.

The Act establishes ethical standards for certain public servants and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also

requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts, directly or indirectly (1) from anyone in return for being influenced in the discharge of their official responsibilities, (2) from a lobbyist or lobbyist principal, or (3) from a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in N.C.G.S. §138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. 138A-24(e), the conflict shall be recorded in the minutes of the applicable board and duly brought to the attention of the membership by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. (N.C.G.S. §138A-15 (c)).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation (N.C.G.S. § 138A-14). Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jane Steffens", with a long horizontal flourish extending to the right.

Jane Steffens, SEI Unit
State Ethics Commission

cc: Elizabeth Hawley, Ethics Liaison

Attachment: Ethics Education Guide