

**NORTH CAROLINA DEPARTMENT OF STATE TREASURER
LOCAL GOVERNMENT COMMISSION
MINUTES
JUNE 7, 2022**

The meeting was called to order at 1:32 p.m. by Chair Dale R. Folwell on the above date. The meeting was conducted in person and by use of simultaneous communication by GoToWebinar™ due to the COVID 19 pandemic. Chair Folwell left the meeting at 1:37 p.m. and turned the meeting over to LGC Secretary Sharon Edmundson to preside.

Members present in person: Ted Brinn, Designee for Chair Folwell, Secretary of State Elaine Marshall, Secretary of Revenue Ronald Penny, and John Burns. Members present virtually: State Auditor Beth Wood, Paul Butler, Vida Harvey, Nancy Hoffmann, and Mike Philbeck.

Members Absent: None.

A quorum was present for the entire meeting.

Other participants attending virtually: Sharon Edmundson and Jennifer Wimmer.

Other participants present in person: Susan McCullen, Debbie Tomasko, and Cindy Aiken.

Others attending in person: Bill Toole (Secretary of State office); and DST staff Victoria Bledsoe.

Secretary Edmundson asked those members present if they had any actual, potential, or the appearance of a conflict of interest regarding the matters on the agenda. Ms. Hoffmann reported a conflict of interest and recused herself from the City of Greensboro matters. Her recusal statement is incorporated into these meeting minutes pursuant to the requirements of the State Government Ethics Act and is attached as Appendix A.

Auditor Wood made a motion to approve the minutes of the May 3, 2022 regular meeting. Mr. Burns seconded the motion, and the minutes were approved by unanimous vote of 9 – 0.

Secretary Penny made a motion to adopt the following resolution:

**“RESOLUTION APPROVING THE APPLICATION OF THE CITY OF
GREENSBORO, NORTH CAROLINA FOR THE ISSUANCE OF NOT TO
EXCEED \$135,000,000 GENERAL OBLIGATION BONDS”**

WHEREAS, the City of Greensboro, North Carolina (the “City”) has applied to the North Carolina Local Government Commission (the “Commission”) and requested the Commission’s approval of the issuance of not exceeding \$135,000,000 General Obligation Bonds of the City; and

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

- (i) that said bonds are necessary and 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;

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application of the City of Greensboro for approval of the issuance of not to exceed \$135,000,000 for the City of Greensboro General Obligation Bonds is hereby approved.

Mr. Burns seconded the motion, and the foregoing was adopted by unanimous vote of 8 – 0 (Recusal: Hoffmann). Finance Director of Finance Marlene Druga, Council Member Hugh Holston and Assistant City Manager Larry Davis attended virtually to speak and answer members' questions.

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

“RESOLUTION APPROVING THE FINANCING TEAM FOR NOT TO EXCEED \$135,000,000 CITY OF GREENSBORO, NORTH CAROLINA GENERAL OBLIGATION BONDS”

WHEREAS, the City of Greensboro (the “City”) has proposed to engage the services of:

Bond Counsel:	Womble Bond Dickinson (US) LLP
Financial Advisor:	First Tryon Advisors

In connection with the issuance and sale of its General Obligation Bonds and has requested that the North Carolina Local Government Commission (the “Commission”) approve its proposed 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 proposed by the City is hereby approved.

Mr. Burns seconded the motion, and the foregoing was adopted by unanimous vote of 8 – 0 (Recusal: Hoffmann). Finance Director of Finance Marlene Druga, Council Member Hugh Holston and Assistant City Manager Larry Davis attended virtually to speak and answer members' questions.

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

RESOLUTION APPROVING THE FINANCING TEAM FOR A \$6,000,000 CITY OF SHELBY, NORTH CAROLINA GENERAL OBLIGATION STREET AND SIDEWALK IMPROVEMENT BOND, SERIES 2022

WHEREAS, the City of Shelby, North Carolina (the “City”) has requested that the North Carolina Local Government Commission (the “Commission”) approve its selection of the following financing team members for the upcoming issuance of its General Obligation Street and Sidewalk Improvement Bond, Series 2022 (the “Bond”):

Bond Counsel:	Womble Bond Dickinson (US) LLP
Purchaser:	JPMorgan Chase Bank, N.A.
Purchaser’s Counsel:	McGuireWoods LLP

Financial Advisor:

First Tryon Advisors

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

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

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

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

RESOLUTION CONCERNING THE PRIVATE SALE OF A \$6,000,000 CITY OF SHELBY, NORTH CAROLINA GENERAL OBLIGATION STREET AND SIDEWALK IMPROVEMENT BOND, SERIES 2022

WHEREAS, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina authorizes the North Carolina Local Government Commission (the "Commission") to sell non-rated general obligation bonds at private sale without advertisement to any purchasers thereof at such prices as the Commission determines to be in the best interest of the issuing unit, subject to the approval of the governing board of the issuing unit or one or more persons designated by resolution of such governing board to approve such prices; and⁴

WHEREAS, JPMorgan Chase Bank, N.A. (the "Purchaser") has offered to purchase from the City of Shelby, North Carolina, (the "City") its General Obligation Street and Sidewalk Improvement Bond, Series 2022 (the "Bond") from the Commission upon the terms and conditions set forth below and in the form of a Bond Purchase Agreement relating thereto (the "Bond Purchase Agreement"); and

WHEREAS, the Commission has received a copy of the Bond Purchase Agreement relating to the sale of the Bond; and

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

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

WHEREAS, the Commission desires to accept the offer of the Purchaser to purchase the Bond substantially in the form of the Bond Purchase Agreement and upon the terms and conditions set forth below.

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

Section 1. The sale of the Bond to the Purchaser at private sale without advertisement pursuant to an executed Bond Purchase Agreement substantially in the form furnished to the Commission is hereby approved, such sale being subject to the approval of the City and satisfaction of the conditions set forth below.

Section 2. The aggregate principal amount of the Bond shall not exceed \$6,000,000, and the purchase price for the Bond shall be equal to the par amount of the Bond as set forth in the Bond Purchase Agreement.

Section 3. The Bond shall bear interest at an interest rate of 2.70% per annum (subject to adjustment as provided in the Bond).

Section 4. The final maturity of the Bond shall not exceed June 1, 2037.

Section 5. The Commission hereby determines that the sale of the Bond in the manner and for the price as provided in this resolution is in the best interest of the City, provided that such sale shall be approved by the City, including one or more persons designated by resolution of the City Council of the City for such purpose.

Section 6. The Secretary of the Commission or any Deputy Secretary is hereby appointed the Designated Assistant of the Commission for the purpose of this resolution, and the Designated Assistant is hereby authorized and directed, within the terms and conditions of this resolution, to approve such changes to the Bond Purchase Agreement, including details of the Bond, as shall be satisfactory to him or her, to approve the forms of other documents relating to the Bond, to execute and deliver the Bond Purchase Agreement and such other documents on behalf of the Commission and to provide for the execution and delivery of the Bond in accordance with the resolution adopted by the City Council of the City and the Bond Purchase Agreement.

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

Ms. Hoffmann seconded the motion, and the foregoing was adopted by unanimous vote of 9 – 0. Mayor Stan Anthony, City Manager Rick Howell, and Director of Finance Beth Beam attended virtually to speak and answer members' questions.

Auditor Wood made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE CITY OF ASHEVILLE FOR THE FINANCING OF VARIOUS PROJECTS THROUGH AN AMENDMENT TO AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. § 160A-20

WHEREAS, under Section 160A-20 of the General Statutes, the City of Asheville, North Carolina (the “City”) has previously entered into an Installment Financing Contract dated as of June 1, 2012 (the “Master Contract”), between the City and the Asheville Public Financing Corporation (the “Corporation”), under which the City has financed and refinanced certain governmental facilities; and

WHEREAS, the City has determined that it is in the City’s best interest to enter into an amendment to the Master Contract (the “Amendment” and collectively with the Master Contract, the “Contract”) between the City and Corporation in order to finance the costs of various projects in the City for affordable housing, public safety, transportation, infrastructure, economic development, parks and recreation, construction of City facilities, and acquisition of vehicles and equipment; and

WHEREAS, the Corporation will enter into an Supplemental Indenture, Number 5 dated as of June 1, 2022 (the “Supplement”) between the Corporation and Truist Bank, as successor to Branch Banking and Trust Company (the “Trustee”), which supplements the Indenture of Trust dated as of June 1, 2012 between the Corporation and the Trustee (the “Master Indenture” and together with the Supplement, the “Indenture”), pursuant to which the Corporation will execute and deliver its Limited Obligation Bond, Series 2022 (the “Bond”); and

WHEREAS, the Bond is to be sold to Wells Fargo Bank, National Association and the proceeds from the sale of the Bond will be remitted to the City to fund the advance by the Corporation to the City under the Amendment; and

WHEREAS, the principal amount of Bond shall not exceed \$42,000,000; and

WHEREAS, the maturity of the installment payments shall not extend beyond June 1, 2028;
and

WHEREAS, the Bond will bear interest at a variable rate with a maximum interest rate of 20%; and

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

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

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

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

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

Auditor Wood made a motion to approve the following resolution:

"RESOLUTION APPROVING THE FINANCING TEAM FOR THE LIMITED OBLIGATION BOND (CITY OF ASHEVILLE, NORTH CAROLINA), SERIES 2022

WHEREAS, the City of Asheville, North Carolina (the "City") has requested that the North Carolina Local Government Commission approve its selection of the following financing team members for the referenced financing:

Special Counsel:	- Parker Poe Adams & Bernstein LLP
Financial Advisor:	- DEC Associates, Inc.
Lender:	- Wells Fargo Bank, National Association
Lender's Counsel	- Kutak Rock LLP
Trustee:	- Truist Bank

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

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

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

Auditor Wood made a motion to approve the following resolution:

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE LIMITED OBLIGATION BOND (COUNTY OF BUNCOMBE, NORTH CAROLINA), SERIES 2022A, THE TAXABLE LIMITED OBLIGATION BOND (COUNTY OF BUNCOMBE, NORTH CAROLINA), SERIES 2022B AND THE LIMITED OBLIGATION BOND (COUNTY OF BUNCOMBE, NORTH CAROLINA), SERIES 2024

WHEREAS, the County of Buncombe, North Carolina (the “County”) has requested that the Local Government Commission of North Carolina (the “Commission”) approve their selection of the following financing team members for the referenced financing:

Lender:	Truist Commercial Equity, Inc.
Lender's Counsel:	Pope Flynn, LLC
Bond Counsel:	Parker Poe Adams & Bernstein LLP
Trustee:	Regions Bank
Financial Advisor:	Davenport & Company LLC
Verification Agent:	Bingham Arbitrage Rebate Services, Inc.

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

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

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

Auditor Wood made a motion to approve the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF BUNCOMBE, NORTH CAROLINA FOR THE FINANCING OF VARIOUS CAPITAL IMPROVEMENTS AND REFINANCING OF CERTAIN OUTSTANDING OBLIGATIONS THROUGH AN AMENDMENT TO AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. § 160A-20

WHEREAS, under Section 160A-20 of the General Statutes of North Carolina (the “*General Statutes*”), the County of Buncombe, North Carolina (the “*County*”) has previously entered into an Installment Financing Contract dated as of December 1, 2010 (the “*2010 Contract*”), between the Buncombe Financing Corporation (the “*Corporation*”) and the County, as previously amended by Amendment Number One dated as of July 1, 2012 (the “*First Amendment*”), Amendment Number Two dated as of February 15, 2014 (the “*Second Amendment*”), Amendment Number Three dated as of April 1, 2020 (the “*Third Amendment*”) and by Amendment Number Four dated as of October 1, 2020 (the “*Fourth Amendment*”), each between the Corporation and the County; and

WHEREAS, the County has determined that it is in the County’s best interest to enter into Amendment Number Five to the 2010 Contract (the “*Fifth Amendment*” and collectively with the 2010 Contract, the First Amendment, the Second Amendment, the Third Amendment and the Fourth Amendment, the “*Contract*”) between the County and Corporation in order to (1) pay the capital costs of the acquisition, construction and equipping of improvements to (a) public school facilities located in the County, including, but not limited to (i) classroom replacement at Asheville High School, (ii) installation of building code, security and K3 class size reduction at Haw Creek Elementary School, (iii) re-roofing of Avery Creek Elementary School, Candler Elementary School and Enka Middle School, (iv) replacement of the track and stadium light upgrades at North Buncombe High School, and (v) energy management and HVAC systems upgrades and (b) County facilities, including, but not limited to (i) the expansion of a solid waste landfill cell, (ii) solar panel installation and (iii) fleet and general services complex upgrades (collectively, the “*2022 Projects*”) and (2) refinance a portion of its installment financing obligations with respect to the 2010 Contract and the Second Amendment (collectively, the “*Prior 2014A Obligations*”); and

WHEREAS, the Corporation will enter into Supplemental Indenture, Number 5 dated as of June 1, 2022 (the “*Fifth Supplement*”) which further supplements the Indenture of Trust dated as of December 1, 2010 (the “*2010 Indenture*”), between the Corporation and U.S. Bank National Association, the successor to which is Regions Bank (the “*Trustee*”), as previously amended by Supplemental Indenture, Number 1 dated as of July 1, 2012 (the “*First Supplement*”), Supplemental Indenture, Number 2 dated as of February 15, 2014 (the “*Second Supplement*”), Supplemental Indenture, Number 3 dated as of April 1, 2020 (the “*Third Supplement*”), and Supplemental Indenture, Number 4 dated as of October 1, 2020 (the “*Fourth Supplement*,” and together with the 2010 Indenture, the First Supplement, the Second Supplement, the Third Supplement and the Fifth Supplement, the “*Indenture*”), pursuant to which the Corporation will execute and deliver its Limited Obligation Bond, (County of Buncombe, North Carolina), Series 2022A (the “*2022A Bond*”) and its Taxable Limited Obligation Bond, (County of Buncombe, North Carolina), Series 2022B (the “*2022B Bond*” and together with the 2022A Bond, the “*2022 Bonds*”); and

WHEREAS, the 2022A Bond is to be delivered to Truist Commercial Equity, Inc. (the “*Lender*”) and the proceeds derived from the delivery thereof remitted to the County to fund the advance by the Corporation to the County under the Fifth Amendment in order to pay (1) the capital costs of the acquisition, construction and equipping of the 2022 Projects and (b) the costs incurred in connection with the issuance of the 2022A Bond;

WHEREAS, the 2022B Bond is to be delivered to the Lender. and the proceeds derived from the delivery thereof remitted to the County to fund the advance by the Corporation to the County under the Fifth Amendment in order to (1) refinance a portion of the Prior 2014A Obligations and (b) pay the costs incurred in connection with the issuance of the 2022B Bond and the 2024 Bond (as defined below);

WHEREAS, a future tax-exempt limited obligation bond is expected to be delivered, on or about March 5, 2024, in the principal amount of the outstanding principal amount of the 2022B Bond at the time of issuance thereof (the “*2024 Bond*”) to the Lender and the proceeds derived from the

delivery thereof remitted to the County to fund the advance by the Corporation to the County under the Fifth Amendment in order to refinance the outstanding 2022B Bond; and

WHEREAS, the principal amount of 2022 Bonds shall not exceed \$145,000,000; and

WHEREAS, the final maturity of the installment payments for the 2022A Bond, the 2022B Bond and the 2024 Bond shall not extend beyond 2037; and

WHEREAS, the interest rate for (1) the 2022A Bond shall not exceed 2.930%, (2) the 2022B Bond shall not exceed 3.710% and (3) the 2024 Bond shall not exceed 2.930%; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application for approval of the Fifth Amendment, the 2022 Bonds, the 2024 Bond and the planned financing of the 2022 Projects and refinancing of the Prior 2014A Obligations is hereby approved under the provisions of Section 160A-20, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission.”

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

Secretary Penny made a motion to approve the following:

"RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF CABARRUS (THE "COUNTY") FOR THE ACQUISITION OF CERTAIN CAPITAL IMPROVEMENTS THROUGH A FINANCING AGREEMENT EXECUTED AND DELIVERED PURSUANT TO G.S. §160A-20."

WHEREAS, pursuant to §160A-20 of the General Statutes of North Carolina, the County intends to finance all or a portion of the costs of acquiring certain real property and the improvements thereon for the County (collectively, the “Property”), through a Lease Agreement covering the Property, including all attachments, exhibits and addendums thereto, proposed to be dated on or about June 1, 2022 (the “Lease”), between the County and CK LAKEPOINTE CORPORATE CENTER, LLC (the “Landlord”); and

WHEREAS, the Lease also includes an option to purchase the Property at the purchase price specified in the Lease; and

WHEREAS, the County, subject to its right of nonappropriation, will pay annual Rent to the Landlord pursuant to the terms of the Lease; and

WHEREAS, if the County exercises the option to purchase the Property set forth in the Lease, the County, subject to its right of nonappropriation, will also pay to the Landlord the purchase price of the Property pursuant to the terms of the Lease; and

WHEREAS, the aggregate amount of the annual Rent paid to the Landlord under the Lease and the purchase price paid for the Property under the Lease shall not exceed \$15,000,000; and

WHEREAS, the maturity of the Lease (including all renewal options) shall not extend beyond December 31, 2042; and

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

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

that the Lease is necessary and expedient for the County;

that the Lease, under the circumstances, is preferable to a bond issue by the County for the same purpose;

that the sums to fall due under the Lease are adequate and not excessive for its proposed purpose;

that the County's debt management procedures and policies are good;

that the increase in taxes, if any, necessary to meet the sums to fall due under the Lease will not be excessive; and

that the County is not in default in any of its debt service obligations.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application for approval of the Lease and the planned financing are hereby approved under the provisions of G.S. §160A-20, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission.

Secretary Marshall seconded the motion, and the foregoing was adopted by a vote of 7 - 2 (Voting No: Wood, Butler). Deputy County Manager Rodney Harris attended virtually to speak and answer members' questions.

Secretary Penny made a motion to approve the following:

"RESOLUTION APPROVING THE FINANCING TEAM FOR THE COUNTY OF CABARRUS, NORTH CAROLINA, FINANCING AGREEMENT EXECUTED AND DELIVERED PURSUANT TO G.S. §160A-20"

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

Special Counsel:

Nexsen Pruet, PLLC

Landlord:

CK LAKEPOINTE CORPORATE CENTER,
LLC

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

NOW, THEREFORE, BE IT RESOLVED by the Commission that the above financing team is hereby approved for the referenced financing agreement.

Secretary Marshall seconded the motion, and the foregoing was adopted by a vote of 7 - 2 (Voting No: Wood, Butler). Deputy County Manager Rodney Harris attended virtually to speak and answer members' questions.

Auditor Wood made a motion that the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF CHOWAN, NORTH CAROLINA FOR THIS PROJECT CONSISTS OF THE RENOVATION TO THE 2ND FLOOR OF WALKER BUILDING TO USE AS TEMPORARY CLASSROOM SPACE WHILE NEW HIGH SCHOOL IS BEING CONSTRUCTED. THROUGH AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. 160A-20.”

WHEREAS, the County of Chowan (the “County”) has determined that it is necessary and expedient because temporary classroom space is necessary for students while new high school is under construction; and

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

WHEREAS, the principal amount of the Contract shall not exceed \$2,750,000, with semi-annual payments at a rate of interest not to exceed 3.20% for the Project; and

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

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

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

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

- (vi) that the increase in taxes, if any, necessary to meet the sums to fall due under the Contract will not be excessive;

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

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

Auditor Wood made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE CITY OF DURHAM FOR THE FINANCING OF VARIOUS PROJECTS THROUGH AN AMENDMENT TO AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. § 160A-20

WHEREAS, under Section 160A-20 of the General Statutes, the City of Durham, North Carolina (the “City”) has previously entered into an Installment Financing Contract dated as of December 15, 2017 (the “*2017 Installment Financing Contract*”), as previously amended by Amendment Number One to the 2017 Installment Financing Contract dated as of May 1, 2018 (the “*First Amendment*”), and Amendment Number Two to the 2017 Installment Financing Contract dated as of December 1, 2020 (the “*Second Amendment*” and together with 2017 Installment Financing Contract, the First Amendment and the Second Amendment, the “*Master Installment Financing Contract*”), each between the City and the New Durham Corporation (the “*Corporation*”), under which the City has financed and refinanced certain governmental facilities; and

WHEREAS, the City has determined that it is in the City’s best interest to enter into Amendment Number Three to the 2017 Installment Financing Contract dated as of June 1, 2022 (the “*Third Amendment*” and collectively with the Master Installment Financing Contract, the “*Installment Financing Contract*”) between the City and Corporation to finance the capital costs of (a) renovations to the City’s Public Works Operation Center, (b) street, sidewalk, bridge, bike lane, greenway and streetscape improvements, (c) renovations and improvements to certain parks and recreation facilities, including, but not limited to, the Duke Belt Line Trail and the Hoover Road Athletic Park, (d) the acquisition, construction, and renovation of several fire rescue and police facilities, including Fire Station #6, Fire Station #18, and Fire Station #19, (e) improvements to certain information technology and communications systems, and (f) other miscellaneous capital improvements; and

WHEREAS, the Corporation has previously entered into an Indenture of Trust dated as of December 15, 2017 with U.S. Bank National Association (the successor to which is U.S. Bank Trust Company, National Association), as trustee, as supplemented by Supplemental Indenture, Number 1 dated as of May 1, 2018 and Supplemental Indenture, Number 2 dated as of December 1, 2020 (collectively, the “*Master Indenture*”);

WHEREAS, the Corporation will enter into Supplemental Indenture, Number 3 dated as of June 1, 2022 (the “*Third Supplement*”) and together with the Master Indenture, the “*Indenture*”), which supplements the Master Indenture, pursuant to which the Corporation will execute and deliver its Limited Obligation Bond, Series 2022 (the “*2022 Bond*”); and

WHEREAS, the 2022 Bond will be sold to PNC Bank, National Association (the “*Purchaser*”) and the proceeds from the sale of the 2022 Bond will be remitted to the City to fund the advance by the Corporation to the City under the Third Amendment; and

WHEREAS, the principal amount of the 2022 Bond shall not exceed \$132,000,000; and

WHEREAS, the 2022 Bond will be a non-revolving, draw down, interest only variable rate bridge loans for a two year term (the “*Initial Term Period*”), after which, if not refunded, the 2022 Bond would convert to a term loan with equal monthly principal payments plus interest for a five year term (the “*Term Loan Period*”);

WHEREAS, the 2022 Bond is subject to prepayment prior to maturity and the City expects to prepay the 2022 Bond prior to the expiration of the Initial Term Period from the proceeds of additional bonds;

WHEREAS, the maturity of the installment payments shall not extend beyond 2029; and

WHEREAS, the 2022 Bond will bear interest (a) during the Initial Term Period at a rate of seven-day SIFMA plus 0.17% per annum, and (b) during the Term Loan Period at a rate of the Purchaser’s Base Rate (as defined in the Third Supplement) for the first 90 days and at the Purchaser’s Base Rate plus 2.00% on the 91st day and thereafter with a maximum interest rate of 22%; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for approval of the Third Amendment, the 2022 Bond and the planned financing is hereby approved under the provisions of Section 160A-20, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission.”

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

Auditor Wood made a motion to approve the following resolution:

**“RESOLUTION APPROVING THE FINANCING TEAM FOR THE CITY OF
DURHAM LIMITED OBLIGATION BOND, SERIES 2022**

WHEREAS, the City of Durham, North Carolina (the "City") has requested that the North Carolina Local Government Commission approve its selection of the following financing team members for the referenced financing:

Bond Counsel:	- Parker Poe Adams & Bernstein LLP
Financial Advisor:	- First Tryon Advisors
Lender:	- PNC Bank, National Association
Lender's Counsel	- Moore & Van Allen, PLLC
Trustee:	- U.S. Bank Trust Company, National Association

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

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

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

Auditor Wood made a motion to adopt the following resolution:

RESOLUTION APPROVING THE APPLICATION OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA FOR THE FINANCING OF A NEW FIRE STATION FOR SAID CITY THROUGH AN INSTALLMENT FINANCING AGREEMENT PURSUANT TO N.C.G.S. § 160A-20

WHEREAS, the City of Fayetteville, North Carolina (the "City") has determined that it is necessary and expedient to pay the costs of constructing and equipping a new fire station (the "Project"); and

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

WHEREAS, the aggregate principal amount of the Agreement shall not exceed \$10,500,000 with annual principal payments and semi-annual interest payments with a term of approximately twenty (20) years (final maturity not to exceed May 1, 2042) at a rate of 3.29% per annum, subject to adjustment as provided in the Agreement.

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

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

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

(i) that the Agreement is necessary and expedient for the City;

(ii) that the Agreement, under the circumstances, is preferable to a bond issue for the same purpose;

(iii) that the sums to fall due under the Agreement are adequate and not excessive for its proposed purpose;

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

(v) that the City is not in default in any of its debt service obligations; and

(vi) that the increase in taxes, if any, necessary to meet the sums to fall due under the Agreement will not be excessive;

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

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

Auditor Wood made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF GRAHAM FOR THE FINANCING OF CERTAIN CAPITAL IMPROVEMENTS THROUGH AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. §160A-20”

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended, the County of Graham, North Carolina (the “*County*”) has determined that it is in the best interests of the County to enter into an installment financing contract (the “*Contract*”) with United Community Bank (the “*Bank*”) in order to finance (1) the expansion and renovation of Robbinsville Middle School, (2) renovating a portion of the County’s Community Building to be used by the County’s Board of Elections, (3) the construction of the Recreation Department Building and Cemetery Grounds Building, (4) the purchase of excavator equipment (collectively, the “*Projects*”), and (5) certain costs related to the execution and delivery of the Contract;

WHEREAS, the principal amount to be advanced by the Bank to the County under the Contract will not exceed \$2,129,000;

WHEREAS, the County will repay the advance of the Contract in semi-annual payments of interest and annual payments of principal at an interest rate not to exceed 3.38% per annum;

WHEREAS, the final maturity date of the Contract may not extend beyond 2042;

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

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

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

- (1) the Contract is necessary and expedient for the County;
- (2) the Contract, under the circumstances, is preferable to a bond issue by the County for the same purposes;
- (3) the sums to fall due under the Contract are adequate and not excessive for its proposed purposes;
- (4) the County's debt management procedures and policies are good;
- (5) the increase in taxes, if any, necessary to meet the sums to fall due under the Contract will not be excessive; and
- (6) the County is not in default in any of its debt service obligations.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application for approval of the Contract and planned financing of the Projects is hereby approved under the provisions of Section 160A-20 of the General Statutes, as amended, Article 8 of Chapter 159 of the General Statutes, as amended, and relevant resolutions of the Commission."

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

Auditor Wood made a motion to approve the following resolution:

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

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

Bond Counsel:	- Parker Poe Adams & Bernstein LLP
Bank:	- United Community Bank
Bank's Counsel:	- McGuire Wood & Bissette, P.A.
Financial Advisor:	- Davenport & Company LLC

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

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

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

Auditor Wood made a motion to approve the following resolution:

"RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF JOHNSTON TO (A) FUND ALL OR A PORTION OF THE COSTS OF THE 2022 PROJECTS AND (B) PAY CERTAIN EXPENSES INCURRED IN CONNECTION WITH THE EXECUTION AND DELIVERY OF LIMITED

OBLIGATION BONDS THROUGH AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. §160A-20; AND AUTHORIZING THE EXECUTION AND DELIVERY BY THE JOHNSTON COUNTY FINANCE CORPORATION OF LIMITED OBLIGATION BONDS (COUNTY OF JOHNSTON, NORTH CAROLINA), SERIES 2022 RELATED THERETO IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$17,500,000.

WHEREAS, the County of Johnston (the "County") has determined that it is necessary and expedient to fund (a) all or a portion of the costs of (i) the acquisition, construction and equipping of one or more new buildings to be used as public safety facilities for Johnston County, including acquisition of necessary land and rights-of-way, (ii) any related improvements and (iii) any "preliminary expenditures" related to the foregoing (architectural, engineering, surveying, soil testing, reimbursement bond issuance and similar costs that are incurred prior to commencement of acquisition or construction, but excluding land acquisition, site preparation and similar costs incident to commencement of construction) (collectively, the "2022 Projects") and (b) certain expenses incurred in connection with the execution and delivery of the Series 2022 LOBs (as hereinafter defined);

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the County intends to finance the 2022 Projects through an Installment Financing Contract, dated as of July 1, 2020 (the "Original 2020 Contract") between the County and the Johnston County Finance Corporation (the "Corporation"), as amended by Amendment Number One to the Installment Financing Contract, dated as of June 1, 2022 (the "First Contract Amendment" and, as so amended by the First Contract Amendment, the "Contract") between the Corporation and the County, whereby the Corporation will advance moneys to the County pursuant to the First Contract Amendment in connection with the execution and delivery of the Series 2022 LOBs (as defined herein) for the purpose of financing the 2022 Projects, and the County, subject to its right of nonappropriation, shall repay the advancement with interest in installments;

WHEREAS, the Corporation will execute and deliver its Limited Obligation Bonds (County of Johnston, North Carolina), Series 2022 (the "Series 2022 LOBs") pursuant to the terms of an Indenture of Trust, dated as of July 1, 2020 (the "Original 2020 Indenture") between the Corporation and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee"), as supplemented and amended by Supplemental Indenture, Number 1, dated as of June 1, 2022 (the "First Supplement" and, as so supplemented and amended by the First Supplement, the "Indenture") between the Corporation and the Trustee;

WHEREAS, the Series 2022 LOBs are to be purchased by Webster Bank, National Association. (the "Bank Purchaser") through a direct bank loan; and the proceeds from the direct bank purchase of the Series 2022 LOBSs will be remitted directly by the Bank Purchaser to the Trustee to fund the advancement from the Corporation to the County under the First Contract Amendment;

WHEREAS, the principal amount of the advancement under the First Contract Amendment shall not exceed \$17,500,000;

WHEREAS, the final maturity of the installment payments under the First Contract Amendment shall not extend beyond December 31, 2042;

WHEREAS, the effective tax-exempt interest cost of the First Contract Amendment or the Series 2022 LOBs shall not exceed 3.36% per annum;

WHEREAS, the taxable interest rate under the First Contract Amendment or the Series 2022 LOBs shall not exceed 6.0% per annum;

WHEREAS, the default rate under the First Contract Amendment or the Series 2022 LOBs shall not exceed the tax-exempt rate or taxable rate, as then applicable, increased by 3.0% per annum;

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

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

- i) that the First Contract Amendment is necessary and expedient for the County;
- ii) that the First Contract Amendment, under the circumstances, is preferable to a bond issue by the County for the same purpose;
- iii) that the sums to fall due under the First Contract Amendment are adequate and not excessive for its proposed purpose;
- iv) that the County's debt management procedures and policies are good;
- v) that the increase in taxes, if any, necessary to meet the sums to fall due under the First Contract Amendment 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 First Contract Amendment, the Series 2022 LOBs and the planned financing and refinancing are hereby approved under the provisions of G.S. 160A-20, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission.

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

Auditor Wood made a motion to approve the following resolution:

**"RESOLUTION APPROVING THE FINANCING TEAM FOR THE
JOHNSTON COUNTY FINANCE CORPORATION LIMITED OBLIGATION BONDS
(COUNTY OF JOHNSTON, NORTH CAROLINA), SERIES 2022**

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

Special Counsel/Corporation Counsel:	Nexsen Pruet, PLLC
Purchaser:	Webster Bank, National Association
Purchaser's Counsel:	Gilmore & Bell, P.C.
Registrar/Trustee:	The Bank of New York Mellon Trust Company, N.A.
Financial Adviser:	Davenport & Company, LLC

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

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

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

Auditor Wood made a motion to approve the following resolution:

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

WHEREAS, pursuant to §160A-20 of the General Statutes of North Carolina, the Town intends to finance all or a portion of the costs of (a) various improvements to Civitan Park and (b) the Police Range Building (collectively, the "Projects") through an Installment Financing Agreement, dated as of June 16, 2022 (the "Agreement"), between the Town and Pinnacle Bank (the "Purchaser"), whereby the Purchaser will advance money to the Town for the purpose of financing the Projects and the foregoing related costs and improvements, and the Town, subject to its right of nonappropriation, will repay the advancement with interest in installments; and

WHEREAS, the aggregate principal amount of the advancement under the Agreement shall not exceed \$1,901,000; and

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

WHEREAS, the tax-exempt interest rate under the Agreement shall not exceed 2.56% per annum; and

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

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

that the Agreement is necessary and expedient for the Town;

that the Agreement, under the circumstances, is preferable to a bond issue by the Town for the same purpose;

that the sums to fall due under the Agreement are adequate and not excessive for its proposed purpose;

that the Town's debt management procedures and policies are good;

that the increase in taxes, if any, necessary to meet the sums to fall due under the Agreement will not be excessive; and

that the Town is not in default in any of its debt service obligations.

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

relevant resolutions of the Commission.

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

Auditor Wood made a motion to approve the following resolution:

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

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

Purchaser:	Pinnacle Bank
Purchaser's Counsel	Nexsen Pruet, PLLC
Town Attorney	Edward L. Powell, Esq.

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

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

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

Auditor Wood made a motion to adopt the following resolution:

"RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF NEW HANOVER FOR THE FINANCING OF VARIOUS CAPITAL IMPROVEMENTS, VEHICLES AND EQUIPMENT THROUGH AN AMENDMENT TO AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. § 160A-20"

WHEREAS, under Section 160A-20 of the General Statutes, the County of New Hanover, North Carolina (the "*County*") has previously entered into an Installment Financing Contract dated as of June 1, 2010 (the "*2010 Contract*"), between the County and the New Hanover Financing Corporation (the "*Corporation*"), as amended by Amendment Number One to the 2010 Contract dated as of September 1, 2012 (the "*First Amendment*"), Amendment Number Two to the 2010 Contract dated as of February 1, 2020 (the "*Second Amendment*") and Amendment Number Three to the 2010 Contract dated as of March 1, 2021 (the "*Third Amendment*"); and

WHEREAS, the County has determined that it is in the County's best interest to enter into Amendment Number Four to the 2010 Contract dated as of June 1, 2022 (the "*Fourth Amendment*") and together with the 2010 Contract, the First Amendment, the Second Amendment, and the Third Amendment, the "*Contract*"), between the County and Corporation in order to pay the capital costs of (1) the acquisition, construction, and development of Hanover Pines Nature Park, (2) water and sewer line and road improvements to Blue Clay Business Park, (3) renovations and improvements to parks and recreation facilities in the County, including Long Leaf Park, Veterans Park, Ogden Park, and

Northern Regional Park, (4) the purchase and installation of certain information technology and communications equipment, (5) the acquisition of various vehicles and equipment for general government purposes, including for schools, police, and fire rescue, and (6) other miscellaneous capital improvements for County purposes (collectively, the “2022 Projects”); and

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

WHEREAS, the Corporation will enter into an Supplemental Indenture, Number 4 dated as of June 1, 2022 (the “*Fourth Supplement*” and together with the Indenture of Trust Dated as of June 1, 2010, as previously supplemented, the “*Indenture*”) between the Corporation and U.S. Bank Trust Company, National Association, as trustee (the “*Trustee*”) and successor in interest to U.S. Bank National Association, pursuant to which the Corporation will execute and deliver its Limited Obligation Bonds, Series 2022 (the “*2022 Bonds*”); and

WHEREAS, the 2022 Bonds are to be underwritten by PNC Capital Markets LLC (the “*Underwriter*”), and the proceeds from the sale of the 2022 Bonds will be remitted by the Underwriter to the County to fund the advances by the Corporation to the County under the Contract; and

WHEREAS, the aggregate principal amount of 2022 Bonds shall not exceed \$18,500,000; and

WHEREAS, the maturity of the installment payments related to the 2022 Bonds shall not extend beyond 2042; and

WHEREAS, the interest rate shall not exceed 4.40%; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for approval of the Fourth Amendment, the 2022 Bonds and the planned financing are hereby approved under the provisions of Section 160A-20, Article 8 of Chapter 159 of the General Statutes and is hereby approved as required under the provisions of Section 159-196 of the General Statutes.”

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

Auditor Wood made a motion to approve the following resolution:

**“RESOLUTION APPROVING THE FINANCING TEAM FOR THE COUNTY OF
NEW HANOVER LIMITED OBLIGATION BONDS, SERIES 2022**

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

Bond Counsel:	- Parker Poe Adams & Bernstein LLP
Underwriter:	- PNC Capital Markets LLC
Underwriter’s Counsel:	- Holland & Knight LLP
Trustee:	- U.S. Bank Trust Company, National Association
Financial Advisor:	- First Tryon Advisors

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

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

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

Auditor Wood made a motion to adopt the following resolution:

**RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF
WILKES, NORTH CAROLINA FOR THE FINANCING OF THE
CONSTRUCTION, EQUIPPING AND FURNISHING OF A NEW EMERGENCY
SERVICES FACILITY THROUGH AN INSTALLMENT FINANCING
AGREEMENT PURSUANT TO G.S. 160A-20**

WHEREAS, the County of Wilkes, North Carolina (the “County”) has determined that it is necessary and expedient to pay the costs of constructing, equipping and furnishing a new emergency services facility for the County (the “Project”); and

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

WHEREAS, the aggregate principal amount of the Agreement shall not exceed \$9,710,000 with a term of approximately fifteen (15) years (final maturity not to exceed November 1, 2036) at a rate of 2.81% per annum (subject to adjustment as provided in the Agreement); 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 Agreement is necessary and expedient for the County;
- (ii) that the Agreement, under the circumstances, is preferable to a bond issue for the same purpose;
- (iii) that the sums to fall due under the Agreement are adequate and not excessive for its proposed purpose;
- (iv) that the County’s debt management procedures and policies are good;
- (v) that the County is not in default in any of its debt service obligations;
- (vi) that the increase in taxes, if any, necessary to meet the sums to fall due under the Agreement will not be excessive.

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

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

Auditor Wood made a motion to adopt the following resolution:

**“RESOLUTION APPROVING THE FINANCING TEAM FOR THE COUNTY OF
BRUNSWICK, NORTH CAROLINA GENERAL OBLIGATION PUBLIC
IMPROVEMENT BONDS”**

WHEREAS, the County of Brunswick, North Carolina (the “County”) has requested that the Local Government Commission of North Carolina (the “Commission”) approve their selection of the following financing team members for its upcoming general obligation bond issues:

Bond Counsel:	Parker Poe Adams & Bernstein LLP
Financial Advisor:	Davenport & Company LLC

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

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

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

Thereupon, Auditor Wood made a motion to approve the following resolution:

**“RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF
BRUNSWICK, NORTH CAROLINA FOR THE ISSUANCE OF NOT TO
EXCEED \$5,740,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT
BONDS (TWO-THIRDS)”**

WHEREAS, the County of Brunswick, North Carolina (the “County”) has applied to the Local Government Commission of North Carolina (the “Commission”), pursuant to the Local Government Bond Act, as amended, for approval of the issuance in an aggregate principal amount not to exceed \$5,740,000 of its General Obligation Public Improvement Bonds (the “Bonds”) for the purposes of financing the capital costs of constructing public facilities in the County, including, without limitation, a County building for public safety offices, emergency medical services, and services for senior citizens, as provided in the bond order related thereto to be adopted by the County on June 20, 2022;

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

(a) a Bond Resolution to be adopted by the Board of Commissioners of the County on June 20, 2022 authorizing the County to issue the Bonds and authorizing the form and the terms of the document described below; and

(b) a Preliminary Official Statement to be dated on or about June 30, 2022;

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

- (i) such proposed general obligation bond issues are necessary and expedient;
- (ii) the proposed amount of such general obligation bond issues is adequate and not excessive for the proposed purposes thereof;
- (iii) the County’s debt management procedures and policies are good;
- (iv) the increase in taxes, if any, necessary to service the general obligation bonds will not be excessive; and
- (v) the proposed general obligation bonds can be marketed at reasonable rates of interest.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application of the County for approval of the proposed Bonds in an aggregate principal amount not to exceed \$5,740,000 with a final maturity not to exceed August 1, 2032, for the purposes set forth therein, are hereby approved pursuant to the Local Government Bond Act, as amended.

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

Auditor Wood made a motion to approve the following resolution:

**RESOLUTION APPROVING INLIVIAN MULTIFAMILY NOTE
IN AN AMOUNT UP TO \$26,000,000 (THE "NOTE") FOR
FOREST PARK FAMILY APARTMENTS AND THE FINANCING
TEAM THEREFOR**

WHEREAS, INLIVIAN (the “Authority”) has decided to issue its Multifamily Note (the “Note”) to finance the acquisition, construction and equipping by Forest Park Family Apartments, LLC, a North Carolina limited liability company, or a related or affiliated entity (the “Borrower”), of a low income multifamily residential rental facility to be known as Forest Park Family Apartments, consisting of approximately 200 units, in the City of Charlotte, Mecklenburg County, North Carolina (the “Development”); and

WHEREAS, in order to finance the Development, the Authority proposes to issue the Note in an aggregate principal amount not to exceed \$26,000,000, pursuant to the Housing Authorities Law, Article 1 of Chapter 157 of the North Carolina General Statutes, as amended (the “Act”); and

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

WHEREAS, based upon the information and evidence received in connection with such application, including resolutions adopted by the Board of Commissioners of the Authority on May 17, 2022, it is hereby determined and found by the Commission:

- (a) that such proposed note issue is necessary or expedient;
- (b) that the proposed amount of such note issue is adequate and not excessive for the proposed purposes thereof;
- (c) that the Borrower has demonstrated that it is financially responsible and capable of fulfilling its obligations with respect to the Note and the Development;
- (d) that the Authority’s debt management procedures and policies are good and that it is not in material default with respect to any of its debt service obligations; and
- (e) the proposed date and manner of sale of the Note will not have an adverse effect upon any scheduled or anticipated sale of any obligations by the State of North Carolina or any political subdivision thereof or any agency of either of them; and

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

Bond Counsel:	McGuireWoods LLP
Authority’s Counsel:	The Banks Law Firm, P.A.
Fiscal Agent:	Truist Bank
Borrower:	Forest Park Family Apartments, LLC
Borrower’s Counsel:	Nelson Mullins Riley & Scarborough, LLP
Initial Funding Lender:	Bank of America, N.A.
Initial Funding Lender’s Counsel:	Tiber Hudson LLC
Permanent Lender:	Federal Home Loan Mortgage Corporation

Freddie Mac Seller/Servicer:	KeyBank National Association
Freddie Mac/Servicer's Counsel:	Ballard Spahr LLP
Tax Credit Investor:	Bank of America, N.A.
Tax Credit Investor's Counsel:	Holland & Knight LLP

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

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

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

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

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

(c) Regulatory Agreement and Declaration of Restrictive Covenants, from the Borrower for the benefit of the Authority and the Fiscal Agent.

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

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

Section 2. It is hereby determined, with the approval of the Authority and the Borrower that the Note shall be issued in an aggregate principal amount not to exceed \$26,000,000, shall initially bear interest at a variable rate, such rate not to exceed 12.0% per annum, and shall have a final maturity not later than December 31, 2041.

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

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

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

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

Auditor Wood made a motion to approve the following resolution:

RESOLUTION APPROVING INLIVIAN MULTIFAMILY NOTE IN AN AMOUNT UP TO \$16,000,000 (THE "NOTE") FOR JOHNSTON OEHLER SENIORS AND THE FINANCING TEAM THEREFOR

WHEREAS, INLIVIAN (the "Authority") has decided to issue its Multifamily Note (the "Note") to finance the acquisition, construction and equipping by JOS Apartments, LLC, a North Carolina limited liability company, or a related or affiliated entity (the "Borrower"), of a low income multifamily residential rental facility for seniors to be known as Johnston Oehler Seniors, consisting of approximately 140 units, in the City of Charlotte, Mecklenburg County, North Carolina (the "Development"); and

WHEREAS, in order to finance the Development, the Authority proposes to issue the Note in an aggregate principal amount not to exceed \$16,000,000, pursuant to the Housing Authorities Law, Article 1 of Chapter 157 of the North Carolina General Statutes, as amended (the "Act"); and

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

WHEREAS, based upon the information and evidence received in connection with such application, including resolutions adopted by the Board of Commissioners of the Authority on May 17, 2022, it is hereby determined and found by the Commission:

- (a) that such proposed note issue is necessary or expedient;
- (b) that the proposed amount of such note issue is adequate and not excessive for the proposed purposes thereof;
- (c) that the Borrower has demonstrated that it is financially responsible and capable of fulfilling its obligations with respect to the Note and the Development;
- (d) that the Authority's debt management procedures and policies are good and that it is not in material default with respect to any of its debt service obligations; and
- (e) the proposed date and manner of sale of the Note will not have an adverse effect upon any scheduled or anticipated sale of any obligations by the State of North Carolina or any political subdivision thereof or any agency of either of them; and

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

Bond Counsel:	McGuireWoods LLP
Authority's Counsel:	The Banks Law Firm, P.A.
Fiscal Agent:	U.S. Bank Trust Company, National Association

Fiscal Agent's Counsel:	Nexsen Pruet, PLLC
Borrower:	JOS Apartments, LLC
Borrower's Counsel:	The Brockmann Law Firm, P.C.
Initial Funding Lender:	Truist Bank
Initial Funding Lender's Counsel:	Holland & Knight LLP
Permanent Lender:	Federal Home Loan Mortgage Corporation
Freddie Mac Seller/Servicer:	Grandbridge Real Estate Capital, LLC
Freddie Mac/Servicer's Counsel:	Kutak Rock LLP
Tax Credit Investor:	Truist Community Capital
Tax Credit Investor's Counsel:	Nixon Peabody LLP

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

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

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

(a) Funding Loan Agreement, among the Authority, the Initial Funding Lender, and U.S. Bank Trust Company, National Association, as fiscal agent (the "Fiscal Agent"), providing for the issuance of the Note, together with the form of the Note;

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

(c) Regulatory Agreement and Declaration of Restrictive Covenants, from the Borrower for the benefit of the Authority and the Fiscal Agent.

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

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

Section 2. It is hereby determined, with the approval of the Authority and the Borrower that the Note shall be issued in an aggregate principal amount not to exceed \$16,000,000, shall initially bear interest at a variable rate, such rate not to exceed 12.0% per annum, and shall have a final maturity not later than December 31, 2041.

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

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

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

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

Auditor Wood made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE FINANCING TEAM FOR CLEVELAND COUNTY WATER REVENUE BONDS AND NOTES”

WHEREAS, Cleveland County Water (the “District”) has requested that the North Carolina Local Government Commission (the “Commission”) approve its selection of the following financing team members for its upcoming issue of a water revenue bond anticipation note and subsequent issue of water revenue bonds:

Bond Counsel:	Sanford Holshouser LLP
Purchaser of Bonds:	USDA/Rural Development
Purchaser of Note:	Truist Financial Corporation (Truist Bank)

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

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the above financing team is approved for the District’s proposed issue of water revenue bonds and notes.

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

Thereupon, Auditor Wood made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF CLEVELAND COUNTY WATER FOR THE ISSUANCE OF NOT TO EXCEED \$4,997,000 WATER REVENUE BONDS AND A LIKE AMOUNT OF WATER REVENUE BOND ANTICIPATION NOTES”

WHEREAS, Cleveland County Water (the “District”) has applied to the North Carolina Local Government Commission (the “Commission”), pursuant to The State and Local Government Revenue Bond Act, as amended, and Article 9 of Chapter 159 of the General Statutes of North Carolina, for approval of (a) the issuance of not to exceed \$4,997,000 water revenue bonds (the “Bonds”) to provide funds, together with any other available funds, to pay costs of acquisition, construction and general

carrying-out of certain improvements to the District's water system, particularly including the construction of a new operations center (the "Project") and to pay the expenses of issuing the Bonds, and (b) the issuance of a like amount of Water Revenue Bond Anticipation Notes (the "Notes") to provide interim financing for the Project; and

WHEREAS, the District may need to issue additional bond anticipation notes in anticipation of the issuance of the Bonds, in order to complete the construction of the Project before USDA will purchase the Bonds; and

WHEREAS, the District has furnished to the Commission a draft of a Bond Order proposed to be adopted by the District's Board of Commissioners on or about June 14, 2022 (the "Bond Order"), authorizing and securing the Bonds, along with other documents and information related to the financing and the security for the Bonds and Notes; and

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

- (i) that the proposed revenue bond issue, the note and any additional notes in anticipation of the issuance of the Bonds by the District is necessary and expedient;
- (ii) that the proposed amount of the revenue bond issue, the note and any additional notes in anticipation of the issuance of the Bonds is adequate and not excessive, when added to other monies available to the District, for the proposed purposes;
- (iii) that the proposed Project is feasible;
- (iv) that the District's debt management procedures and policies are good; and
- (v) that the proposed Bonds, Note and any additional Notes can be marketed at a reasonable interest cost to the District.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the District's application for approval of the proposed Bonds in an amount not to exceed \$4,997,000 and the issuance of the Notes in a like amount for the purposes set forth above is hereby approved pursuant to The State and Local Government Revenue Bond Act, as amended, and Article 9 of Chapter 159 of the General Statutes of North Carolina.

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

Auditor Wood made a motion to adopt the following resolution:

RESOLUTION APPROVING THE FINANCING TEAM FOR THE CITY OF GREENSBORO, NORTH CAROLINA COMBINED ENTERPRISE SYSTEM REVENUE BONDS, SERIES 2022

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 for the upcoming issuance of its Combined Enterprise System Revenue Bonds, Series 2022 (the "Bonds"):

Co-Bond Counsel:	Womble Bond Dickinson (US) LLP McKenzie & Associates
Underwriters:	PNC Capital Markets LLC Loop Capital Markets LLC
Underwriters' Counsel:	Robinson, Bradshaw & Hinson, P.A.
Trustee/Bond Registrar:	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 for the issuance of the Bonds.

Secretary Marshall seconded the motion and the foregoing resolution was adopted by unanimous vote of 8-0 (Recusal: Hoffmann).

Thereupon, Auditor Wood made a motion to adopt the following resolution:

RESOLUTION APPROVING THE APPLICATION OF THE CITY OF GREENSBORO, NORTH CAROLINA FOR THE ISSUANCE OF COMBINED ENTERPRISE SYSTEM REVENUE BONDS, SERIES 2022 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$96,000,000

WHEREAS, the City of Greensboro, North Carolina (the "City") has applied to the North Carolina Local Government Commission (the "Commission"), pursuant to The State and Local Government Revenue Bond Act, as amended, for approval of the issuance by the City of (a) Combined Enterprise System Revenue Bonds, Series 2022 (the "Series 2022 Bonds") for the purpose of providing funds, together with other available funds, to (i) refund all or a portion of the City's outstanding Combined Enterprise System Revenue Refunding Bonds, Series 2012A (the "Series 2012A Bonds"), (ii) refund the outstanding principal amount of the City of Greensboro, North Carolina Combined Enterprise System Revenue Bond Anticipation Note, Series 2020 (the "Series 2020 Note"), (iii) pay the costs of acquiring, constructing and equipping certain additional improvements to the City's water system and sanitary sewer system and (iv) pay the fees and expenses to be incurred in connection with the sale and issuance of the Series 2022 Bonds; and

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

(a) Trust Agreement, dated as of June 1, 1995, between the City and Branch Banking and Trust Company (succeeded by U.S. Bank Trust Company, National Association), as trustee (the "Trustee");

(b) Twenty-Third Supplemental Trust Agreement, to be dated as of June 1, 2022, between the City and the Trustee;

(c) Bond Purchase Agreement, to be dated as of the date of delivery thereof (the "Bond Purchase Agreement"), among the City, the Commission and PNC Capital Markets LLC and Loop Capital Markets LLC, as underwriters; and

(d) Preliminary Official Statement, dated as of the date of delivery thereof, relating to the offering and sale of the Bonds; and

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

(a) that such proposed Bonds are necessary and expedient;

1. (b) that the proposed amount of such proposed Bonds is adequate and not excessive for the proposed purposes thereof;

(c) that the proposed redemption of the Series 2020 Note and the refunding of all or a portion of the Series 2012A Bonds are feasible;

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

(e) that the proposed Bonds can be marketed at a reasonable interest cost to the City;

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application of the City of Greensboro, North Carolina for approval of the proposed Series 2022 Bonds in an aggregate principal amount not to exceed \$96,000,000 for the purposes set forth is hereby approved pursuant to The State and Local Government Revenue Bond Act, as amended.

Secretary Marshall seconded the motion and the foregoing resolution was adopted by unanimous vote of 8-0 (Recusal: Hoffmann).

Thereupon, Auditor Wood made a motion to adopt the following resolution:

RESOLUTION CONCERNING THE PRIVATE SALE OF THE CITY OF GREENSBORO, NORTH CAROLINA COMBINED ENTERPRISE SYSTEM REVENUE BONDS, SERIES 2022

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

WHEREAS, PNC Capital Markets LLC and Loop Capital Markets LLC (together, the "Underwriters") have offered to purchase from the City of Greensboro, North Carolina (the "City") its Combined Enterprise System Revenue Bonds, Series 2022 (the "Bonds") from the Commission upon the terms and conditions set forth below and in the form of a Bond Purchase Agreement relating thereto (the "Bond Purchase Agreement"); and

WHEREAS, the Commission has received a copy of the Preliminary Official Statement relating to the offering and sale of the Bonds; and

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

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

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

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

Section 1. The sale of the Bonds to the Underwriters at private sale without advertisement pursuant to an executed Bond Purchase Agreement substantially in the form furnished to the Commission is hereby approved, such sale being subject to the approval of the City and satisfaction of the conditions set forth below.

Section 2. The aggregate principal amount of the Bonds shall not exceed \$96,000,000 and the purchase price for the bonds shall be approved by the Designated Assistant on the date of the sale of the Bonds as set forth in the Bond Purchase Agreement.

Section 3. The Bonds shall bear interest at an effective interest cost of not to exceed 5.25%, all measures being defined as determined by the Commission.

Section 4. No maturity of the Bonds shall exceed June 1, 2052.

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

Section 6. The Secretary of the Commission, or any Deputy Secretary is hereby appointed the Designated Assistant of the Commission for the purpose of this resolution, and the Designated Assistant is hereby authorized and directed, within the terms and conditions of this resolution, to approve such changes to the Bond Purchase Agreement, including details of the Bonds, as shall be satisfactory to him or her, to approve the forms of other documents relating to the Bonds, to execute and deliver the Bond Purchase Agreement and such other documents on behalf of the Commission and to provide for the execution and delivery of the Bonds in accordance with the order of the City, the Trust Agreement and the Twenty-Third Supplemental Trust Agreement relating to the issuance of the Bonds and the Bond Purchase Agreement.

Section 7. The Preliminary Official Statement relating to the Bonds, substantially in the form of the Preliminary Official Statement furnished to the Commission, with such modifications therein as may have been approved by the Designated Assistant, and the use thereof in connection with the public offering and sale of the Bonds are hereby ratified, approved, and authorized. The Designated Assistant is hereby authorized and directed to deliver on behalf of the Commission the final Official Statement in such form.

Section 8. This resolution shall be effective immediately upon its adoption.

Secretary Marshall seconded the motion and the foregoing resolution was adopted by unanimous vote of 8-0 (Recusal: Hoffmann).

Auditor Wood made a motion to adopt the following resolution:

**RESOLUTION CONCERNING THE SALE OF MULTIFAMILY HOUSING
REVENUE BONDS OF THE NORTH CAROLINA HOUSING FINANCE
AGENCY IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING
\$37,515,000**

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

Section 1. The Commission does hereby find and determine that the North Carolina Housing Finance Agency (the “Agency”) has advised the Commission that it desires to issue revenue bonds for the purpose of (a) financing the acquisition, construction, improvement, equipping and furnishing of a multifamily housing development consisting of approximately 198-unit complex to be located at 320 North Avenue Extension in Kannapolis, North Carolina and (b) paying certain fees and expenses incurred in connection with the issuance and sale of the Bonds (hereinafter defined). The facilities to be financed with the proceeds of the Bonds are to be purchased by Pedcor Investments-2020-CLXXIX, L.P. (the “Borrower”), and managed by Pedcor Investments, A Limited Liability Company, its Manager, or an affiliate thereof.

Section 2. In connection with the authorization and issuance of the Bonds as hereinafter provided, the Agency has furnished to the Commission on the date hereof the following documents.

(1) Financing Agreement (the “Financing Agreement”), by and between the Agency, Pedcor Investments-2020-CLXXIX, L.P. the owner of the Project (the “Borrower”), Merchants Capital Corp. (the “Lender”) and United Fidelity Bank, fsb (the “Purchaser”), providing for the issuance of the “Multifamily Housing Revenue Bonds (South Emerson Hills Apartment Homes)” (the “Bonds”), including the forms of (i) of the Bonds, (ii) the bond note (the “Bond Note”), and (iii) the Construction Fund Agreement, each attached thereto;

(2) Regulatory Agreement and Declaration of Restrictive Covenants, between the Agency, the Borrower and the Purchaser (the “Regulatory Agreement”); and

(3) Bond Purchase Agreement, to be dated the date of delivery thereof among the Agency, the Local Government Commission of North Carolina, the Borrower and the Purchaser (the “Bond Purchase Agreement”).

Section 3. The Agency has requested approval of its selection of the following financing team members for the upcoming issuance of the Bonds:

Bond Counsel:	Womble Bond Dickinson (US) LLP
Lender:	Merchants Capital Corp.
Lender’s Counsel:	Dinsmore & Shohl LLP
Purchaser:	United Fidelity Bank, fsb
Purchaser’s Counsel:	Ice Miller LLP
Financial Advisor:	Caine Mitter & Associates Inc.
Borrower:	Pedcor Investments-2020-CLXXIX, L.P.
Borrower’s Counsel:	Pedcor Investments, LLC

Section 4. The sale of the Bonds in an aggregate principal amount not to exceed \$37,515,000 at a private sale pursuant to the executed Bond Purchase Agreement, which shall reflect the issuance of the Bonds herein approved is hereby approved. The Bonds are to be issued as a “draw down” bond, in which the principal amount of the Bonds will increase from time to time, not to exceed \$37,515,000, upon the delivery by the Purchaser of additional payments for the Bonds as provided in the Financing Agreement. To evidence its obligations under the Financing Agreement to repay the Bond Loan (as defined therein), the Borrower will execute the Bond Note and shall cause mortgage pass through certificates of the Government National Mortgage Association (“Ginnie Mae Certificates”) to be delivered to the Purchaser and shall deliver to the Agency the Subordinate Mortgage Note and Subordinate Mortgage (each as defined in the Financing Agreement) for assignment to the Purchaser.

Section 5. The Bonds shall not mature later than 43 years after their date of issuance and shall be in the principal amounts and bear interest at the rate or rates from the date thereof, all as may be set forth in the Bond Purchase Agreement. The Bonds shall bear interest at a variable interest rate computed as described in the Financing Agreement based on one-month LIBOR plus .75%, or a SOFR-based equivalent, with a floor of 3% and a cap of 6.69%.

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

Section 7. The Secretary of the Commission shall have the power to appoint such Designated Assistants for the purposes of this resolution as the Secretary shall deem necessary in order to carry out the purposes of this resolution.

Section 8. The issuance of the Bonds is hereby approved subject to the terms and conditions set forth in this resolution.

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

the foregoing resolution entitled **“RESOLUTION CONCERNING THE SALE OF MULTIFAMILY HOUSING REVENUE BONDS OF THE NORTH CAROLINA HOUSING FINANCE AGENCY IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$37,515,000”**.

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

Auditor Wood made a motion to adopt the following resolution:

RESOLUTION APPROVING THE FINANCING TEAM FOR THE NORTH CAROLINA MEDICAL CARE COMMISSION HEALTH CARE FACILITIES REVENUE REFUNDING BONDS (ECU HEALTH), SERIES 2022B AND NORTH CAROLINA MEDICAL CARE COMMISSION HEALTH CARE FACILITIES REVENUE REFUNDING BONDS (ECU HEALTH), SERIES 2022C

WHEREAS, the North Carolina Medical Care Commission (the “Medical Care Commission”) has requested that the North Carolina Local Government Commission (the “Commission”) approve the following financing team members for the upcoming issuance by the Medical Care Commission of its North Carolina Medical Care Commission Health Care Facilities Revenue Refunding Bonds (ECU Health), Series 2022B (the “2022B Bonds”) and North Carolina Medical Care Commission Health Care Facilities Revenue Refunding Bonds (ECU Health), Series 2022C (the “2022C Bonds” and, together with the 2022B Bonds, the “Bonds”):

Bond Counsel:	Womble Bond Dickinson (US) LLP
Purchaser:	Banc of America Public Capital Corp
Purchaser’s Counsel:	Mark E. Raymond, Esq.
Borrowers’ Counsel:	K&L Gates LLP
Bond Trustee/Master Trustee/ Tender Agent	U.S. Bank Trust Company, National Association

Trustee's Counsel:

McGuireWoods LLP

Financial Advisor:

Ponder & Co.

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

NOW, THEREFORE, BE IT RESOLVED by the Commission that the above financing team is hereby approved for the Bonds.

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

Thereupon, Auditor Wood made a motion to approve the following resolution:

RESOLUTION APPROVING THE ISSUANCE OF, AND AWARDING TO THE PURCHASER OF, THE NORTH CAROLINA MEDICAL CARE COMMISSION HEALTH CARE FACILITIES REVENUE REFUNDING BONDS (ECU HEALTH), SERIES 2022B AND NORTH CAROLINA MEDICAL CARE COMMISSION HEALTH CARE FACILITIES REVENUE REFUNDING BONDS (ECU HEALTH), SERIES 2022C

WHEREAS, the North Carolina Medical Care Commission (the "Medical Care Commission"), pursuant to the provisions of the Health Care Facilities Finance Act, the same being Chapter 131A of the General Statutes of North Carolina, as amended (the "Act"), proposes to authorize the issuance of the North Carolina Medical Care Commission Health Care Facilities Revenue Refunding Bonds (ECU Health), Series 2022B (the "2022B Bonds") to be issued pursuant to a Trust Agreement, to be dated as of June 1, 2022 (the "2022B Trust Agreement"), between the Medical Care Commission and U.S. Bank Trust Company, National Association, as bond trustee (the "Bond Trustee"), and the North Carolina Medical Care Commission Health Care Facilities Revenue Refunding Bonds (ECU Health), Series 2022C (the "2022C Bonds" and, together with the 2022B Bonds, the "Bonds") to be issued pursuant to a Trust Agreement, to be dated as of June 1, 2022 (the "2022C Trust Agreement" and, together with the 2022B Trust Agreement, the "Trust Agreements"), between the Medical Care Commission and the Bond Trustee, in an aggregate principal amount not to exceed \$149,080,000;

WHEREAS, the 2022B Bonds are to be issued by the Medical Care Commission for the purpose of providing funds, together with other available funds, to (a) refund all of the outstanding (i) North Carolina Medical Care Commission Health Care Facilities Revenue Refunding Bonds (Vidant Health), Series 2013A and (ii) North Carolina Medical Care Commission Health Care Facilities Revenue Refunding Bonds (Vidant Health), Series 2013B and (b) pay the fees and expenses incurred in connection with the sale and issuance of the 2022B Bonds;

WHEREAS, the 2022C Bonds are to be issued by the Medical Care Commission for the purpose of providing funds, together with other available funds, to (a) refund all of the outstanding North Carolina Medical Care Commission Health Care Facilities Revenue Bonds (University Health Systems of Eastern Carolina), Series 2011 and (b) pay the fees and expenses incurred in connection with the sale and issuance of the 2022C Bonds;

WHEREAS, the proceeds of the 2022B Bonds will be loaned by the Medical Care Commission to University Health Systems of Eastern Carolina, Inc. d/b/a ECU Health (the "Parent Corporation") and Pitt County Memorial Hospital, Incorporated d/b/a ECU Health Medical Center (the "Corporation") pursuant to a Loan Agreement, to be dated as of June 1, 2022 (the "2022B Loan Agreement"), between the Medical Care Commission, the Parent Corporation and the Corporation, and the proceeds of the 2022C Bonds will be loaned by the Medical Care Commission to the Parent

Corporation and Corporation pursuant to a Loan Agreement, to be dated as of June 1, 2022 (the “2022C Loan Agreement and, together with the 2022B Loan Agreement, the “Loan Agreements”), between the Medical Care Commission, the Parent Corporation and the Corporation;

WHEREAS, there have been submitted at this meeting proposed forms (a) a Contract of Purchase, to be dated as of the date of delivery thereof (the “2022B Contract of Purchase”), between Banc of America Public Capital Corp. (the “Purchaser”) and the Local Government Commission of North Carolina (the “Commission”), as approved by the Medical Care Commission and the Parent Corporation, whereby the Purchaser will offer to purchase the 2022B Bonds on the terms and conditions set forth therein and in the 2022B Trust Agreement and (b) a Contract of Purchase, to be dated as of the date of delivery thereof (the “2022C Contract of Purchase” and, together with the 2022B Contract of Purchase, the “Contracts of Purchase”), between the Purchaser and the Commission, as approved by the Medical Care Commission and the Parent Corporation, whereby the Purchaser will offer to purchase the 2022C Bonds on the terms and conditions set forth therein and in the 2022C Trust Agreement, and the Commission desires to approve the issuance of the Bonds and then accept such offers when made and approve the Contracts of Purchase; and

WHEREAS, there have been furnished to the Commission proposed forms of the following documents:

(a) the Trust Agreements;

(b) the Loan Agreements;

(c) the Contracts of Purchase;

(d) Supplemental Master Trust Indenture No. 34, to be dated as of June 1, 2022, between Parent Corporation, the Corporation and U.S. Bank Trust Company, National Association, as successor master trustee (the “Master Trustee”), supplementing the Master Trust Indenture (Amended and Restated), dated as of February 1, 2006 (as supplemented and amended from time to time, the “Master Indenture”), between the Parent Corporation, the Corporation and the Master Trustee, including the form of Master Obligation, Series 2022B, to be dated the date of delivery thereof, executed and delivered by the Parent Corporation to the Medical Care Commission to evidence and secure repayment of the loan made by the Medical Care Commission to the Parent Corporation and the Corporation pursuant to the 2022B Loan Agreement;

(e) Supplemental Master Trust Indenture No. 35, to be dated as of June 1, 2022, between the Parent Corporation, the Corporation and the Master Trustee, supplementing the Master Indenture, including the form of Master Obligation 2022B-1, to be dated as of the date of delivery thereof, issued by the Parent Corporation to the Purchaser to evidence and secure a taxable loan to be made by the Purchaser to the Parent Corporation and the Corporation in certain circumstances as provided in the 2022B Trust Agreement and to secure other payment obligations under the 2022B CCA (hereinafter defined);

(f) Supplemental Master Trust Indenture No. 36, to be dated as of June 1, 2022, between the Parent Corporation, the Corporation and the Master Trustee, supplementing the Master Indenture, including the form of Master Obligation, Series 2022C, to be dated the date of delivery thereof, executed and delivered by the Parent Corporation to the Medical Care Commission to evidence and secure repayment of the loan made by the Medical Care Commission to the Parent Corporation and the Corporation pursuant to the 2022C Loan Agreement;

(g) Supplemental Master Trust Indenture No. 37, to be dated as of June 1, 2022, between the Parent Corporation, the Corporation and the Master Trustee, supplementing the Master Indenture, including the form of Master Obligation 2022C-1, to be dated as of the date of delivery thereof, issued

by the Parent Corporation to the Purchaser to evidence and secure a taxable loan to be made by the Purchaser to the Parent Corporation and the Corporation in certain circumstances as provided in the 2022C Trust Agreement and to secure other payment obligations under the 2022C CCA (hereinafter defined);

(h) Continuing Covenant Agreement, to be dated as of June 15, 2022 (the “2022B CCA”), among the Parent Corporation, the Corporation and the Purchaser, relating to the 2022B Bonds; and

(i) Continuing Covenant Agreement, to be dated as of June 15, 2022 (the “2022C CCA”), among the Parent Corporation, the Corporation and the Purchaser, relating to the 2022C Bonds;

all as part of the application from the Medical Care Commission to the Commission requesting approval of the proposed issuance of the Bonds; and

WHEREAS, the Commission has found and determined based upon the information and evidence it has received that the proposed financing and refinancing will effectuate the purposes of the Act;

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

Section 1. The issuance of the Bonds by the Medical Care Commission as provided in the Trust Agreements is hereby approved.

Section 2. The 2022B Bonds and the 2022C Bonds shall be awarded to the Purchaser pursuant to the provisions of Section 131A-11 of the General Statutes of North Carolina, as amended, and in accordance with the Contracts of Purchase, subject to the approval of the Medical Care Commission and the Parent Corporation. The Commission hereby determines that such award and sale of the 2022B Bonds and the 2022C Bonds in the aggregate principal amount not to exceed \$149,080,000, at variable rates as described in the Trust Agreements with initial interest rates not to exceed 6.00% per annum; a final maturity not to exceed December 1, 2036 for the 2022B Bonds and a final maturity not to exceed December 1, 2040 for the 2022C Bonds, are in the best interests of the Medical Care Commission, the Parent Corporation and the Corporation and are hereby approved.

Section 3. The Bonds shall be issued in accordance with and pursuant to the terms and conditions of the Trust Agreements and the Contracts of Purchase, as applicable. Subject to the limitations in Sections 2 of this resolution, the Contracts of Purchase are hereby approved, and the Secretary of the Commission or any Deputy Secretary is hereby appointed the Designated Assistant of the Commission for the purpose of this resolution, and the Designated Assistant is hereby authorized and directed, within the terms and conditions of this resolution, to approve such changes to the Contracts of Purchase, including details of the Bonds, as shall be satisfactory to the Designated Assistant, to approve the forms of other documents relating to the Bonds, and to execute and deliver the Contracts of Purchase and such other documents that are required to be executed and delivered by the Commission on behalf of the Commission.

Section 4. This resolution shall take effect immediately upon its adoption.

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

Auditor Wood made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE REQUEST OF COUNTY OF JOHNSTON COUNTY NORTH CAROLINA, THIS PROJECT CONSISTS OF THE LAST THREE SECTIONS OF ASBESTOS CEMENT (AC) LINES IN THE COUNTY TOTALING

14,990 LINEAR FEET. THE PROJECT WILL REPLACE THE AC LINES WITH 16" DUCTILE IRON LINES AND ROUTE THEM OUT OF THE RAILROAD CONTROLLED ACCESS RIGHT OF WAY (ROW) AS MUCH AS POSSIBLE SECTION 1 IS 1,600 LINEAR FEET AND IS IN THE RAILROAD ROW AND CROSSES UNDER US 70 NEAR SELMA SECTIONS 2 AND 3 ARE BOTH IN THE CONTROLLED ACCESS ROW OF I-95 NEAR KENLY AND TOGETHER TOTAL 13,390 LINEAR FEET.

WHEREAS, the County of Johnston has determined that it is necessary and expedient to replace the over 40-year-old asbestos cement lines that are no longer allowed in water system construction having the AC lines in the system increases the potential hazard to water quality and requires additional testing.; and

WHEREAS, the County of Johnston has filed an application with the North Carolina Government Commission (the Commission) for approval of a water revolving loan in the amount not exceed \$6,289,100 with the term of twenty (20) years at the rate established under this program for respective loan, State or Federal, is not to exceed 4%; and

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

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

Auditor Wood made a motion to adopt the following resolution:

"RESOLUTION APPROVING THE FINANCING REQUEST OF THE TOWN OF SPINDALE, NORTH CAROLINA. THE PROPOSED PROJECT ABANDONMENT AND RELOCATION OF THE EXISTING OAK STREET PUMP STATION TO INCLUDE INSTALLATION OF A NEW 1,000 GPM TRIPLEX PUMP STATION (WITH THREE (3) 798 GPM SUBMERSIBLE PUMPS), A MECHANICAL BAR SCREEN, A NEW WETWELL, ELECTRICAL CONTROLS, AND ASSOCIATED PIPING, RELOCATION OF EXISTING 400 KW GENERATOR, AND REHABILITATION OF PUMP STATION BUILDING ROOF. ELECTRIC CONTROLS WILL BE LOCATED IN EXISTING BUILDING.

WHEREAS, the Town of Spindale, North Carolina (the "Town") has determined the project is necessary and expedient in that it will rebuild the 50-year-old Oak Street Pump Station originally constructed in 1969. The pump station handles approximately 41% of the flow in the Town and suffers from repeated and systemic pump failures, has structural deficiencies, represents an asset at the end of its service life, and poses a significant sanitary sewer overflow (SSO) risk; and

WHEREAS, the Town of Spindale submitted an application to the North Carolina Local Government Commission (the Commission) for approval of a Sewer Revolving Loan in the amount not exceed \$2,000,000 with the term of twenty (20) years at the rate established under this program for respective loan, State or Federal, is not to exceed 4%; and

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

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

Auditor Wood made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE FINANCING REQUEST OF THE TOWN OF WOODLAND, NORTH CAROLINA. THE PROPOSED PROJECT CONSISTS OF THE REPLACEMENT OF APPROXIMATELY 1,735 LINEAR FEET OF 6-INCH LINES VITRIFIED CLAY PIPE (VCP) WITH NEW 10-INCH PVC GRAVITY SEWER. THE 6-INCH LINE EXTENSION FROM MANHOLE 22 TO MANHOLE 21 WILL BE REPLACED WITH 10-INCH PVC SO AS TO MAINTAIN SIMILAR SIZE PIPING BETWEEN MANHOLE 28 AND PROPOSED MANHOLE 21A. THE PROJECT WILL ALSO REPLACE APPROXIMATELY 22 SEWER SERVICES AND ABANDON AND GROUT A GRAVITY SEWER LINE.

WHEREAS, the Town of Woodland, North Carolina (the “Town”) has it is necessary and expedient because it will enable the Town to curtail/abate sanitary sewer overflows, infiltration & inflow, manhole surcharges, pump station problems, breakdowns, and attendant and related problems and deficiencies ; and

WHEREAS, the Town of Woodland an application with the North Carolina Government Commission (the Commission) for approval of a Sewer Revolving Loan in the amount not exceed \$419,150 with the term of twenty (20) years at the rate established under this program for respective loan, State or Federal, is not to exceed 4%; and

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

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

MISCELLANEOUS – ACTION ITEMS:

Auditor Wood made a motion to approve the following:

The Town of Apex and the following fire departments have requested approval of an annexation payment schedules developed in accordance with G.S. 160A-31.1

Whereby the city will make a lump sum payment for the city’s proportionate share of outstanding debt as follows:

<u>Volunteer Fire Department</u>	<u>Effective Annexation Date</u>	<u>Payment Period</u>	<u>Reimbursement</u>
North Chatham Volunteer Rural Fire Protection District	3/23/2022	2022	1,004.17

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

Auditor Wood made a motion to adopt the following resolution:

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

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

Bond Counsel:	Sanford Holshouser LLP
Bond Purchaser:	Key Government Finance, Inc.
Purchaser’s Counsel:	Kutak Rock LLP
Financial Advisor:	Davenport & Company LLC

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

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

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

Thereupon, Auditor Wood made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE PRIVATE SALE OF COUNTY OF JACKSON GENERAL OBLIGATION BONDS IN THE MAXIMUM AMOUNT OF \$20,000,000”

WHEREAS, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina authorizes the North Carolina Local Government Commission (the “Commission”) to sell general obligation 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 or one or more persons designated by resolution of such governing board to approve such prices; and

WHEREAS, the Commission has approved at this meeting the issuance by County of Jackson, North Carolina (the “County”), of general obligation bonds in the maximum amount of \$20,000,000 (the “Bonds”); and

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

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

WHEREAS, the County and the Commission have received a copy of a proposal (the “Proposal”) dated May 2, 2022, from Key Government Finance, Inc. (the “Purchaser”), for the purchase of the Bond from the Commission; and

WHEREAS, the Commission desires to accept the Purchasers offer to purchase the Bond substantially in accordance with the Proposal and upon the terms and conditions set forth below.

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

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

Section 2. The Bond shall be issued in the form of a single fully registered bond, the aggregate principal amount of the Bond must not exceed \$20,000,000, and the purchase price for the Bond will be equal to the par amount of the Bond.

Section 3. The Bond shall bear interest at an annual interest rate not to exceed 3.228%, in the absence of default or a change in tax status,

Section 4. The final maturity of the Bond shall not exceed June 1, 2037.

Section 5. The Commission hereby determines that the sale of the Bond in the manner and for the price as provided in this resolution is in the best interest of the County, provided that such sale is approved by the County (which may include approval by one or more persons designated by resolution of the County Commissioners for such purpose).

Section 6. The Secretary of the Commission or any Deputy Secretary is hereby appointed the Designated Assistant of the Commission for the purpose of this resolution, and the Designated Assistant is hereby authorized and directed, within the terms and conditions of this resolution, to approve such changes to the details of the Bond as shall be satisfactory to him or her, to approve the forms of other documents relating to the Bond, to execute and deliver documents on behalf of the Commission and otherwise to provide for the execution and delivery of the Bond in accordance with this resolution, the resolution adopted by the County Commissioners, and the Proposal.

Section 7. This resolution takes effect immediately.

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

Auditor Wood made the motion to adopt the following resolution:

“RESOLUTION APPROVING THE TOWN OF LA GRANGE ENTERED INTO A FINANCING AGREEMENT WITH TRUIST BANK ON JULY 29, 2021 WITH AN ANNUAL PAYMENT DATE OF JUNE 29TH. THE TOWN IS REQUESTING THAT THE DATE BE MOVED FORWARD TO JULY 7TH TO ALIGN WITH SUBSEQUENT FISCAL YEAR FOR BUDGETARY CONSIDERATIONS. NO OTHER TERMS OF THE CONTRACT WOULD BE CHANGED.

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

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

Auditor Wood made a motion to approve the following:

The City of Mount Holly and the following fire departments have requested approval of an annexation payment schedules developed in accordance with G.S. 160A-31.1

Whereby the city will make a lump sum payment for the city’s proportionate share

of outstanding debt as follows:

<u>Volunteer Fire Department</u>	<u>Effective Annexation Date</u>	<u>Payment Period</u>	<u>Reimbursement</u>
East Gaston Volunteer FD	8/31/2019	2022	\$925.02
East Gaston Volunteer FD	8/31/2020	2022	\$1445.04
East Gaston Volunteer FD	9/30/2020	2022	\$774.16

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

Auditor Wood made a motion to approve the following:

**RESOLUTION APPROVING OF CITY OF WHITEVILLE, IS REQUESTING
APPROVAL OF AN INCREASE IN ADDITIONAL FUNDS TO STATE
REVOLVING LOAN.**

WHEREAS, City of Whiteville (the “City) requests an increase of \$1,728,672 for a total loan of \$4,687,486. The original loan was approved by the Local Government Commission on March 2,2021, for \$2,958,814; and

WHEREAS, the increase is due to construction bids received being higher than expected with increases in labor and construction cost. Citing supply chain issues, material shortages, increase cost for construction materials labor shortages in the building trades, increased wages/ benefits to attract skilled labor and higher fuel costs as major factors in the increase.; and

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

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

MISCELLANEOUS – NON-ACTION ITEMS:

The County of Stokes has negotiated a rate modification with Truist (Branch Bank & Trust) to its existing, privately held tax exempt installment purchase contract approved by the Commission on May 3,2022):

(Modification date) 3/30/2022

Original Date	Original Amount	New Amount	Previous Rate	New Rate	Interest Savings	Maturity Date
7/16/2015	\$10,000,000	\$5,910,714	2.89%	2.34%	\$131,815	2/4/2030

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

- 1) Five (5) resolutions adopting policies for the Town of East Laurinburg related to ARPA funds requirements,
(SEE EXHIBIT 1: five (5) EAST LAURINBURG Resolutions related to ARPA funds)
- 2) a resolution to accept a VUR grant for the Town of Eureka,
(SEE EXHIBIT 2: EUREKA Resolution)
- 3) a resolution to amend the budget ordinance for the Town of Spring Lake,
(SEE EXHIBIT 3: SPRING LAKE BUDGET ORDINANCE AMENDMENT)

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

Auditor Wood left the meeting at 3:25 p.m.

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

**SEE EXHIBIT 4: RESOLUTION APPROVING CONVEYANCE OF EAST LAURINBURG
PROPERTY**

Secretary Marshall seconded the motion which was adopted by unanimous vote of 8 – 0 (Absent: Wood).

Mr. Burns made the motion to adjourn. Ms. Hoffmann seconded the motion which passed by unanimous vote of 8 – 0 (Absent: Wood). The meeting adjourned at 3:38 p.m.

The next regularly scheduled meeting of the North Carolina Local Government Commission will be held on July 12, 2022 at 1:30 p.m.

* * * * *

I, Sharon Edmundson, Secretary of the North Carolina Local Government Commission, CERTIFY that the foregoing is a true and correct account of actions taken at a meeting of the North Carolina Local Government Commission duly called and held on June 7, 2022.

WITNESS my hand at Raleigh, this 7th day of June 2022.

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

DST POLICIES AND PROCEDURES

APPENDIX A

Board Member Statement of Conflict of Interest and Recusal Form

Nancy J Hoffmann

Board Member Name

Local Government Commission

Name of Board

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

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

City of Greensboro \$135,000,000 G.O. Bonds for various city projects, and City of Greensboro \$96,000,000 Enterprise System Revenue Refunding Bonds

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

☐ financial benefit³
☒ employment or association⁶ conflict

☐ other conflict

☐ familial relationship⁴ (including members of extended family⁵) conflict

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

The conflict being described as: _____

a conflict of interest due to my position as a member of the Greensboro City Council

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

Nancy J. Hoffmann **

Signature

June 7, 2022

Date

Signature: Nancy J. Hoffmann

Nancy J. Hoffmann (Jun 17, 2022 09:10 EDT)

Email: nancyjhoffmann@gmail.com

**signature was originally on page 2 of Adobe Sign document

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

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

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

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

DST Reference:

OST-PRO-1002-MUL

Page 8 of 8

Title:

Boards and Commissions Administration Procedure

Chapter:

Compliance

Current Effective Date:

September 22, 2021



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

RESOLUTION ADOPTING A POLICY FOR ALLOWABLE COSTS
AND COST PRINCIPLES FOR EXPENDITURE OF AMERICAN RESCUE PLAN ACT
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS
FOR THE TOWN OF EAST LAURINBURG

WHEREAS, the Local Government Commission (the "Commission") assumed control of the financial affairs of the Town of East Laurinburg (the "Town") on November 2, 2021; and

WHEREAS, pursuant to North Carolina General Statute 159-181(c), when the Commission takes such action, the Commission is vested with all of the powers of the governing board as to the levy of taxes, expenditure of money, adoption of budgets, and all other financial powers conferred upon the governing board by law; and

WHEREAS, the Town has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

WHEREAS, the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

WHEREAS, the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Sect. 200 (UG), as provided in the [Assistance Listing](#); and

WHEREAS, the [Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds](#) provides, in relevant part:

Allowable Costs/Cost Principles. As outlined in the Uniform Guidance at 2 CFR Part 200, Subpart E regarding Cost Principles, allowable costs are based on the premise that a recipient is responsible for the effective administration of Federal awards, application of sound management practices, and administration of Federal funds in a manner consistent with the program objectives and terms and conditions of the award. Recipients must implement robust internal controls and effective monitoring to ensure compliance with the Cost Principles, which are important for building trust and accountability.

ARP/CSLFRF Funds may be, but are not required to be, used along with other funding sources for a given project. Note that ARP/CSLFRF Funds may not be used for a non-Federal cost share or match where prohibited by other Federal programs, e.g., funds may not be used for the State share for Medicaid.

Treasury's Interim Final Rule and guidance and the Uniform Guidance outline the types of costs that are allowable, including certain audit costs. For example, per 2 CFR 200.425, a reasonably proportionate share of the costs of audits required by the Single Audit Act Amendments of 1996 are allowable; however, costs for audits that were not performed in accordance with 2 CFR Part 200, Subpart F are not allowable. Please see 2 CFR Part 200, Subpart E regarding the Cost Principles for more information.

- a. Administrative costs: Recipients may use funds for administering the SLFRF program, including costs of consultants to support effective management and oversight, including consultation for ensuring compliance with legal, regulatory, and other requirements. Further, costs must be reasonable and allocable as outlined in 2 CFR 200.404 and 2 CFR 200.405. Pursuant to the ARP/CSLFRF Award Terms and Conditions, recipients are permitted to charge both direct and indirect costs to their SLFRF award as administrative costs. Direct costs are those that are identified specifically as costs of implementing the ARP/CSLFRF program objectives, such as contract support, materials, and supplies for a project. Indirect costs are general overhead costs of an organization where a portion of such costs are allocable to the ARP/CSLFRF award such as the cost of facilities or administrative functions like a director's office. Each category of cost should be treated consistently in like circumstances as direct or indirect, and recipients may not charge the same administrative costs to

both direct and indirect cost categories, or to other programs. If a recipient has a current Negotiated Indirect Costs Rate Agreement (NICRA) established with a Federal cognizant agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals, then the recipient may use its current NICRA. Alternatively, if the recipient does not have a NICRA, the recipient may elect to use the de minimis rate of 10 percent of the modified total direct costs pursuant to 2 CFR 200.414(f).

- b. Salaries and Expenses: In general, certain employees' wages, salaries, and covered benefits are an eligible use of ARP/CSLFRF award funds; and

WHEREAS, Subpart E of the UG dictates allowable costs and cost principles for expenditure of ARP/CSLFRF funds; and

WHEREAS, Subpart E of the UG (specifically, 200.400) states that:

The application of these cost principles is based on the fundamental premises that:

- (a) The non-Federal entity is responsible for the efficient and effective administration of the Federal award through the application of sound management practices.
- (b) The non-Federal entity assumes responsibility for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the Federal award.
- (c) The non-Federal entity, in recognition of its own unique combination of staff, facilities, and experience, has the primary responsibility for employing whatever form of sound organization and management techniques may be necessary in order to assure proper and efficient administration of the Federal award.
- (d) The application of these cost principles should require no significant changes in the internal accounting policies and practices of the non-Federal entity. However, the accounting practices of the non-Federal entity must be consistent with these cost principles and support the accumulation of costs as required by the principles, and must provide for adequate documentation to support costs charged to the Federal award.
- (e) In reviewing, negotiating and approving cost allocation plans or indirect cost proposals, the cognizant agency for indirect costs should generally assure that the non-Federal entity is applying these cost accounting principles on a consistent basis during their review and negotiation of indirect cost proposals. Where wide variations exist in the treatment of a given cost item by the non-Federal entity, the reasonableness and equity of such treatments should be fully considered.

- (f) For non-Federal entities that educate and engage students in research, the dual role of students as both trainees and employees (including pre- and post-doctoral staff) contributing to the completion of Federal awards for research must be recognized in the application of these principles.
- (g) The non-Federal entity may not earn or keep any profit resulting from Federal financial assistance, unless explicitly authorized by the terms and conditions of the Federal award;

NOW THEREFORE, BE IT RESOLVED, that the Commission, acting as the governing board for financial matters for the Town of East Laurinburg pursuant to the authority recited herein, hereby adopts and enacts the following UG Allowable Costs and Cost Principles Policy for the expenditure of ARP/CSLFRF funds.

Town of East Laurinburg Allowable Costs and Costs Principles Policy

I. ALLOWABLE COSTS AND COSTS PRINCIPLES POLICY OVERVIEW

Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, commonly called Uniform Guidance (UG), specifically Subpart E, defines those items of cost that are allowable, and which are unallowable. The tests of allowability under these principles are: (a) the costs must be reasonable; (b) they must be allocable to eligible projects under the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); (c) they must be given consistent treatment through application of those generally accepted accounting principles appropriate to the circumstances; and (d) they must conform to any limitations or exclusions set forth in these principles or in the ARP/CSLFRF grant award as to types or amounts of cost items. Unallowable items fall into two categories: expenses which are by their nature unallowable (e.g., alcohol), and unallowable activities (e.g., fund raising). Commission staff, acting on behalf of the Town, shall adhere to all applicable cost principles governing the use of federal grants. This policy addresses the proper classification of both direct and indirect charges to ARP/CSLFRF funded projects and enacts procedures to ensure that proposed and actual expenditures are consistent with the ARP/CSLFRF grant award terms and all applicable federal regulations in the UG.

Responsibility for following these guidelines lies with Commission staff, acting on behalf of the Town, who are charged with the administration and financial oversight of the ARP/CSLFRF. Further, all local government employees and officials who are involved in obligating, administering, expending, or monitoring ARP/CSLFRF grant funded projects should be well versed with the categories of costs that are generally allowable and unallowable. Questions on the allowability of costs should be directed to the Secretary of the

Commission. As questions on allowability of certain costs may require interpretation and judgment, local government personnel are encouraged to ask for assistance in making those determinations.

II. GENERAL COST ALLOWABILITY CRITERIA

All costs expended using ARP/CSLFRF funds must meet the following general criteria:

1. **Be necessary and reasonable for the proper and efficient performance and administration of the grant program.**

A cost must be *necessary* to achieve a project object. When determining whether a cost is necessary, consideration may be given to:

- Whether the cost is needed for the proper and efficient performance of the grant project.
- Whether the cost is identified in the approved project budget or application.
- Whether the cost aligns with identified needs based on results and findings from a needs assessment.
- Whether the cost addresses project goals and objectives and is based on program data.

A cost is *reasonable* if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, reasonable means that sound business practices were followed, and purchases were comparable to market prices. When determining reasonableness of a cost, consideration must be given to:

- Whether the cost is a type generally recognized as ordinary and necessary for the operation of the Town or the proper and efficient performance of the federal award.
- The restraints or requirements imposed by factors, such as: sound business practices; arm's-length bargaining; federal, state, and other laws and regulations; and terms and conditions of the ARP/CSLFRF award.
- Market prices for comparable goods or services for the geographic area.
- Whether individuals concerned acted with prudence in the circumstances considering their responsibilities to the Town, its employees, the public at large, and the federal government.

- Whether the Town significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the ARP/CSLFRF award's cost.

2. **Be allocable to the ARP/CSLFRF federal award.** A cost is allocable to the ARP/CSLFRF award if the goods or services involved are chargeable or assignable to the ARP/CSLFRF award in accordance with the relative benefit received. This means that the ARP/CSLFRF grant program derived a benefit in proportion to the funds charged to the program. *For example, if 50 percent of a local government program officer's salary is paid with grant funds, then the local government must document that the program officer spent at least 50 percent of his/her time on the grant program.*

If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit. If a cost benefits two or more projects or activities in proportions that cannot be determined because of the interrelationship of the work involved, then the costs may be allocated or transferred to benefitted projects on any reasonable documented basis. Where the purchase of equipment or other capital asset is specifically authorized by the ARP/CSLFRF, the costs are assignable to the Federal award regardless of the use that may be made of the equipment or other capital asset involved when no longer needed for the purpose for which it was originally required.

3. **Be authorized and not prohibited under state or local laws or regulations.**
4. **Conform to any limitations or exclusions set forth in the principles, federal laws, ARP/CSLFRF award terms, and other governing regulations as to types or amounts of cost items.**
5. **Be consistent with policies, regulations, and procedures that apply uniformly to both the ARP/CSLFRF federal award and other activities of the Town.**
6. **Be accorded consistent treatment.** A cost MAY NOT be assigned to a federal award as a direct cost and also be charged to a federal award as an indirect cost. And a cost must be treated consistently for both federal award and non-federal award expenditures.
7. **Be determined in accordance with generally accepted accounting principles (GAAP), unless provided otherwise in the UGG.**
8. **Be net of all applicable credits.** The term "applicable credits" refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are purchase

discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to and received by the local government related to the federal award, they shall be credited to the ARP/CSLFRF award, either as a cost reduction or a cash refund, as appropriate and consistent with the award terms.

9. Be adequately documented.

III. SELECTED ITEMS OF COST

The UGG examines the allowability of fifty-five (55) specific cost items (commonly referred to as Selected Items of Cost) at 2 CFR § 200.420-.475.

Commission staff, acting on behalf of the Town, responsible for determining cost allowability must be familiar with the Selected Items of Cost. The Town must follow the applicable regulations when charging these specific expenditures to the ARP/CSLFRF grant. Commission staff, acting on behalf of the Town, will check costs against the selected items of cost requirements to ensure the cost is allowable and that all process and documentation requirements are followed. In addition, State laws, Town regulations, and program-specific rules may deem a cost as unallowable, and Commission staff, acting on behalf of the Town, must follow those non-federal rules as well.

Exhibit A identifies and summarizes the Selected Items of Cost.

IV. DIRECT AND INDIRECT COSTS

Allowable and allocable costs must be appropriately classified as direct or indirect charges. It is essential that each item of cost be treated consistently in like circumstances either as a direct or an indirect cost.

Direct costs are expenses that are specifically associated with a particular ARP/CSLFRF-eligible project and that can be directly assigned to such activities relatively easily with a high degree of accuracy. Common examples of direct costs include salary and fringe benefits of personnel directly involved in undertaking an eligible project, equipment and supplies for the project, subcontracted service provider, or other materials consumed or expended in the performance of a grant-eligible project.

Indirect costs are (1) costs incurred for a common or joint purpose benefitting more than one ARP/CSLFRF-eligible project, and (2) not readily assignable to the project specifically benefited, without effort disproportionate to the results achieved. They are expenses that

Exhibit 1

benefit more than one project or even more than one federal grant. Common examples of indirect costs include utilities, local telephone charges, shared office supplies, administrative or secretarial salaries.

For indirect costs, the Town may charge a 10 percent de minimis rate of modified total direct costs (MTDC). According to UGG Section 200.68 MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance the subawards under the award). MTDC EXCLUDES equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000.

V. SPECIAL PROVISIONS FOR STATE AND LOCAL GOVERNMENTS

There are some special provisions of the UG that apply only to states, local governments, and Indian Tribes.

§ 200.444 General costs of government.

(a) For states, local governments, and Indian Tribes, the general costs of government are unallowable (except as provided in [§ 200.475](#)). Unallowable costs include:

- (1) Salaries and expenses of the Office of the Governor of a [state](#) or the chief executive of a [local government](#) or the chief executive of an [Indian tribe](#);
- (2) Salaries and other expenses of a [state](#) legislature, tribal council, or similar local governmental body, such as a county supervisor, city council, school board, etc., whether incurred for purposes of legislation or executive direction;
- (3) Costs of the judicial branch of a government;
- (4) Costs of prosecutorial activities unless treated as a direct cost to a specific program if authorized by statute or regulation (however, this does not preclude the allowability of other legal activities of the Attorney General as described in [§ 200.435](#)); and
- (5) Costs of other general types of government services normally provided to the general public, such as fire and police, unless provided for as a direct cost under a program statute or regulation.

(b) For [Indian tribes](#) and Councils of Governments (COGs) (see definition for *Local government* in [§ 200.1](#) of this part), up to 50% of salaries and expenses directly attributable to managing and operating [Federal programs](#) by the chief executive and his or her staff can be included in the indirect cost calculation without documentation.

§ 200.416 Cost allocation plans and indirect cost proposals.

(a) For states, local governments and Indian tribes, certain services, such as motor pools, computer centers, purchasing, accounting, etc., are provided to operating agencies on a centralized basis. Since Federal awards are performed within the individual operating agencies, there needs to be a process whereby these central service costs can be identified and assigned to benefitted activities on a reasonable and consistent basis. The central service cost allocation plan provides that process.

(b) Individual operating agencies (governmental department or agency), normally charge Federal awards for indirect costs through an indirect cost rate. A separate indirect cost rate(s) proposal for each operating agency is usually necessary to claim indirect costs under Federal awards. Indirect costs include:

(1) The indirect costs originating in each department or agency of the governmental unit carrying out Federal awards and

(2) The costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

(c) The requirements for development and submission of cost allocation plans (for central service costs and public assistance programs) and indirect cost rate proposals are contained in appendices V, VI and VII to this part.

§ 200.417 Interagency service.

The cost of services provided by one agency to another within the governmental unit may include allowable direct costs of the service plus a pro-rated share of indirect costs. A standard indirect cost allowance equal to ten percent of the direct salary and wage cost of providing the service (excluding overtime, shift premiums, and fringe benefits) may be used in lieu of determining the actual indirect costs of the service. These services do not include centralized services included in central service cost allocation plans as described in Appendix V to Part 200.

V. COST ALLOWABILITY REVIEW PROCESS

Preapproval Cost Allowability Review

Before an ARP/CSLFRF-funded project is authorized, Commission staff, acting on behalf of the Town, must review the proposed cost items within an estimated project budget to determine whether they are allowable and allocable and whether cost items will be charged as direct or indirect expenses. This review will occur concurrently with the review of project eligibility and *before* obligating or expending any ARP/CSLFRF funds.

- Local government personnel must submit proposed ARP/CSLFRF projects to Commission staff, acting on behalf of the Town for review. In addition to other required information, all proposed project submissions must delineate estimated costs by cost item.
- Along with a general review of project eligibility and conformance with other governing board management directives, Commission staff, acting on behalf of the Town, must review estimated costs for specific allowable cost requirements, budget parameters, indirect rates, fringe benefit rates, and those activities/costs that require pre-approval by the US Treasury. Reference: Resolution Adopting an Eligible Project Policy for the Expenditure of American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds for the Town of East Laurinburg.
- If a proposed project includes a request for an unallowable cost, the Commission staff, acting on behalf of the Town, will return the proposal to the requesting party for review and, if practicable, resubmission with corrected cost items.
- Once a proposed project budget is pre-approved by Commission staff, acting on behalf of the Town, the local government personnel responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget.

Post-expenditure Cost Allowability Review

Once an expenditure is incurred related to an eligible project, and an invoice or other demand for payment is submitted to the local government, the Commission staff, acting on behalf of the Town, must perform a second review to ensure that actual expenditures comprise allowable costs.

- All invoices or other demands for payment must include a breakdown by cost item. The cost items should mirror those presented in the proposed budget for the project. If an invoice or other demand for payment does not include a breakdown by cost item, the Commission staff, acting on behalf of the Town, will return the invoice to the project manager and/or vendor, contractor, or subrecipient for correction.
- The Commission staff, acting on behalf of the Town, must review the individual cost items listed on the invoice or other demand for payment to determine their allowability and allocability.
- If all cost items are deemed allowable and properly allocable, the Commission staff, acting on behalf of the Town, must proceed through the local government's normal disbursement process.

- If any cost item is deemed unallowable, the Commission staff, acting on behalf of the Town, will notify the project management and/or vendor, contractor, or subrecipient that a portion of the invoice or other demand for payment will not be paid with ARP/CSLFRF funds. The Commission staff, acting on behalf of the Town may in their discretion, and consistent with this policy, allow an invoice or other demand for payment to be resubmitted with a revised cost allocation. If the local government remains legally obligated by contract or otherwise to pay the disallowed cost item, it must identify other local government funds to cover the disbursement. The Commission, acting on behalf of the Town's governing board, must approve any allocation of other funds for this purpose.
- The Commission staff, acting on behalf of the Town, must retain appropriate documentation of budgeted cost items per project and actual obligations and expenditures of cost items per project.

VII. COST TRANSFERS

Any costs charged to the ARP/CSLFRF federal award that do not meet the allowable cost criteria must be removed from the award account and charged to an account that does not require adherence to federal UGG or other applicable guidelines.

Failure to adequately follow this policy and related procedures could result in questioned costs, audit findings, potential repayment of disallowed costs and discontinuance of funding. I, Sharon G. Edmundson, Secretary of the North Carolina Local Government Commission, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the resolution adopted by the North Carolina Local Government Commission at its meeting held on June 7, 2022.

WITNESS my hand this 7th day of June 2022.



Sharon G. Edmundson, Secretary
North Carolina Local Government Commission

EXHIBIT A

Selected Items of Cost	Uniform Guidance General Reference	Allowability
Advertising and public relations costs	2 CFR § 200.421	Allowable with restrictions
Advisory councils	2 CFR § 200.422	Allowable with restrictions
Alcoholic beverages	2 CFR § 200.423	Unallowable
Alumni/ae activities	2 CFR § 200.424	Not specifically addressed
Audit services	2 CFR § 200.425	Allowable with restrictions
Bad debts	2 CFR § 200.426	Unallowable
Bonding costs	2 CFR § 200.427	Allowable with restrictions
Collection of improper payments	2 CFR § 200.428	Allowable
Commencement and convocation costs	2 CFR § 200.429	Not specifically addressed
Compensation – personal services	2 CFR § 200.430	Allowable with restrictions; Special conditions apply (e.g., § 200.430(i)(5))
Compensation – fringe benefits	2 CFR § 200.431	Allowable with restrictions
Conferences	2 CFR § 200.432	Allowable with restrictions
Contingency provisions	2 CFR § 200.433	Unallowable with exceptions
Contributions and donations	2 CFR § 200.434	Unallowable (made by non-federal entity); not reimbursable but value may be used as cost sharing or matching (made to non-federal entity)

POLICY FOR ALLOWABLE COSTS AND COST PRINCIPLES FOR EXPENDITURE OF ARPA FUNDS
TOWN OF EAST LAURINBURG
JUNE 7, 2022
PAGE 13

Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements	2 CFR § 200.435	Allowable with restrictions
Depreciation	2 CFR § 200.436	Allowable with qualifications
Employee health and welfare costs	2 CFR § 200.437	Allowable with restrictions
Entertainment costs	2 CFR § 200.438	Unallowable with exceptions
Equipment and other capital expenditures	2 CFR § 200.439	Allowability based on specific requirement
Exchange rates	2 CFR § 200.440	Allowable with restrictions
Fines, penalties, damages and other settlements	2 CFR § 200.441	Unallowable with exceptions
Fund raising and investment management costs	2 CFR § 200.442	Unallowable with exceptions
Gains and losses on disposition of depreciable assets	2 CFR § 200.443	Allowable with restrictions
General costs of government	2 CFR § 200.444	Unallowable with exceptions
Goods and services for personal use	2 CFR § 200.445	Unallowable (goods/services); allowable (housing) with restrictions
Idle facilities and idle capacity	2 CFR § 200.446	Idle facilities - unallowable with exceptions; Idle capacity - allowable with restrictions
Insurance and indemnification	2 CFR § 200.447	Allowable with restrictions
Intellectual property	2 CFR § 200.448	Allowable with restrictions
Interest	2 CFR § 200.449	Allowable with restrictions
Lobbying	2 CFR § 200.450	Unallowable
Losses on other awards or	2 CFR § 200.451	Unallowable (however, they

Exhibit 1

POLICY FOR ALLOWABLE COSTS AND COST PRINCIPLES FOR EXPENDITURE OF ARPA FUNDS
TOWN OF EAST LAURINBURG
JUNE 7, 2022
PAGE 14

contracts		are required to be included in the indirect cost rate base for allocation of indirect costs)
Maintenance and repair costs	2 CFR § 200.452	Allowable with restrictions
Materials and supplies costs, including costs of computing devices	2 CFR § 200.453	Allowable with restrictions
Memberships, subscriptions, and professional activity costs	2 CFR § 200.454	Allowable with restrictions; unallowable for lobbying organizations
Organization costs	2 CFR § 200.455	Unallowable except federal prior approval
Participant support costs	2 CFR § 200.456	Allowable with prior approval of the federal awarding agency
Plant and security costs	2 CFR § 200.457	Allowable; capital expenditures are subject to § 200.439
Pre-award costs	2 CFR § 200.458	Allowable if consistent with other allowabilities and with prior approval of the federal awarding agency
Professional services costs	2 CFR § 200.459	Allowable with restrictions
Proposal costs	2 CFR § 200.460	Allowable with restrictions
Publication and printing costs	2 CFR § 200.461	Allowable with restrictions
Rearrangement and reconversion costs	2 CFR § 200.462	Allowable (ordinary and normal)
Recruiting costs	2 CFR § 200.463	Allowable with restrictions
Relocation costs of employees	2 CFR § 200.464	Allowable with restrictions
Rental costs of real property and equipment	2 CFR § 200.465	Allowable with restrictions

Exhibit 1

POLICY FOR ALLOWABLE COSTS AND COST PRINCIPLES FOR EXPENDITURE OF ARPA FUNDS
TOWN OF EAST LAURINBURG
JUNE 7, 2022
PAGE 15

Scholarships and student aid costs	2 CFR § 200.466	Not specifically addressed
Selling and marketing costs	2 CFR § 200.467	Unallowable with exceptions
Specialized service facilities	2 CFR § 200.468	Allowable with restrictions
Student activity costs	2 CFR § 200.469	Unallowable unless specifically provided for in the federal award
Taxes (including Value Added Tax)	2 CFR § 200.470	Allowable with restrictions
Termination costs	2 CFR § 200.471	Allowable with restrictions
Training and education costs	2 CFR § 200.472	Allowable for employee development
Transportation costs	2 CFR § 200.473	Allowable with restrictions
Travel costs	2 CFR § 200.474	Allowable with restrictions
Trustees	2 CFR § 200.475	Not specifically addressed



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

A handwritten signature in cursive script, reading "Dale R. Folwell, CPA".

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

RESOLUTION ADOPTING AN ELIGIBLE PROJECT POLICY FOR THE EXPENDITURE
OF AMERICAN RESCUE PLAN ACT OF 2021 CORONAVIRUS STATE AND LOCAL
FISCAL RECOVERY FUNDS FOR THE TOWN OF EAST LAURINBURG

WHEREAS, the Local Government Commission (the "Commission") assumed control of the financial affairs of the Town of East Laurinburg (the "Town") on November 2, 2021; and

WHEREAS, pursuant to North Carolina General Statute 159-181(c), when the Commission takes such action, the Commission is vested with all of the powers of the governing board as to the levy of taxes, expenditure of money, adoption of budgets, and all other financial powers conferred upon the governing board by law; and

WHEREAS, the Town, has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

WHEREAS, US Treasury is responsible for implementing ARP/CSLFRF and has enacted a Final Rule outlining eligible projects; and

WHEREAS, the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet; and

WHEREAS, the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Part 200 (UG), as provided in the [Assistance Listing](#); and

WHEREAS, US Treasury has issued a [Compliance and Reporting Guidance v.2.1 \(November 15, 2021\)](#) dictating implementation of the ARP/CSLFRF award terms and compliance requirements; and

WHEREAS, the Compliance and Reporting Guidance states on page 6 that

Per 2 CFR Part 200.303, your organization must develop and implement effective internal controls to ensure that funding decisions under the SLFRF award constitute eligible uses of funds, and document determinations.

NOW THEREFORE, BE IT RESOLVED, that the Commission, acting as the governing board for financial matters for the Town of East Laurinburg pursuant to the authority recited herein, hereby adopts and enacts the following Eligibility Determination Policy for ARP/CSLFRF funds.

Eligibility Determination Policy for American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds

This policy defines the permissible and prohibited uses of the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF) funds. It also outlines the procedures for determining how the Town will spend its ARP/CSLFRF funds.

I. PERMISSIBLE USES OF ARP/CSLFRF FUNDING

US Treasury issued its [Final Rule](#) regarding use of ARPA funds on January 6, 2022. (The Final Rule is effective as of April 1, 2022. Until that date, a local government may proceed under the regulation promulgated by US Department of the Treasury in its [Interim Final Rule](#) or the Final Rule.) The Final Rule (and the Interim Final Rule) identify permissible uses of ARP/CSLFRF funds and certain limitations and process requirements. Local governments must allocate ARP/CSLFRF funds no later than December 31, 2024 and disburse all funding no later than December 31, 2026. Failure of an entity to expend all funds by December 31, 2026 will result in forfeiture of ARPA funds.

ARP/CSLFRF funds may be used for projects within the following categories of expenditures:

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;

2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet; and

II. PROHIBITED USES OF ARPA FUNDING

The ARP/CSLFRF and US Treasury's Final Rule prohibit certain uses of ARP/CSLFRF funds. Specifically, ARP/CSLFRF funds may not be used for projects within the following categories of expenditures:

1. To make a deposit into a pension fund that constitutes an extraordinary payment of an accrued, unfunded liability (Note that routine contributions as part of a payroll obligation for an eligible project are allowed.);
2. To borrow money or make debt service payments;
3. To replenish rainy day funds or fund other financial reserves;
4. To satisfy an obligation arising from a settlement agreement, judgment, consent decree, or judicially confirmed debt restricting in a judicial, administrative, or regulatory proceeding (There is an exception to this prohibition if the settlement or judgment requires the Town to provide services to respond to the COVID-19 public health emergency or its negative economic impacts or to provide government services, then the costs of those otherwise ARP/CSLFRF-eligible projects are allowed.);
5. For a project that includes a term or condition that undermines efforts to stop the spread of COVID-19 or discourages compliance with recommendations and guidelines in CDC guidance for stopping the spread of COVID-19;
6. In violation of the conflict-of-interest requirements imposed by the award terms and 2 CFR 200.318(c).
7. For any expenditure that would violate other applicable federal, state, and local laws and regulations.

The Town, and any of its contractors or subrecipients, may not expend any ARP/CSLFRF funds for these purposes.

III. PROCEDURES FOR PROJECT APPROVAL

The following are procedures for ARP/CSLFRF project approvals. All Town employees and officials must comply with these requirements.

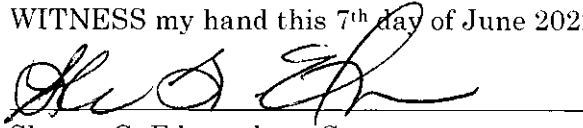
1. Requests for ARP/CSLFRF funding, must be made in writing and include all the following:
 - a. Brief description of the project
 - b. Identification of ARP/CSLFRF Expenditure Category (EC) (A list of ECs is in the Appendix to the [US Treasury Compliance and Reporting Guidance](#).)
 - c. Required justifications for applicable projects, according to the requirements in the Final Rule. Employees or any applicant seeking ARPA funding should review the [Final Rule](#) and [Final Rule Overview](#) prior to submitting a proposal.
 - d. Proposed budget, broken down by cost item, in accordance with the Town's Allowable Cost Policy.
 - e. A project implementation plan and estimated implementation timeline (All ARP/CSLFRF funds must be fully obligated by December 31, 2024, and fully expended by December 31, 2026.)
2. Requests for funding must be submitted to the Secretary of the Commission for approval. All requests will be reviewed by the Secretary of the Commission for ARP/CSLFRF compliance and by the Secretary of the Commission for allowable costs and other financial review.
3. No ARP/CSLFRF may be obligated or expended before final written approval by the Secretary of the Commission. Board approval and budget amendments will be required before approval.
4. If a proposal does not meet the required criteria, it will be returned to the requesting party for revision and resubmittal.
5. Following approval, employees responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget. Changes in project budgets must be approved by the Secretary of the Commission and may require a budget amendment before proceeding. Any delay in the projected project completion date shall be communicated to the Secretary of the Commission immediately.
6. The Secretary of the Commission must collect and document required information for each EC, for purposes of completing the required Project and Expenditure reports.
7. The Secretary of the Commission must maintain written project requests and approvals, all supporting documentation, and financial information at least until December 31, 2031.

I, Sharon G. Edmundson, Secretary of the North Carolina Local Government Commission, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the resolution adopted by the North Carolina Local Government Commission at its meeting held on June 7, 2022.

Exhibit 1

ELIGIBLE PROJECT POLICY FOR THE EXPENDITURE OF ARPA FUNDS
TOWN OF EAST LAURINBURG
JUNE 7, 2022
PAGE 5

WITNESS my hand this 7th day of June 2022.

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

Sharon G. Edmundson, Secretary
North Carolina Local Government Commission



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

A handwritten signature in blue ink that reads "Dale R. Folwell, CPA".

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

RESOLUTION ADOPTING A RECORDS RETENTION POLICY FOR
DOCUMENTS CREATED OR MAINTAINED PURSUANT TO THE ARP/CSLFRF
AWARD FOR THE TOWN OF EAST LAURINBURG

WHEREAS, the Local Government Commission (the "Commission") assumed control of the financial affairs of the Town of East Laurinburg (the "Town") on November 2, 2021; and

WHEREAS, pursuant to North Carolina General Statute 159-181(c), when the Commission takes such action, the Commission is vested with all of the powers of the governing board as to the levy of taxes, expenditure of money, adoption of budgets, and all other financial powers conferred upon the governing board by law; and

WHEREAS, the Coronavirus Local Fiscal Recovery Funds ("CSLFRF") [Award Terms and Conditions](#) and the [Compliance and Reporting Guidance](#) set forth the U.S. Department of Treasury's ("Treasury") record retention requirements for the ARP/CSLFRF award; and

WHEREAS, it is the policy of the Town to follow Treasury's record retention requirements as it expends CSLFRF pursuant to the APR/CSLFRF award;

NOW THEREFORE, BE IT RESOLVED, that the Commission, acting as the governing board for financial matters for the Town of East Laurinburg pursuant to the authority recited herein, hereby adopts and enacts the following Records Retention Policy for Documents Created or Maintained Pursuant to the ARP/CSLFRF Award.

Specifically, the Commission, acting on behalf of the Town, agrees to and directs Commission staff to comply with the following:

- Retain all financial and programmatic records related to the use and expenditure of CSLFRF pursuant to the ARP/CSLFRF award for a period of five (5) years after all CLFRF funds have been expended or returned to Treasury, whichever is later.
- Retain records for real property and equipment acquired with CSLFRF for five years after final disposition.
- Ensure that the financial and programmatic records retained sufficiently evidence compliance with section 603(c) of the Social Security Act "ARPA," Treasury's

regulations implementing that section, and guidance issued by Treasury regarding the foregoing.

- Allow the Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, the right of timely and unrestricted access to any records for the purpose of audits or other investigations.
- If any litigation, claim, or audit is started before the expiration of the 5-year period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved.

Covered Records: For purposes of this policy, records are information, regardless of physical form or characteristics, that are created, received, or retained that evidence the Town's expenditure of CSLFRF funds on eligible projects, programs, or activities pursuant to the ARP/CSLFRF award.

Records that shall be retained pursuant to this policy include, but are not limited to, the following:

- Financial statements and accounting records evidencing expenditures of CSLFRF for eligible projects, programs, or activities.
- Documentation of rationale to support a particular expenditure of CSLFRF (e.g., expenditure constitutes a general government service);
- Documentation of administrative costs charged to the ARP/CSLFRF award;
- Procurement documents evidencing the significant history of a procurement, including, at a minimum, the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for contract cost or price;
- Subaward agreements and documentation of subrecipient monitoring;
- Documentation evidencing compliance with the Uniform Guidance property management standards set forth in 2 C.F.R. §§ 200.310-316 and 200.329;
- Personnel and payroll records for full-time and part-time employees compensated with CSLFRF, including time and effort reports; and
- Indirect cost rate proposals

Storage: the Town's records must be stored in a safe, secure, and accessible manner. Wherever practicable, such records should be collected, transmitted, and stored in open and machine-readable formats.

Departmental Responsibilities: Any department or unit of the Town, and its employees, who are responsible for creating or maintaining the covered documents in this policy shall comply with the terms of this policy. Failure to do so may subject the Town to civil and/or

criminal liability. Any employee who fails to comply with the record retention requirements set forth herein may be subject to disciplinary sanctions, including suspension or termination.

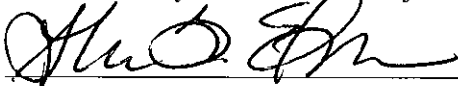
The Secretary of the Commission is responsible for identifying the documents that the Town must or should retain and arrange for the proper storage and retrieval of records. The Secretary of the Commission shall also ensure that all personnel subject to the terms of this policy are aware of the record retention requirements set forth herein.

Reporting Policy Violations: The Town is committed to enforcing this policy as it applies to all forms of records. Any employee that suspects the terms of this policy have been violated shall report the incident immediately to that employee's supervisor. If an employee is not comfortable bringing the matter up with the supervisor, the employee may bring the matter to the attention of the Secretary of the Commission. The Town prohibits, any form of discipline, reprisal, intimidation, or retaliation for reporting incidents of inappropriate conduct of any kind, pursuing any record destruction claim, or cooperating in related investigations.

Questions About the Policy: Any questions about this policy should be referred to the Secretary of the Commission, 919-814-4300, who is in charge of administering, enforcing, and updating this policy.

I, Sharon G. Edmundson, Secretary of the North Carolina Local Government Commission, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the resolution adopted by the North Carolina Local Government Commission at its meeting held on June 7, 2022.

WITNESS my hand this 7th day of June 2022.



Sharon G. Edmundson, Secretary
North Carolina Local Government Commission



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

RESOLUTION ADOPTING A NONDISCRIMINATION POLICY FOR THE TOWN OF EAST LAURINBURG

WHEREAS, the Local Government Commission (the "Commission") assumed control of the financial affairs of the Town of East Laurinburg (the "Town") on November 2, 2021; and

WHEREAS, pursuant to North Carolina General Statute 159-181(c), when the Commission takes such action, the Commission is vested with all of the powers of the governing board as to the levy of taxes, expenditure of money, adoption of budgets, and all other financial powers conferred upon the governing board by law; and

WHEREAS, the Town has received an allocation of funds from the "Coronavirus State Fiscal Recovery Fund" or "Coronavirus Local Fiscal Recovery Fund" (together "CSLFRF funds"), established pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (the "ARP/CSLFRF award"); and

WHEREAS, CSLFRF funds are subject to the U.S. Department of Treasury ("Treasury") regulations, including the Final Rule, the Award Terms and Conditions, and the Title VII implementing regulations at 31 C.F.R. Part 22; and

WHEREAS, pursuant to the ARP/CSLFRF Award Terms and Conditions, and as a condition of receiving CSLFRF funds, the Town agrees to follow all federal statutes and regulations prohibiting discrimination in its administration of CSLFRF under the terms and conditions of the ARP/CSLFRF award, including, without limitation, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin within programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;

- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

NOW THEREFORE, BE IT RESOLVED, that the Commission, acting as the governing board for financial matters for the Town pursuant to the authority recited herein, hereby adopts and enacts the following nondiscrimination policy, which shall apply to the operations of any program, activity, or facility that is supported in whole, or in part, by expenditures CSLFRF pursuant to the ARP/CSLFRF award.

Nondiscrimination Policy Statement

It is the policy of the Town, to ensure that no person shall, on the ground of race, color, national origin (including limited English Proficiency), familial status, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity administered by the Town, including programs or activities that are funded in whole or part, with Coronavirus State and Local Fiscal Recovery Funds ("CSLFRF"), which the Town received from the U.S. Department of Treasury ("Treasury") pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (herein the "ARP/CSLFRF award").

I. Governing Statutory & Regulatory Authorities

As required by the CSLFRF [Award Terms and Conditions](#), the Town shall ensure that each "activity," "facility," or "program"¹ that is funded in whole, or in part, with CSLFRF and administered under the ARP/CSLFRF award, will be facilitated, operated, or conducted in compliance with the following federal statutes and federal regulations prohibiting discrimination. These include, but are not limited to, the following:

¹ 22 C.F.R. § 22.3 defines "program" and "activity" as all operations of an entity, including local governments, that receive Federal financial assistance, and the departments, agencies, or special purpose districts of the local governments to which Federal financial assistance is distributed. "Federal financial assistance" includes, among other things, grants and loans of federal funds. "Facility" includes all or any part of structures, equipment, or other real or personal property or interests therein, and the provision of facilities includes the construction, expansion, renovation, remodeling, alteration, or acquisition of facilities.

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age within programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

II. Discriminatory Practices Prohibited in the Administration of the ARP/CSLFRF Award

To ensure compliance with Title VII of the Civil Rights Act of 1964, and Title 31 Code of Federal Regulations, Part 22, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities, the Town shall prohibit, at a minimum, the following practices in its administration of CSLFRF pursuant to the ARP/CSLFRF award:

1. Denying to a person any service, financial aid, or other program benefit without good cause;
2. Providing to a person any service, financial aid, or another benefit which is different in quantity or quality, or is provided in a different manner, from that provided to others under the program.
3. Subjecting a person to segregation or separate treatment in any matter related to the receipt of any service, financial aid, or other benefit under the program;
4. Restricting a person in the enjoyment of any advantages, privileges, or other benefits enjoyed by others receiving any service, financial aid, or other benefit under the program;
5. Treating a person differently from others in determining whether that person satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet to be provided any service, financial aid, or other benefit provided under the program;

6. Implementing different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual, or other integral activities to the program;
7. Adopting methods of administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination;
8. Selecting a site or location of facilities with the purpose or effect of excluding persons from, denying them the benefits of, subjecting them to discrimination, or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of Title VI or related acts and regulations;
9. Discriminating against any person, either directly or through a contractual agreement, in any employment resulting from the program, a primary objective of which is to provide employment;
10. Committing acts of intimidation or retaliation, including threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because an individual made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing.

III. Reporting & Enforcement

1. The Commission staff, acting on behalf of the Town, shall cooperate in any enforcement or compliance review activities by the Department of the Treasury. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The Commission staff, acting on behalf of the Town, shall comply with information requests, on-site compliance reviews, and reporting requirements.
2. The Commission staff, acting on behalf of the Town, shall maintain a complaint log and inform the Treasury of any complaints of discrimination on the grounds of race, color, or national origin (including limited English proficiency) covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, whether pending or completed, including the outcome. The Commission staff, acting on behalf of the Town shall inform the Treasury if it has received no complaints under Title VI.
3. Any person who believes they have been aggrieved by a discriminatory practice under Title VI has a right to file a formal complaint with the Treasury. Any such complaint must be in writing and filed with the Treasury's Title VI Coordinator

NONDISCRIMINATION POLICY
TOWN OF EAST LAURINBURG
JUNE 7, 2022
PAGE 5

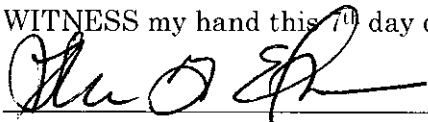
within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.

4. Any person who believes that because of that person's race, color, national origin, limited English proficiency, familial status, sex, age, religion, or disability that he/she/they have been discriminated against or unfairly treated by the Town or the Commission staff, acting on behalf of the Town, in violation of this policy should contact the following office within 180 days from the date of the alleged discriminatory occurrence:

The Secretary of the Commission, 919-814-4300

I, Sharon G. Edmundson, Secretary of the North Carolina Local Government Commission, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the resolution adopted by the North Carolina Local Government Commission at its meeting held on June 7, 2022.

WITNESS my hand this 7th day of June 2022.



Sharon G. Edmundson, Secretary
North Carolina Local Government Commission



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

A handwritten signature in cursive script, reading "Dale R. Folwell, CPA".

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

**RESOLUTION ADOPTING FINANCIAL MANAGEMENT AND INTERNAL CONTROLS
POLICIES FOR THE TOWN OF EAST LAURINBURG**

WHEREAS, the Local Government Commission (the "Commission") assumed control of the financial affairs of the Town of East Laurinburg (the "Town") on November 2, 2021; and

WHEREAS, pursuant to North Carolina General Statute 159-181(c), when the Commission takes such action, the Commission is vested with all of the powers of the governing board as to the levy of taxes, expenditure of money, adoption of budgets, and all other financial powers conferred upon the governing board by law; and

WHEREAS, the Town has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

WHEREAS, it is the policy of the Town to follow federal requirements related to financial management and internal controls;

NOW THEREFORE, BE IT RESOLVED, that the Commission, acting as the governing board for financial matters for the Town of East Laurinburg pursuant to the authority recited herein, hereby adopts and enacts the following financial management and internal controls policy:

Town of East Laurinburg Financial Management and Internal Controls Policy

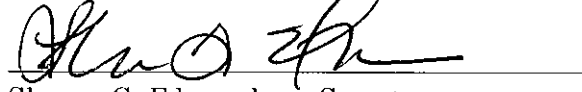
The Commission, acting on behalf of the Town, agrees to and directs Commission staff to comply with the following financial management and internal controls requirements related to funds associated with the ARP/CSLFRF award:

- Current Internal Controls and Financial Management Practices of the Town of East Laurinburg (Exhibit A)
- 2 CFR 200.302 Financial management
- 2 CFR 200.303 Internal controls
- All other applicable federal laws and regulations

FINANCIAL MANAGEMENT AND INTERNAL CONTROLS POLICY RELATED TO ARP/CSLFRF AWARD
TOWN OF EAST LAURINBURG
JUNE 7, 2022
PAGE 2

I, Sharon G. Edmundson, Secretary of the North Carolina Local Government Commission,
DO HEREBY CERTIFY that the foregoing is a true and correct copy of the resolution adopted
by the North Carolina Local Government Commission at its meeting held on June 7, 2022.

WITNESS my hand this 7th day of June 2022.

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

Sharon G. Edmundson, Secretary
North Carolina Local Government Commission

Exhibit A: Current Internal Controls and Financial Management Practices of the Town of East Laurinburg

Cash Receipts Process

- When the daily mail delivery arrives, the office manager takes note and make deposits to the bank on a daily basis.
- A copy of the deposit slip and bank confirmation is forwarded to the Finance Officer (FO) and Deputy finance officers (DFO).
- The deposits are entered manually in the check and deposit registry book by the DFO and input into the computer system by the FO.
- Reconciliation of cash receipts to the bank statement is done monthly by the FO and DFO.

Cash Disbursement Process

- Invoices come in through mail or vendor visit; the office manager takes invoices.
- Office manager verifies that the invoice is correct and valid.
- Office manager scans invoice to FO and DFO.
- FO looks over available cash balance, unit's budget, and approves invoices.
- DFO writes out checks and mails them. Two signatures are on each check – FO and DFO.
- A copy of the check and invoice are given to the FO to enter information into the computer system.
- Checks are recorded in the check and deposit registry book manual.
- Reconciliation of the checks to the bank statement is done monthly by the FO and DFO.

Financial Management Practices

- All transactions are entered into QuickBooks after the fact, by the FO. Interim data is available monthly.
- The budgetary compliance is tracked using the data from QuickBooks.
- ARPA dollars are being tracked in QuickBooks by the FO as well as in a spreadsheet by the DFO, designed specifically for that purpose.
- Funds are deposited daily into the Town's operating bank account. This account is identified as public funds and appropriately insured and collateralized as required. There are no funds held outside the operating account other than the Powell Bill bank account, which holds only those grant funds received twice a year from the State of NC. It also is identified as public funds and appropriately insured and collateralized as required.



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

RESOLUTION BY THE TOWN OF EUREKA ACCEPTING A
STATE RESERVE GRANT FROM THE VIABLE UTILITY RESERVE

WHEREAS, the North Carolina General Statutes Chapter 159G has created Viable Utility grants to assist eligible units of government with meeting their water infrastructure needs; and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Reserve Grant in the amount of \$150,000 to perform viable utility studies; and

WHEREAS, the Town of Eureka (the "Town") intends to perform said project in accordance with the agreed scope of work; and

WHEREAS, the Local Government Commission (the Commission) impounded the books and assumed full control of all financial affairs of the Town pursuant to Section 159-181(c) of the North Carolina General Statutes (N.C.G.S.);

NOW, THEREFORE, BE IT RESOLVED BY THE LOCAL GOVERNMENT COMMISSION ACTING ON BEHALF OF THE TOWN OF EUREKA:

That the Town does hereby accept the State Reserve Grant offer of \$150,000.

That the Town does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Manasa Cooper, Finance Officer, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 7th day of June 2022 at Raleigh, North Carolina.

Sharon G. Edmundson, Secretary
North Carolina Local Government Commission

NORTH CAROLINA
DEPARTMENT OF STATE TREASURER



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

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

**SPRING LAKE
BUDGET AMENDMENT
FISCAL YEAR ENDING JUNE 30, 2022
PRESENTED FOR ADOPTION ON JUNE 7, 2022**

BE IT ORDAINED BY THE by the North Carolina Local Government Commission acting in place of the Board of Aldermen of Spring Lake, North Carolina pursuant to General Statute 159-181(c), that the following amendment to the budget ordinance for the fiscal year ending June 30, 2022 is hereby adopted as stated:

Section 1. The budget for the General Fund is amended to include the following changes:

Revenues

Local Option Sales Tax	\$230,761 Increase
------------------------	--------------------

Appropriations

Interfund transfers out	\$230,761 Increase
-------------------------	--------------------

Section 2. The budget for the Fire Station #2 Capital Project Fund is amended to include the following changes:

Revenues

Reimbursement from NCDOT	\$ 19,144 Increase
--------------------------	--------------------

Transfer from Gen Fund	\$230,761 Increase
------------------------	--------------------

Appropriations

Capital Outlay – Building	\$249,905 Increase
---------------------------	--------------------

Fire Station #2 loan from South River EMC is \$1,000,000. A Purchase Order for this contract was not encumbered. Additionally, change orders were made to the contract which were not approved by the Board nor were funds appropriated for the amended contract. NCDOT requested the driveway to be extended to the NCDOT road. NCDOT will reimburse the Town \$19,144. Remaining shortfall is covered by a Transfer from General Fund \$230,761.



LOCAL GOVERNMENT COMMISSION
STATE AND LOCAL GOVERNMENT
FINANCE DIVISION

SHARON EDMUNDSON
DEPUTY TREASURER

I, Sharon Edmundson, Secretary of the North Carolina Local Government Commission, **CERTIFY** that the foregoing is a true and correct copy of the budget ordinance amendment adopted at a meeting of the North Carolina Local Government Commission duly called and held on June 7, 2022.

WITNESS my hand at Raleigh, this 7th day of June 2022,

Sharon Edmundson, Secretary
North Carolina Local Government Commission



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

RESOLUTION CONVEYING PROPERTY AND ADDRESSING OTHER
MATTERS RELATED TO THE DISSOLUTION OF THE CHARTER OF
EAST LAURINBURG

WHEREAS, the North Carolina General Assembly enacted Chapter 224 of the Private Laws of 1903, amended by Chapter 221 of the Private Laws of 1909, and further amended by Chapter 155 of the Private Laws of 1925, to incorporate the Town of East Laurinburg (the "Town"); and

WHEREAS, the North Carolina General Assembly enacted Session Law 2021-124, entitled in part "AN ACT TO PROVIDE ADDITIONAL TOOLS FOR THE LOCAL GOVERNMENT COMMISSION TO ASSIST LOCAL GOVERNMENT UNITS AVOID AND CORRECT FISCAL DISTRESS" (the "Act"); and

WHEREAS, Section 6 of the Act amended Chapter 160A of the North Carolina General Statutes ("N.C.G.S.") by adding a new Article 32, providing "Transitions for Unsustainable Cities"; and

WHEREAS, the Local Government Commission (the "Commission") adopted "Criteria for Evaluating a City for Financial Rehabilitation" (the "Criteria") pursuant to N.C.G.S. § 160A-831(a) at its November 2, 2021 meeting; and

WHEREAS, the Commission assumed control of the financial affairs of the Town pursuant to N.C.G.S. § 159-181(c) at its November 2, 2021 meeting; and

WHEREAS, the Commission applied the Criteria with respect to the Town pursuant to N.C.G.S. § 160A-831(b) and determined, pursuant to N.C.G.S. § 160A-831(c), that the city was subject to Part 2 ("Transition Initiation by Local Government Commission") of Article 32 ("Transitions for Unsustainable Cities") of N.C.G.S. Chapter 160A at its December 7, 2021 meeting; and

WHEREAS, the Commission, upon determining it to be in the best interest of the people of the Town and the State, adopted a resolution pursuant to N.C.G.S. § 160A-848(b) dissolving the charter of the Town at its December 7, 2021 meeting; and

WHEREAS, the Commission directed Commission staff to take all actions necessary to fulfill the requirements of N.C.G.S. § 160A-850(a) as applicable, and to do so in the best interests of the citizens of the Town and the local government partner(s) to the extent feasible; and

WHEREAS, pursuant to N.C.G.S. § 160A-848, the Commission has identified a local government partner, Scotland County, to which the Town's assets, liabilities and other obligations will be transferred;

NOW THEREFORE, BE IT RESOLVED, that the Commission, pursuant to its authority granted in N.C.G.S. § 160A-850(a) and (b):

- 1) Pursuant to N.C.G.S. § 160A-850(a)(1), conveys and transfers all Town property including but not limited to the property described in Appendices A, B, and C to Scotland County (the "County") ; and
- 2) Pursuant to N.C.G.S. § 160A-850(a)(1), conveys and transfers all cash assets currently held by the Town at First Bank in Troy, North Carolina or any other financial institution to the County; and
- 3) Pursuant to N.C.G.S. § 160A-850(a)(1) and (3), conveys and transfers all accounts receivables, taxes, assessments, and any other debts, charges or fees owing to the Town to the County, and directs that any such amounts owed be paid to the County; and
- 4) Pursuant to N.C.G.S. § 160A-850(a)(2), directs that all judgments, liens, rights of liens, and causes of action of any nature in favor of the Town transfer to, vest in, and remain and inure to the benefit of the County; and
- 5) Pursuant to N.C.G.S. § 160A-850(a)(4), has performed a diligent and careful review and has determined to the best of its knowledge that no actions, suits, or proceedings are pending against or have been instituted by the Town and therefore no manner of continuance is required to be provided for; and
- 6) Pursuant to N.C.G.S. § 160A-850(a)(5), has performed a diligent and careful review and has determined to the best of its knowledge the Town may have obligations for accrued payroll taxes, penalties, and interest (collectively the "Obligations"); and has a contract with Duke Energy for electricity for streetlights and a contract with Duke Energy for electricity for the Community Building (collectively the "Contract Obligations"), but has no other known obligations, outstanding indebtedness, or contracts; and
- 7) Pursuant to N.C.G.S. § 160A-850(a)(5), transfers the Contract Obligations to the County; and
- 8) Directs that all cash transferred to the County pursuant to items 2 and 3 above be used in this order: first, to set aside an amount to be determined by the County and LGC staff to pay any unknown or unpaid obligations of the Town, including but not limited

Exhibit 4

Resolution Conveying Property and Addressing Other Matters Related to the Dissolution of the Charter of East Laurinburg
June 7, 2022
Page 3

to any accrued taxes or associated penalties and interest, then toward the cost of maintaining streetlights and streetlight service in the Town for a period of no less than one year, and lastly to fulfill any other obligation or indebtedness of the Town, if sufficient funds remain. The County shall assume no obligations, indebtedness, or other financial liabilities in excess of the amount of the funds transferred to and received by the County pursuant to this Resolution; and

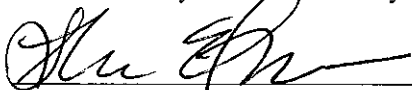
- 9) Pursuant to N.C.G.S. § 160A-850(b), directs the Commission Chair and Secretary to take all actions and execute all documents necessary to effectuate the preceding provisions.

All of the preceding shall apply following the effective date of the dissolution of the Town of June 30, 2022. Further, as of the effective date of the dissolution:

- 1) Pursuant to N.C.G.S. § 160A-850(a)(6), all ordinances, regulations, and policies of the Town shall be void, and
- 2) Pursuant to N.C.G.S. § 160A-850(a)(7), the Town shall be abolished and shall no longer be constituted a public body or a body politic and corporate, except for purposes of carrying into effect the provisions and intent of the applicable statutes.

I, Sharon Edmundson, Secretary of the North Carolina Local Government Commission, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the Resolution adopted by the North Carolina Local Government Commission at its meeting held on June 7, 2022.

WITNESS my hand this 7th day of June 2022.



Sharon Edmundson, Secretary

North Carolina Local Government Commission

Exhibit 4

Resolution Conveying Property and Addressing Other Matters Related to the Dissolution of the Charter of East Laurinburg
June 7, 2022
Page 1

Appendix A: East Laurinburg Office Inventory at East Laurinburg Community Building



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

Meeting Room:

1 United States Flag	1 First Alert fire extinguisher	1 metal safe file cabinet
1 NC Flag	2 Kidde fire extinguishers	1 5-drawer locking file cabinet
1 coat rack	1 stepstool	1 fire extinguisher
6 office chairs	1 mop bucket	1 hole punch
25 orange armless plastic chairs	1 coatrack	1 fan
1 artificial plant	1 chair	1 radio
13 metal folding chairs	1 trash can	paper clips, binder clips, folders and tabs
7 - 7x29 tables	2 odd plates	1 stamp large - disbursement approved
1 29x29 table	24 plates	1 stamp small - disbursement approved
1 piano	13 saucers	1 letter tray
1 armchair	1 bowl	file holder
	26 cups	2 HP 63 tri color ink cartridges
	2 odd cups	1 64 HP black ink cartridge
	18 salad plates	1 large Carters stamp pad
	60 saucers	1 small Carters stamp pad
	10 small bowls	1 HP office Jet 4652 printer, copier, fax
	14 cups	1 trash can
	1 odd cup	1 shredder
	1 easel	1 AT&T phone w/ answering machine

Hallway:

7 blue armchairs
2 green armchairs
1 orange plastic chair

Front office at front door:

1 folding chair
2 plastic chairs
1 desk
1 wooden chair
1 phone
1 HP copier
1 file cabinet
1 cabinet
1 small table

Kitchen:

1 GE stove
1 refrigerator

Office:

1 Acer computer*
1 keyboard
1 monitor
1 Netgear wireless router
1 Canon calculator
4 orange armless chairs
3 desks
1 metal 4-drawer file cabinet
1 metal 2-drawer locking file cabinet

1 large Carters stamp pad
1 small Carters stamp pad
1 HP office Jet 4652 printer, copier, fax
1 trash can
1 shredder
1 AT&T phone w/ answering machine
1 storage cabinet
1 Rolodex
3 boxes staples
highlighters pens, markers
staple removers
USB 2.0 flash drive*

**to be conveyed to the County following DST review*

Exhibit 4

Resolution Conveying Property and Addressing Other Matters Related to the Dissolution of the Charter of East Laurinburg
June 7, 2022
Page 6

Appendix B: East Laurinburg Equipment Inventory

Exhibit 4

Resolution Conveying Property and Addressing Other Matters Related to the Dissolution of the Charter of East Laurinburg
June 7, 2022
Page 7

Trucks:

1990 International (diesel)

1989 GMC (gas)

Chainsaws:

18" Echo

20" Husqvarna

Trimmers:

T262 Shindaiwa

223L Husqvarna

SRM Echo

Push mowers:

Briggs & Stratton 675, engine series 6.7 (2)

Riding mower:

Troy Bilt 17.5

Sprayer:

Shindaiwa 5-gallon (2)

Tractor:

John Deere 770 series

Bushhogs:

County Line series (2)

Miscellaneous:

Pitchfork (1)

Axes (2)

Resolution Conveying Property and Addressing Other Matters Related to the Dissolution of the Charter of East Laurinburg
June 7, 2022
Page 8

Appendix C: East Laurinburg Property

Exhibit 4

E COMMUNITY															Parcel ID: 01-0204- -01-027-									
THIRD ST 7071032															PLAT: / UHIQ ID 9409 ID NO:									
COUNTY TAX (100), EAST LAURINBURG (100), FIRE TAX (100), SCHOOL TAX (100) COMMUNITY BLDG Appraised By 22 on 09/09/2009 01022 LEITHS CREEK/OLD MAXTON															CARD NO. 1 of 1 1.000 LT TW-01 CT-E FR-01									
Reval Year: 2019 Tax Year: 2021															SRC= Inspection AT- LAST ACTION 20210225									
CONSTRUCTION DETAIL															MARKET VALUE									
Foundation 4															USE MOD Eff. Area QUAL BASE RATE RCN EYB AYB									
Siread Fastening 0.00															01 01 3.265 79 59.25 193451 1955 1950 % GOOD INORM 0.74000 26.0									
Sub Floor System 3															TYPE: SINGLE FAMILY RESIDENTIAL STYLE: 1 - 1.0 Story									
Slab Above Grade 10.00															Single Family Residential									
Exterior Walls 21																								
Face Brick 35.00															+-----82-----+									
Roofing Structure 07															.IBAS									
Wood Truss 13.00															.I									
Roofing Cover 03															.I									
Asphalt or Composition Shingle 3.00															.I									
Interior Wall Construction 3															.I									
Plastered 20.00															.I									
Interior Floor Cover 03															.I									
Concrete Finished 1.00															.I									
Heating Fuel 03															.I									
Gas 1.00															.4									
Heating Type 03															.2									
Forced Air - Not Ducted 2.00															.I									
Air Conditioning Type 03															.I									
Central 4.00															.I									
Commercial Heat & Air Split Units 3															.I									
Structural Frame 0.00															.I									
Masonry 0.00															.I									
Ceiling & Insulation 05															+-----32-----+ +FOP-----32-----+									
Not Suspended - Ceiling Insulated 0.00															+-----25-----+ +-----25-----+									
Average Rooms Per Floor 5																								
Average Rooms Per Floor 0.00																								
Bedrooms/Bathrooms/Half-Bathrooms 0/2/0 0.000																								
Bathrooms																								
BAS - 2 FUS - 0 LL - 0																								
Half-Bathrooms																								
BAS - 0 FUS - 0 LL - 0																								
Office																								
BAS - 0 FUS - 0 LL - 0 0																								
TOTAL POINT VALUE 89.000																								
BUILDING ADJUSTMENTS																								
Quality 3 Average 1.00																								
Shape/Design 3 Slight 1.02																								
Size 3 Irregular 0.87																								
TOTAL ADJUSTMENT FACTOR 0.890																								
TOTAL QUALITY INDEX 79																								
SUBAREA																								
TYPE GS AREA PCT RPL CS CODE DESCRIPTION COUNT LTH WTH UNITS UNIT PRICE ORIG % COND BLDG # AYB EYB DEP SCH OVR % COND OB/XF DEPR. VALUE																								
BAS 3,220 100 190785 TOTAL OB/XF VALUE																								
FOP 128 035 2666																								
SUBAREA 3,348 193,451																								
TOTALS																								
BLDG DIMENSIONS BAS=W82S42E25N3 FOP=E32N4W32S4S N4E32S7E25N42S.																								
LAND INFORMATION																								
HIGHEST AND BEST USE																								
USE CODE LOCAL ZONING FRONTAGE DEPTH DEPTH / SIZE LND MOD COND FACT OTHER ADJ/NOTES ROAD TYPE LAND UNIT PRICE TOTAL LAND UNITS UNIT TYPE TOTAL ADJUST ADJUSTED UNIT PRICE LAND VALUE OVERRIDE VALUE LAND NOTES																								
0100 0100 E-LBG 150 101 0.8500 2 1.0000 RF AC LC TO OT 50.00 150.000 FF 0.850 42.50 6375 0																								
TOTAL MARKET LAND DATA																								
TOTAL PRESENT USE DATA																								
01-0204- -01-027- (1341766) Group:99																								
															2/25/2021 4:14:02 PM.									

TOWN OF EAST LAURINBURG

7094827

Parcel ID: 01-0204- -01-033-

PLAT: / UNIQ ID 4697
ID NO:

SPLIT FROM ID:

Reval Year: 2019 Tax Year: 2021
Appraised By 22 on 09/09/2009 01022 LEITHS CREEK/OLD MAXTON

COUNTY TAX (100), EAST LAURINBURG (100), FIRE TAX (100), SCHOOL TAX (100)
PT #12 ALL 13,14,15

CARD NO. 1 of 1
4.000 LT
TW-01 CT-F FR-D1

SRC= Inspection
AT- LAST ACTION 20200416

CONSTRUCTION DETAIL		MARKET VALUE				DEPRECIATION				CORRELATION OF VALUE		
TOTAL POINT VALUE	0	USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB	NORM	CREDENCE TO	MARKET
BUILDING ADJUSTMENTS	0	97	00							% GOOD		
TOTAL ADJUSTMENT FACTOR	0	VACANT										
TOTAL QUALITY INDEX	0	STYLE:										

DEPR. BUILDING VALUE - CARD		TOTAL APPRAISED VALUE - CARD		TOTAL PRESENT USE VALUE - LAND		TOTAL VALUE DEFERRED - PARCEL		TOTAL TAXABLE VALUE - PARCEL \$	
0	0	8,800	8,800	0	0	8,800	8,800	0	8,800

PRIOR APPRAISAL		PERMIT		
BUILDING VALUE	0	CODE	DATE	NO.
OBXF VALUE	0			
LAND VALUE	8,800			
PRESENT USE VALUE	0			
DEFERRED VALUE	0	ROUT: WTRSHD:		
TOTAL VALUE	8,800			

OFF. RECORD		DATE		DEED		INDICATE	
BOOK	PAGE	MO	YR	TYPE	Q/U	V/I	SALES PRICE
00656	0173	9	2000	UN	X	V	0

HEATED AREA		NOTES	
5112			

SUBAREA		CODE	DESCRIPTION	COUNT	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG #	---	AYB	EYB	DEP SCH	OVR	% COND	OB/XF DEPR. VALUE
SUBAREA		0	TOTAL OB/XF VALUE														
TOTALS																	
BLDG DIMENSIONS																	
LAND INFORMATION																	
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJ/NOTES RF AC LC TO QT	ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNIT TYPE	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES
0700	0700	E-LBG	100	243	1.1000	2	1.0000			80.00	100.000	FF	1.100	88.00	8800	0	
TOTAL MARKET LAND DATA																	
TOTAL PRESENT USE DATA																	

01-0204- -01-033- (1325908) Group:0

Z/25/2021 4:02:47 PM.

TOWN OF EAST LAURINBURG															Parcel ID: 01-0204--01-028-									
7094827															PLAT: / UNIQ ID 4696 IO NO:									
COUNTY TAX (100), EAST LAURINBURG (100), FIRE TAX (100), SCHOOL TAX (100) BL H LOT 4 WAVERLY Appraised By 22 on 09/09/2009 01027 LEITHS CREEK/OLD MAXTON															CARD NO: 1 of 1 1.000 LT TW-01 CL-E RR-01									
Reval Year: 2019 Tax Year: 2021															SRC= Inspection AT= LAST ACTION 20200416									
CONSTRUCTION DETAIL															DEPRECIATION									
TOTAL POINT VALUE 0															EX-5 AT=									
BUILDING ADJUSTMENTS 0															CORRELATION OF VALUE									
TOTAL ADJUSTMENT FACTOR 0															CREOENCE TO MARKET									
TOTAL QUALITY INDEX 0															DEPR. BUILDING VALUE - CARD 0									
															DEPR. OB/XF VALUE - CARD									
															MARKET LAND VALUE - CARD 8,890									
															TOTAL MARKET VALUE - CARD 8,890									
															TOTAL APPRAISED VALUE - CARD 8,890									
															TOTAL APPRAISED VALUE - PARCEL 8,890									
															TOTAL PRESENT USE VALUE - LAND 0									
															TOTAL VALUE DEFERRED - PARCEL 0									
															TOTAL TAXABLE VALUE - PARCEL \$ 8,890									
															PRIOR APPRAISAL PERMIT									
															BUILDING VALUE 0 CODE DATE NO.									
															OBXF VALUE 0									
															LAND VALUE 8,890									
															PRESENT USE VALUE 0									
															DEFERRED VALUE 0 ROUT: WTRSHD:									
															TOTAL VALUE 8,890									
															SALES DATA									
															OFF. RECORD DATE DEED INDICATE									
															BOOK PAGE MO YR TYPE Q/U V/I SALES PRICE									
															00636 0173 9 2000 UN X V 0									
															HEATED AREA									
															NOTES									
															5107									
SUBAREA																								
TYPE GS AREA PCT RPL CS CODE DESCRIPTION COUNT LTH WTH UNITS UNIT PRICE ORIG % COND BLDG # ... AYB EYB DEP SCH OVR % COND OB/XF DEPR. VALUE																								
SUBAREA TOTALS 0 TOTAL OB/XF VALUE																								
BLDG DIMENSIONS																								
LAND INFORMATION																								
HIGHEST AND BEST USE USE CODE LOCAL ZONING FRONTAGE DEPTH DEPTH / SIZE LND MOD COND FACT OTHER ADJ/NOTES RF AC L TO OT ROAD TYPE LAND UNIT PRICE TOTAL LAND UNITS UNIT TYPE TOTAL ADJUST ADJUSTED UNIT PRICE LAND VALUE OVERRIDE VALUE LAND NOTES																								
0700 0700 E-LBG 101 239 1.1000 2 1.0000 80.00 101.000 FF 1.100 88.00 8888 0																								
TOTAL MARKET LAND DATA																								
TOTAL PRESENT USE DATA																								
01-0204--01-028- (1325907) Group:0															2/25/2021 3:58:11 PM.									

TOWN OF EAST LAURINBURG															Parcel ID: 01-0204- -01-119-01-A									
COMMONWEALTH AV 7094827															PLAT: / UNIQ ID 79201 ID NO:									
COUNTY TAX (100), EAST LAURINBURG (100), FIRE TAX (100), SCHOOL TAX (100) PT PLANT 3 WAVERLY HILLS Appraised By 19 on 01/05/2011 01022 LEITHS CREEK/OLD MAXTON															CARD NO. 1 of 1 1.340 AC TW-01 CT-E FR-01									
Reval Year: 2019 Tax Year: 2021															SRC= Owner AT= LAST ACTION 20170104									
CONSTRUCTION DETAIL															MARKET VALUE									
TOTAL POINT VALUE 0															DEPRECIATION									
BUILDING ADJUSTMENTS 97 00															CORRELATION OF VALUE									
TOTAL ADJUSTMENT FACTOR 0															CREDENCE TO MARKET									
TOTAL QUALITY INDEX 0															DEPR. BUILDING VALUE - CARD 0									
															DEPR. OB/XF VALUE - CARD 14,020									
															MARKET LAND VALUE - CARD 14,020									
															TOTAL MARKET VALUE - CARD 14,020									
															TOTAL APPRAISED VALUE - CARD 14,020									
															TOTAL APPRAISED VALUE - PARCEL 14,020									
															TOTAL PRESENT USE VALUE - LAND 0									
															TOTAL VALUE DEFERRED - PARCEL 0									
															TOTAL TAXABLE VALUE - PARCEL \$ 14,020									
															PRIOR APPRAISAL PERMIT									
															BUILDING VALUE 0 CODE DATE NO.									
															OBXF VALUE 0									
															LAND VALUE 14,020									
															PRESENT USE VALUE 0									
															DEFERRED VALUE 0 ROUT: WTRSHD:									
															TOTAL VALUE 14,020									
															SALES DATA									
															OFF. RECORD DATE DEED TYPE Q/U V/I INDICATE									
															BOOK PAGE MO YR WD U V SALES PRICE									
															01288 0156 11 2010 WD U V 0									
															HEATED AREA									
															NOTES									
															DB1288,P156-VLDG ON PROPE RTY STILL REMAINS W/ GRANTOR W/ SPECIAL PROVIS IONS									
SUBAREA																								
TYPE GS AREA PCT RPL CS															CODE DESCRIPTION COUNT LTH WTH UNITS UNIT PRICE ORIG % COND BLDG # --- AYB EYB DEP SCH OVR % COND OB/XF DEPR. VALUE									
SUBAREA TOTALS 0															TOTAL OB/XF VALUE									
BLDG DIMENSIONS																								
LAND INFORMATION																								
HIGHEST AND BEST USE															USE CODE LOCAL ZONING FRONTAGE DEPTH DEPTH / SIZE LND MOD COND FACT OTHER ADJ/NOTES ROAD TYPE LAND UNIT PRICE TOTAL LAND UNITS UNIT TYPE TOTAL ADJUST ADJUSTED UNIT PRICE LAND VALUE OVERRIDE VALUE LAND NOTES									
0600															0600 E-LBG 252 235 2.2500 4 1.5500 +30 +25 +00 +00 +00 PS 3,000.00 1.340 AC 3.488 10,464.00 14022 0									
TOTAL MARKET LAND DATA															1.34 14022									
TOTAL PRESENT USE DATA																								
01-0204- -01-119-01-A (1321357) Group:0															2/25/2021 3:57:20 PM.									