

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

MINUTES

June 6, 2023

The meeting was called to order by Chairman Dale R. Folwell at 1:30 p.m. on the above date. The meeting was conducted in person and by use of simultaneous communication by GoToWebinar™.

Members present in person: Chair Folwell and Secretary of State Elaine Marshall. Members present virtually: State Auditor Beth Wood, Secretary of Revenue designee Anthony Edwards, John Burns, Paul Butler, Vida Harvey, Nancy Hoffmann, and Mike Philbeck.

Members absent: Auditor Wood left the meeting at 3:30 p.m.; Mr. Burns left the meeting at 3:33 p.m..

A quorum was present for the entire meeting.

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

Others attending in person: Bill Toole (Secretary of State office); and DST staff Ted Brinn; Joah Bickley; and DST Interns Gray Brooks, Grayson Fuller and John Hollowell.

Chair Folwell asked those members present if they had any actual, potential, or the appearance of a conflict of interest regarding the matters on the agenda. Ms. Harvey reported conflicts of interest and recused herself from the City of Salisbury and Onslow County matters. Auditor Wood reported potential conflicts of interest and recused herself from the City of Wilmington, Onslow County, City of Rocky Mount and New Hanover County matters.

Secretary Marshall made a motion to approve the minutes of the May 2, 2023 meeting. Mr. Burns seconded the motion, and the minutes were approved by unanimous vote of 9 – 0.

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

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EDGECOMBE WATER AND SEWER DISTRICT NO. 6

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

**"RESOLUTION APPROVING THE APPLICATION OF THE
EDGECOMBE WATER AND SEWER DISTRICT NO. 6 FOR THE
ISSUANCE OF NOT TO EXCEED AN AGGREGATE PRINCIPAL
AMOUNT OF \$2,619,000 WATER AND SEWER SYSTEM REVENUE
BONDS AND TO ISSUE A LIKE AMOUNT OF WATER AND SEWER**

**SYSTEM REVENUE BOND ANTICIPATION NOTES IN
ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

WHEREAS, the Edgecombe Water and Sewer District No. 6 (the “District”) has applied to the North Carolina Local Government Commission (the “Commission”), for approval of the issuance of not to exceed \$2,619,000 aggregate principal amount of water and sewer system revenue bonds (the “Bonds”) to finance various improvements to the District’s sewer system (the “Project”); and

WHEREAS, under the plan of finance for the issuance of these Bonds, the United States Department of Agriculture (“USDA”) has issued a commitment to purchase the Bonds, subject to certain terms and conditions, upon completion of the Project, but in order to provide construction funding for the Project, it is necessary for the District to issue its Water and Sewer System Revenue Bond Anticipation Note in an aggregate principal amount of not to exceed \$2,619,000 in anticipation of the issuance of the Bonds (the “Note”).

WHEREAS, in connection with the long-term plan of finance, in the event the Project is not completed by the maturity date of the Notes, and subject to the approval of the Commission, the District may need to issue one or more additional bond anticipation notes (the “Additional Notes”) in anticipation of the issuance of the Bonds, in order to complete the construction of the Project before USDA will purchase the Bonds. The principal amount of any such Additional Notes shall not exceed the principal amount of the Notes such Additional Notes are refinancing; and

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

- (a) Bond Order, adopted June 5, 2023, authorizing the issuance of Bonds, the Notes and any Additional Notes of the District, subject to the terms thereof; and
- (b) Series Resolution of the District, adopted June 5, 2023, authorizing the issuance of the Note by the District, subject to the terms thereof (the “Series Resolution”)

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

- (i) that the proposed issuance of the Bonds and the issuance of the Note in anticipation of the issuance of the Bonds is necessary or expedient;
- (ii) that the proposed amount of the proposed Bonds and the Notes are adequate, when added to other monies available to the District, and not excessive for the proposed purposes thereof;
- (iii) that the Project is feasible;
- (iv) that the annual audit of the District shows the District to be in strict compliance with debt management policies, and the budgetary and fiscal management policies of the District are in compliance with the law; and

- (v) that the Bonds and the 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 application of the Edgecombe Water and Sewer District No. 6 for approval of the proposed Bonds, the Notes and any Additional Notes in an aggregate principal amount not to exceed \$2,619,000 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 9-0. Eric Evans, County Manager; Linda Barfield, Chief Financial Officer; Beth Edmondson, Interim Finance Director; and Michael Matthews, Assistant County Manager attended in person to speak and answer members' questions.

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

**“RESOLUTION CONCERNING THE PRIVATE SALE OF
EDGECOMBE WATER AND SEWER DISTRICT NO. 6 WATER AND
SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE**

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

WHEREAS, the Edgecombe Water and Sewer District No. 6 (the “District”) has requested the Commission to sell its Water and Sewer System Revenue Bond Anticipation Note, Series 2023 (the “Note”) in accordance with Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina; and

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

WHEREAS, in the event the Project is not completed at the time of maturity of the Note, the District may need to issue additional notes (the “Additional Notes”), subject to the approval of the Commission, in anticipation of the issuance of the Bonds, in connection with completion of the construction of the Project before USDA will purchase the Bonds. The principal amount of any Additional Notes shall not exceed the principal amount of the Note being refinanced by such Additional Notes; and

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

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

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

Section 2. The aggregate principal amount of the Note shall not exceed \$2,619,000 and the purchase price for the Note shall be approved by the Secretary of the Commission at the time of the sale of the Note. The aggregate principal amount of any Additional Notes later approved by the Commission, shall not exceed the aggregate principal amount of the Note being refinanced, such amount equal to the aggregate principal amount of all commitments issued by USDA to purchase the Bonds.

Section 3. Subject to the approval of the Commission, renewal notes may be sold to private purchasers to refinance any maturing Note or renewals thereof.

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

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

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

Secretary Marshall seconded the motion and the foregoing resolution was adopted by unanimous vote of 9-0. Eric Evans, County Manager; Linda Barfield, Chief Financial Officer; Beth Edmondson, Interim Finance Director; and Michael Matthews, Assistant County Manager attended in person to speak and answer members' questions.

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

**“RESOLUTION CONCERNING THE PRIVATE SALE OF THE
EDGECOMBE WATER AND SEWER DISTRICT NO. 6 WATER AND
SEWER SYSTEM REVENUE BONDS TO USDA**

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

WHEREAS, Edgecombe Water and Sewer District No. 6 (the “District”) has requested the Commission to sell its Water and Sewer System Revenue Bonds approved concurrently herewith (the “Bonds”) to the United States Department of Agriculture (“USDA”) upon the completion of construction of the project to be permanently financed thereby pursuant to

commitments previously issued by USDA, all in accordance with Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina; and

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

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

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

Section 2. The aggregate purchase price for the Bonds shall not exceed \$2,619,000.

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

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

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

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

Secretary Marshall seconded the motion and the foregoing resolution was adopted by unanimous vote of 9-0. Eric Evans, County Manager; Linda Barfield, Chief Financial Officer; Beth Edmondson, Interim Finance Director; and Michael Matthews, Assistant County Manager attended in person to speak and answer members' questions.

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CITY OF LAURINBURG

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

“RESOLUTION APPROVING THE FINANCING REQUEST OF THE CITY OF LAURINBURG, NORTH CAROLINA: THIS PROJECT CONSISTS OF A DISTRIBUTION-SYSTEM IMPROVEMENTS PROJECT – PHASE 2, UPGRADING THE CITY’S WATER DISTRIBUTION SYSTEM.

WHEREAS, the City of Laurinburg, North Carolina (the “City”) has determined that it is necessary or expedient to upgrade the City’s water distribution system, by replacing system components including a transmission main, water lines and flushing hydrants; and

WHEREAS, the City filed an application with the North Carolina Local Government Commission (the Commission) for approval of a Drinking Water State Revolving Loan increase in an amount not to exceed \$2,635,000, with the term of twenty (20) years at the rate, as established under this program for the respective loan, State or Federal, not to exceed 4%; and

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

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

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

Ms. Hoffmann seconded the motion and the foregoing resolution was adopted by unanimous vote of 9 – 0. Charles Nichols, City Manager and Carrie Neal, Finance Director attended virtually to speak and answer members’ questions.

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ONSLOW COUNTY

Secretary Marshall made the motion to adopt the following resolution:

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE SALE AND DELIVERY OF ONSLOW COUNTY PUBLIC FACILITIES COMPANY LIMITED OBLIGATION BONDS (ONSLOW COUNTY, NORTH CAROLINA), SERIES 2023

WHEREAS, County of Onslow (the “County”) has requested that the North Carolina Local Government Commission (the “Commission”) approve its selection of the following financing team members for the upcoming sale and delivery of the Onslow County Public Facilities Company Limited Obligation Bonds (Onslow County, North Carolina), Series 2023 (the “Bonds”):

Bond Counsel:	Robinson, Bradshaw & Hinson, P.A.
Underwriters:	PNC Capital Markets LLC
	Robert W. Baird & Co., Incorporated
Underwriters' Counsel:	Parker Poe Adams & Bernstein LLP
Trustee:	U.S. Bank Trust Company National Association
Trustee Counsel:	McGuire Woods, LLP
Financial Advisor:	Davenport & Company LLC

WHEREAS, based upon the information and evidence received by the Commission, it is of the opinion 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 sale and delivery of the Bonds.”

Mr. Burns seconded the motion and the foregoing resolution was adopted by unanimous vote of 7-0 (Recusal: Wood, Harvey). R. Andrew Prince, Finance Officer; Brendan Gartner, Chief of Operations, Onslow County Schools; Jeff Hollamon, Chief Financial Officer, Onslow County Schools; and Ted Cole and Mitch Brigulio with Davenport & Company LLC attended virtually to speak and answer members’ questions.

Secretary Marshall made the motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF COUNTY OF ONSLOW, NORTH CAROLINA TO FINANCE A PORTION OF THE COST OF VARIOUS PROJECTS THROUGH AN INSTALLMENT FINANCING AGREEMENT PURSUANT TO G.S. § 160A-20.

WHEREAS, the Onslow County Public Facilities Company (the “Corporation”) previously executed and delivered its Limited Obligation Bonds (Onslow County, North Carolina) Series 2012A (the “Prior Bonds”) and pursuant to an Installment Financing Agreement, dated as of December 1, 2012 (the “Prior Contract”) between the Corporation and Onslow County, North Carolina (the “County”), loaned the proceeds thereof to the County for the (a) construction of the Onslow County Environmental Education Center and Public Library, (b) construction of a five-site simulcast radio communications system and (c) construction of the Onslow County Government Center at the Burton Industrial Park; and

WHEREAS, the County of Onslow, North Carolina, (the “County”) has determined that it is in the best interest of the County to (i) refund the Prior Bonds and (ii) finance a portion of the cost of cost of acquiring, constructing, equipping and improving a new elementary school to be located at 2221 Belgrade Swansboro Road, Maysville, North Carolina 28555 (the “Project”); and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the County intends to effectuate such purposes through funds to be made available pursuant to an Installment Financing Agreement, dated as of June 1, 2023 (the “Installment Financing Agreement”), between the County and Onslow County Public Facilities Company (the “Corporation”), whereby the Corporation will advance moneys to the County for such purposes and the County, subject to its right of nonappropriation, will repay the amount advanced with interest in installments; and

WHEREAS, the Corporation intends to enter into a Trust Agreement, dated as of June 1, 2023, with U.S. Bank Trust Company National Association (the “Trustee”), pursuant to which the Corporation will execute and deliver its Limited Obligation Bonds (Onslow County, North Carolina), Series 2023 (the “Bonds”) evidencing the proportionate and undivided interests in the rights of the owners thereof to receive installment payments to be made by the County pursuant to the Installment Financing Agreement; and

WHEREAS, the Bonds will be underwritten by PNC Capital Markets LLC and Robert W. Baird & Co., Incorporated (collectively, the “Underwriters”), and the proceeds of the sale of the Bonds shall be advanced by the Underwriters to the Corporation for deposit with the Trustee; and

WHEREAS, the principal amount of the advance under the Installment Financing Agreement shall not exceed \$68,000,000; and

WHEREAS, the final maturity of the installment payments to be made pursuant to the Installment Financing Agreement shall not be beyond June 30, 2044; and

WHEREAS, the effective interest cost of the amount advanced pursuant to the Installment Financing Agreement shall not to exceed 5.00% per annum; 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 Commission, pursuant to Section 159-151 of the General Statutes of North Carolina, upon information and evidence received, finds and determines as follows:

that the Installment Financing Agreement is necessary or expedient for the County;

that the Installment Financing Agreement, under the circumstances, is preferable to a general obligation bond issue for the same purpose;

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application for approval of the Installment Financing Agreement and the proposed financing are hereby approved under the provisions of Section 160A-20 of the General Statutes of North Carolina and relevant resolutions of the Commission.”

Mr. Burns seconded the motion and the foregoing resolution was adopted by unanimous vote of 7-0 (Recusal: Wood, Harvey). R. Andrew Prince, Finance Officer; Brendan Gartner, Chief of Operations, Onslow County Schools; Jeff Hollamon, Chief Financial Officer, Onslow County Schools; and Ted Cole and Mitch Brigulio with Davenport & Company LLC attended virtually to speak and answer members' questions.

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ORANGE COUNTY

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

“RESOLUTION APPROVING THE FINANCING TEAM FOR ORANGE COUNTY INSTALLMENT FINANCING

WHEREAS, Orange County (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 installment financing:

Special Counsel:	Sanford Holshouser LLP
Lender:	TD Bank
Lender's Counsel:	Pope Flynn LLP
Financial Advisor:	Davenport & Company LLC
Trustee:	The Bank of New York Mellon Trust Company, N.A.

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

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

Mr. Butler seconded the motion and the foregoing resolution was adopted by unanimous vote of 9-0. Gary Donaldson, Chief Financial Officer and Ted Cole and Mitch Brigulio with Davenport & Company LLC attended virtually to speak and answer members' questions.

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

“RESOLUTION APPROVING THE APPLICATION OF ORANGE COUNTY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS AND TO PAY FINANCING COSTS THROUGH AN INSTALLMENT FINANCING AGREEMENT PURSUANT TO G.S. 160A-20

WHEREAS, Orange County (the “County”) has determined that it is necessary and expedient for the County to finance the acquisition, construction and equipping of various public improvements and to pay financing costs; and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the County intends to finance the project through a supplemental trust agreement to be dated on or about June 13, 2023 (the “Contract”), between the County and a trustee, through which TD Bank (the “Lender”) will advance moneys to the County for the purpose of carrying out the project and the County, subject to its right of nonappropriation and the provisions of Section 160A-20, will repay the advance in installments, with interest; and

WHEREAS, the Contract will provide for two different advances of funds from the Lender, with a total amount financed not to exceed \$14,500,000; and

WHEREAS, for the “Series A” advance, the maturity of the installment payments will not extend beyond February 1, 2032, with an interest rate not to exceed 3.73% (in the absence of default, or a change in tax status); and

WHEREAS, for the “Series B” advance, the maturity of the installment payments will not extend beyond February 1, 2043, with an interest rate not to exceed 3.83% (in the absence of default, or a change in tax status); 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 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 purposes;
- (iii) that the sums to fall due under the Contract are adequate and not excessive for its proposed purposes;
- (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 County's application for approval of the Contract and financing are approved under the provisions of G.S. §160A-20 and relevant resolutions of the Commission."

Mr. Butler seconded the motion and the foregoing resolution was adopted by unanimous vote of 9-0. Gary Donaldson, Chief Financial Officer and Ted Cole and Mitch Brigulio with Davenport & Company LLC attended virtually to speak and answer members' questions.

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CITY OF ROCKY MOUNT

Secretary Marshall made a motion to adopt the following resolution:

"RESOLUTION APPROVING THE APPLICATION OF THE CITY OF ROCKY MOUNT, NORTH CAROLINA. THIS PROJECT CONSISTS OF REMODELING, RENOVATIONS, AND IMPROVEMENTS TO VARIOUS CITY PROPERTIES (THE "PROJECT") THROUGH AN INSTALLMENT PURCHASE CONTRACT AGREEMENT PURSUANT TO G.S. 160A-20.

WHEREAS, the City of Rocky Mount, North Carolina (the "City") has determined that the Project, including improvements to and remodeling of the City Warehouse, and renovations to the Business Service Center and Denton Street Pool, is necessary to extend the life of and to maintain the integrity and continued safe operation of those City facilities; and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the City intends to finance the Project through an Installment Purchase Contract (the "Contract") with Webster Bank (the "Bank") whereby the Bank shall advance moneys to the City, and the City, 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 \$3,125,000 with monthly level principal and interest payments for a term of ten (10) years at an approved interest rate of 3.935%; and

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

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

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

- (i) that the proposed Contract is necessary or expedient for the City;
- (ii) that the Contract, under the circumstances, is preferable to a bond issue for the same purpose;
- (iii) that the sums to fall due under the Contract are adequate and not excessive for its proposed purpose;
- (iv) that the Town 's debt management procedures and policies are good, or that reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;
- (v) that the increase in taxes, if any, necessary to meet the sums to fall due under the Contract will not be excessive; and
- (vi) that the Town is not in default in any of its debt service obligations.

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

Ms. Hoffmann seconded the motion and the foregoing resolution was adopted by unanimous vote of 8 – 0 (Recusal: Wood). Kenneth Hunter, Assistant to the City Manager for Budget & Evaluation attended in person to speak and answer members’ questions.

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TOWN OF WALLACE

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

“RESOLUTION APPROVING THE FINANCING REQUEST OF THE TOWN OF WALLACE, NORTH CAROLINA: THIS PROJECT CONSISTS OF IMPROVEMENTS TO THE TOWN’S WATER DISTRIBUTION SYSTEM.

WHEREAS, the Town of Wallace, North Carolina (the “Town”) has determined that it is necessary or expedient to upgrade the Town’s water distribution system, by constructing pumping facilities, installing two permanent wells, electrical controls and other system components, in order to replace production capacity due to the loss of a contaminated well and two abandoned wells; and

WHEREAS, the Town filed an application with the North Carolina Local Government Commission (the Commission) for approval of a Drinking Water State Revolving Loan

increase in an amount not to exceed \$1,214,962, with the term of twenty (20) years at the rate, as established under this program for the respective loan, State or Federal, not to exceed 4%; and

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

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

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

Mr. Butler seconded the motion and the foregoing resolution was adopted by unanimous vote of 9 – 0. Robert Taylor, Town Manager attended virtually to speak and answer members’ questions.

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CITY OF BELMONT

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

“RESOLUTION APPROVING THE APPLICATION OF THE CITY OF BELMONT 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 City of Belmont, North Carolina (the “*City*”) has determined that it is in the best interests of the City to enter into an installment financing contract (the “*Contract*”) with JPMorgan Chase Bank, N.A. (the “*Bank*”) in order to pay the costs of the construction of a recreation center (collectively, the “*Project*”) and (2) pay certain costs related to the execution and delivery of the Contract;

WHEREAS, the principal amount to be advanced by the Bank to the City under the Contract will not exceed \$11,700,000;

WHEREAS, the City 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 3.40% per annum;

WHEREAS, the final maturity date of the Contract may not extend beyond June 1, 2038;

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, the City 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 or expedient for the City;
- (2) the Contract, under the circumstances, is preferable to a bond issue by the City for the same purposes;
- (3) the sums to fall due under the Contract are adequate and not excessive for its proposed purposes;
- (4) the City’s debt management procedures and policies are good or reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;
- (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 City 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 Project 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. Harvey seconded the motion and the foregoing resolution was adopted by a vote of 7 – 2 (No: Butler, Folwell). Jared Pyles, Finance Director and Kevin Krouse, Assistant City Manager attended in person and Parks Wilson, City Attorney; Miles Braswell, City Manager; and David Cheatwood with First Tryon Advisors attended virtually to speak and answer members’ questions.

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

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE CITY OF BELMONT, NORTH CAROLINA INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. §160A-20

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

Special Counsel:	- Parker Poe Adams & Bernstein LLP
Bank:	- JPMorgan Chase Bank, N.A.
Bank’s Counsel:	- McGuireWoods LLP
Financial Advisor:	- First Tryon Advisors

WHEREAS, based on the information and evidence received by the Commission, the Commission is of the opinion that the City’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. Harvey seconded the motion and the foregoing resolution was adopted by a vote of 7 – 2 (No: Butler, Folwell). Jared Pyles, Finance Director and Kevin Krouse, Assistant City Manager attended in person and Parks Wilson, City Attorney; Miles Braswell, City Manager; and David Cheatwood with First Tryon Advisors attended virtually to speak and answer members’ questions.

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BEGIN CONSENT AGENDA

ASHEBORO HOUSING AUTHORITY

Mr. Philbeck made a motion to approve the following action:

RESOLUTION APPROVING ASHEBORO HOUSING AUTHORITY MULTIFAMILY HOUSING REVENUE NOTE (ASHEBORO SUMMIT APARTMENTS), SERIES 2023 IN AN AMOUNT UP TO \$10,790,000 (THE “MULTIFAMILY NOTE”) FOR ASHEBORO SUMMIT APARTMENTS AND THE FINANCING TEAM THEREFOR

WHEREAS, the Asheboro Housing Authority (the “Authority”) has decided to issue its Multifamily Housing Revenue Note (Asheboro Summit Apartments), Series 2023 (the “Multifamily Note”) to finance the acquisition, rehabilitation and equipping by Asheboro Summit, LP, a North Carolina limited partnership, or a related or affiliated entity (the

“Borrower”), of a low income multifamily residential rental facility known as Asheboro Summit Apartments, consisting of 101 units, in the City of Asheboro, Randolph County, North Carolina (the “Development”); and

WHEREAS, in order to finance the Development, the Authority proposes to issue the Multifamily Note in an aggregate principal amount not to exceed \$10,790,000, pursuant to the Housing Authorities Law, Article 1 of Chapter 157 of the North Carolina General Statutes, as amended (the “Act”); and

WHEREAS, the Multifamily 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 1, 2023, 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 Multifamily 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 Multifamily 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 Multifamily Note:

Bond Counsel:	McGuireWoods LLP
Authority’s Counsel:	Ellinger & Carr PLLC
Borrower:	Asheboro Summit, LP
Borrower’s Counsel:	Bocarsly Emden Cowan Esmail & Arndt LLP
Funding Lender:	Citibank, N.A.
Funding Lender’s Counsel:	Robinson & Cole LLP and Norris George & Ostrow PLLC

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 Multifamily Note will be privately placed with Citibank, N.A. (the “Funding Lender”); 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 Multifamily Note:

(a) Funding Loan Agreement, between the Authority and the Funding Lender, providing for the issuance of the Multifamily Note, together with the form of the Multifamily Note;

(b) Borrower Loan Agreement, between the Authority and the Borrower, providing for the financing of the Development by the Authority;

(c) Promissory Note given by the Borrower to the Authority; and

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

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

Section 1. The sale of the Multifamily 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 Multifamily Note shall be issued in an aggregate principal amount not to exceed \$10,790,000, shall initially bear interest at a fixed rate, such rate not to exceed 12.0% per annum, and shall have a final maturity not later than December 31, 2060.

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

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

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

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

* * * * *

**NC CAPITAL FACILITIES FINANCING AGENCY
(ELON UNIVERSITY)**

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

**RESOLUTION APPROVING THE FINANCING TEAM FOR THE
NORTH CAROLINA CAPITAL FACILITIES FINANCE AGENCY
REVENUE BONDS (ELON UNIVERSITY), SERIES 2023**

WHEREAS, Elon University (the “University”) has requested that the North Carolina Local Government Commission (the “Commission”) approve its selection of the following financing team members for the upcoming issuance by the North Carolina Capital Facilities Finance Agency of its Revenue Bonds (Elon University), Series 2023 (the “Bonds”):

Bond Counsel:	Womble Bond Dickinson (US) LLP
University Counsel:	Fox Rothschild LLP
Lender:	TD Bank, N.A.
Lender’s Counsel:	Parker Poe Adams & Bernstein LLP
Trustee:	Truist Bank
Financial Advisor:	Janney Montgomery Scott LLC

WHEREAS, based upon the information and evidence received by the Commission, it is of the opinion that the request by the University 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 issuance of the Bonds for the University.

Secretary Marshall 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 AUTHORIZING AND APPROVING THE SALE AND
ISSUANCE OF NOT TO EXCEED \$37,500,000 AGGREGATE
PRINCIPAL AMOUNT OF REVENUE BONDS (ELON UNIVERSITY),
SERIES 2023 OF THE NORTH CAROLINA CAPITAL FACILITIES
FINANCE AGENCY**

WHEREAS, the North Carolina Capital Facilities Finance Agency (the “Agency”), pursuant to the provisions of the Private Capital Facilities Finance Act, Article 2 of Chapter 159D of the General Statutes of North Carolina, as amended (the “Act”), has authorized issuance of not to exceed \$37,500,000 North Carolina Capital Facilities Finance Revenue Bonds (Elon University), Series 2023 (the “Bonds”) to be issued pursuant to a Trust Agreement, to be dated as of June 1, 2023 (the “Trust Agreement”), between the Agency and Truist Bank, as trustee, for the purpose of loaning the proceeds thereof to Elon University (the “University”) to provide funds, together with other available funds, to (a) pay or reimburse all or a portion of the cost of (i) the design, renovation, expansion, construction, and equipping of a building or buildings designated to provide classroom, instructional, laboratory, collaboration, and study space, offices, and related facilities in connection with the University’s health science curriculum; (ii) the design, construction, and equipping of student housing, faculty and staff housing, classroom and event space, study space, student common and collaboration space, and faculty offices located at the East Neighborhood area of the University’s main campus; (iii) related parking facilities, sidewalks, landscaping,

marker walls and furniture, fixtures and equipment and other facilities; and (iv) miscellaneous capital improvement projects throughout the main campus of the University including, without limitation, the acquisition of specialized equipment in connection with the University's health science curriculum (collectively, the "Project), (b) pay a portion of the interest on the Bonds during construction of the projects being financed and (c) pay certain costs incurred in connection with the authorization and issuance of the Bonds, and

WHEREAS, the Agency has notified the Local Government Commission of North Carolina (the "Commission") that TD Bank, N.A. (the "Lender"), will offer to purchase the Bonds at private sale; and

WHEREAS, the Agency has filed an application with the Commission, including therewith, among other things, drafts or executed copies, as applicable, of the following:

(1) Master Trust Indenture, dated as of July 1, 2012 (as amended or supplemented from time to time in accordance with its terms, the "Master Indenture"), between the University and Branch Banking and Trust Company (now known as Truist Bank), as trustee (the "Master Trustee");

(2) Trust Agreement, together with the form of the Bonds attached thereto;

(3) Loan Agreement, to be dated as of June 1, 2023 (the "Loan Agreement"), between the Agency and the University;

(4) Supplemental Indenture for Obligation No. 12A and Obligation No. 12B, to be dated as of June 1, 2023, between the University and the Master Trustee, supplementing the Master Indenture, together with the forms of Obligation No. 12A and Obligation No. 12B attached thereto, Obligation No. 12A evidencing the obligation of the University to pay the amounts due under the Loan Agreement; and

(5) Credit Agreement, to be dated as of June 1, 2023, between the University and the Lender; and

WHEREAS, the Commission desires to approve the issuance of the Bonds and accept the offer of the Lender when made, all subject to the satisfaction of the conditions hereinafter set forth; and

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

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

Section 1. The issuance of the Bonds by the Agency in an aggregate principal amount not to exceed \$37,500,000 is hereby approved, all as provided in the Trust Agreement.

Section 2. The Bonds are hereby awarded to the Lender at private sale pursuant to the provisions of Section 159D-45 of the Act. The Bonds shall bear interest at the interest rates determined as set forth the Trust Agreement, with an initial fixed rate for the first ten

years following the date of issuance of the Bonds not to exceed 6% per annum, and a final maturity date of not to exceed December 31, 2043.

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

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

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

* * * * *

TOWN OF KERNERSVILLE

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

**“RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF
KERNERSVILLE FOR THE FINANCING OF THE RENOVATION,
CONSTRUCTION AND EQUIPPING OF A FIRE STATION 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 Town of Kernersville, North Carolina (the “*Town*”) has determined that it is in the best interests of the Town to enter into an installment financing contract (the “*Contract*”) with JPMorgan Chase Bank, N.A. (the “*Bank*”) in order to (1) pay the costs of renovations, construction and equipping of the existing Beeson Crossroads Fire Station Number 26 (the “*Project*”), and (2) pay certain costs related to the execution and delivery of the Contract;

WHEREAS, the principal amount to be advanced by the Bank to the Town under the Contract will not exceed \$4,525,000;

WHEREAS, the Town will repay the advance of the Contract in semi-annual payments of interest and principal for a term of fifteen (15) years at an interest rate not to exceed 3.29% per annum;

WHEREAS, the final maturity date of the Contract may not extend beyond February 1, 2038;

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;

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

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

- (i) the Contract is necessary or expedient for the Town;
- (ii) the Contract, under the circumstances, is preferable to a bond issue by the Town for the same purposes;
- (iii) the sums to fall due under the Contract are adequate and not excessive for its proposed purposes;
- (iv) the Town'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 Town 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 Project is hereby approved under the provisions of Section 160A-20 of the General Statutes, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission."

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

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

"RESOLUTION APPROVING THE FINANCING TEAM FOR THE TOWN OF KERNERSVILLE, NORTH CAROLINA INSTALLMENT FINANCING CONTRACT 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 above-referenced installment financing contract:

Bank:	JPMorgan Chase Bank, N.A.
Special Tax Counsel & Bank's Counsel:	Parker Poe Adams & Bernstein LLP

WHEREAS, based on 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 Commission that the above-referenced financing team is hereby approved for the above-referenced installment financing contract."

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

* * * * *

ROWAN COUNTY

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

**RESOLUTION APPROVING THE FINANCING TEAM
FOR THE COUNTY OF ROWAN, NORTH CAROLINA
INSTALLMENT FINANCING CONTRACT**

WHEREAS, the County of Rowan, North Carolina (the “County”) has requested that the North Carolina Local Government Commission (the “Commission”) approve the County’s selection of the following financing team members in relation to an Installment Financing Contract to be dated on or about June 13, 2023, between the County of Rowan, North Carolina and JPMorgan Chase Bank, N.A.:

Bond Counsel:	McGuireWoods LLP
Bank:	JPMorgan Chase Bank, N.A.
Bank’s Counsel:	Parker Poe Adams & Bernstein LLP
Financial Advisor:	First Tryon Advisors

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

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

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

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

**RESOLUTION APPROVING THE APPLICATION OF THE
COUNTY OF ROWAN, NORTH CAROLINA FOR THE
APPROVAL OF AN INSTALLMENT FINANCING
CONTRACT BETWEEN THE COUNTY AND JPMORGAN
CHASE BANK, N.A. TO FINANCE A PORTION OF THE
COSTS OF THE ACQUISITION, INSTALLATION AND
EQUIPPING OF NEW AIRPORT HANGARS AT THE MID-
CAROLINA REGIONAL AIRPORT**

WHEREAS, the County of Rowan, North Carolina (the “County”) intends to finance the cost of the acquisition, installation and equipping of new airport hangars at the Mid-Carolina Regional Airport (collectively, the “Project”); and

WHEREAS, the County has approved the execution and delivery of an Installment Financing Contract (the “Contract”) to be dated on or about June 13, 2023, with JPMorgan Chase Bank, N.A. (the “Bank”) to provide the financing for the Project; and

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

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

- (a) Installment Financing Contract dated June 13, 2023, between the County and the Bank; and

- (b) Security Agreement dated June 13, 2023 (the “Security Agreement”) from the County for the benefit of the Bank, granting a security interest to the Bank in the Project; and

WHEREAS, to secure its obligations with respect to the Contract, the County will execute and deliver the Security Agreement; and

WHEREAS, under the Contract, the Bank shall make a loan to the County in the aggregate principal amount of \$17,438,000, of which \$9,311,000 will be a taxable loan at an initial rate of 4.39% per annum, and \$8,127,000 will be a tax-exempt loan at an initial rate of 3.62% per annum, in each case subject to adjustment as set forth in the Contract; and

WHEREAS, the Contract has a final maturity not beyond 2038; and

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

- (a) the proposed Contract is necessary or expedient for the County;
- (b) the Contract, under the circumstances, is preferable to a general obligation bond issue for the same purpose;
- (c) the sums to fall due with respect to the Contract are adequate and not excessive for the proposed purposes thereof;
- (d) the County’s debt management procedures and policies are good;
- (e) no increase in taxes will be necessary to meet the sums to fall due under the Contract; and
- (f) 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 of the County for approval of the Contract is hereby approved under the provisions of Section 160A-20 of the General Statutes of North Carolina and the relevant resolutions of the Commission.

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

* * * * *

WINSTON-SALEM HOUSING AUTHORITY

Mr. Philbeck made a motion to approve the following action:

RESOLUTION APPROVING HOUSING AUTHORITY OF THE CITY OF WINSTON-SALEM MULTIFAMILY HOUSING REVENUE NOTE (WINSTON SUMMIT APARTMENTS), SERIES 2023 IN AN AMOUNT UP TO \$13,089,000 (THE "MULTIFAMILY NOTE") FOR WINSTON SUMMIT APARTMENTS AND THE FINANCING TEAM THEREFOR

WHEREAS, the Housing Authority of the City of Winston-Salem (the "Authority") has decided to issue its Multifamily Housing Revenue Note (Winston Summit Apartments), Series 2023 (the "Multifamily Note") to finance the acquisition, rehabilitation and equipping by Winston Summit, LP, a North Carolina limited partnership, or a related or affiliated entity (the "Borrower"), of a low income multifamily residential rental facility known as Winston Summit Apartments, consisting of 100 units, in the City of Winston-Salem, Forsyth County, North Carolina (the "Development"); and

WHEREAS, in order to finance the Development, the Authority proposes to issue the Multifamily Note in an aggregate principal amount not to exceed \$13,089,000, pursuant to the Housing Authorities Law, Article 1 of Chapter 157 of the North Carolina General Statutes, as amended (the "Act"); and

WHEREAS, the Multifamily 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 9, 2023, 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 Multifamily 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 Multifamily 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 Multifamily Note:

Bond Counsel:	McGuireWoods LLP
Borrower:	Winston Summit, LP
Borrower's Counsel:	Bocarsly Emden Cowan Esmail & Arndt LLP
Funding Lender:	Citibank, N.A.
Funding Lender's Counsel:	Robinson & Cole LLP and Norris George & Ostrow PLLC

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 Multifamily Note will be privately placed with Citibank, N.A. (the "Funding Lender"); 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 Multifamily Note:

(a) Funding Loan Agreement, between the Authority and the Funding Lender, providing for the issuance of the Multifamily Note, together with the form of the Multifamily Note;

(b) Borrower Loan Agreement, between the Authority and the Borrower, providing for the financing of the Development by the Authority;

(c) Promissory Note given by the Borrower to the Authority; and

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

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

Section 1. The sale of the Multifamily 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 Multifamily Note shall be issued in an aggregate principal amount not to exceed \$13,089,000, shall initially bear interest at a fixed rate, such rate not to exceed 12.0% per annum, and shall have a final maturity not later than December 31, 2060.

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

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

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

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

* * * * *

MISCELLANEOUS – ACTION ITEMS:

CITY OF KINGS MOUNTAIN

Mr. Philbeck made a motion to approve the following requests:

The City of Kings Mountain and the Bethlehem Volunteer Fire Department are requesting approval of an annexation payment of Cleveland County Parcels 62675 and 62668 in accordance with G.S. 160A-31.1, whereby the City will make a lump sum payment for the debt on the land and real estate (\$381.33) and a lump sum payment for the debt on the purchase of equipment (\$56.40). The Fire District's total payment for the real estate and equipment is \$437.73. The annexation was completed on September 27, 2022.

The City of Kings Mountain and the Bethlehem Volunteer Fire Department are requesting approval of an annexation payment of Cleveland County Parcel 10699 in accordance with G.S. 160A-31.1, whereby the City will make a lump sum payment for the debt on the land and real estate (\$805.22) and a lump sum payment for the debt on the purchase of equipment (\$119.15). The Fire District's total payment for the real estate and equipment is \$924.37. The annexation was completed on September 27, 2022.

Secretary Marshall seconded the motion and the foregoing requests were approved by unanimous vote of 9 – 0.

* * * * *

TOWN OF MOCKSVILLE

Mr. Philbeck made a motion to approve the following request:

The Town of Mocksville and the Center Volunteer Fire Department are requesting approval of an annexation payment in accordance with G.S. 160A-31.1, whereby the Town will make a lump sum payment for the Town's proportionate share (0.016%) of the entire tax value of the Fire District's parcel and the Fire District's outstanding debt which totals \$5,247.90. The annexation was completed on April 4, 2023.

Secretary Marshall seconded the motion and the foregoing request was approved by unanimous vote of 9 – 0.

* * * * *

CITY OF GASTONIA

Mr. Philbeck made a motion to approve the following requests:

The City of Gastonia and the Union Road Volunteer Fire Department are requesting approval of an annexation payment on Howe Dairy Road in accordance with G.S. 160A-31.1, whereby the City will make a lump sum payment for the City's proportionate share (0.00210%) of the entire tax value of the Fire District's parcel and the Fire District's outstanding debt which totals \$2,006.82. The annexation was completed on May 6, 2022.

The City of Gastonia and the Union Road Volunteer Fire Department are requesting approval of an annexation payment on Nolen Farm Drive in accordance with G.S. 160A-31.1, whereby the City will make a lump sum payment for the City's proportionate share (0.0002%) of the entire tax value of the Fire District's parcel and the Fire District's outstanding debt which totals \$191.13. The annexation was completed on September 6, 2022.

The City of Gastonia and the Union Road Volunteer Fire Department are requesting approval of an annexation payment on Union Road in accordance with G.S. 160A-31.1, whereby the City will make a lump sum payment for the City's proportionate share (0.00045%) of the entire tax value of the Fire District's parcel and the Fire District's outstanding debt which totals \$275.80. The annexation was completed on December 29, 2020.

The City of Gastonia and the Union Volunteer Fire Department are requesting approval of an annexation payment on Neal Hawkins Road in accordance with G.S. 160A-31.1, whereby the City will make a lump sum payment for the City's proportionate share (0.0007%) of the entire tax value of the Fire District's parcel and the Fire District's outstanding debt which totals \$668.94. The annexation was completed on November 29, 2022.

The City of Gastonia and the New Hope Fire Department are requesting approval of an annexation payment on Kendrick and Beaty Roads in accordance with G.S. 160A-31.1, whereby the City will make a lump sum payment for the City's proportionate share (0.00052%) of the entire tax value of the Fire District's parcel and the Fire District's outstanding debt which totals \$322.24. The annexation was completed on June 18, 2021.

The City of Gastonia and the Crowder's Mountain Volunteer Fire & Rescue are requesting approval of an annexation payment on Linwood Road in accordance with G.S. 160A-31.1, whereby the City will make a lump sum payment for the City's proportionate share (0.00138%) of the entire tax value of the Fire District's parcel and the Fire District's

outstanding debt which totals \$3,641.07. The annexation was completed on November 12, 2021.

The City of Gastonia and the Crowder's Mountain Volunteer Fire & Rescue are requesting approval of an annexation payment on Davis Park Road in accordance with G.S. 160A-31.1, whereby the City will make a lump sum payment for the City's proportionate share (0.00021%) of the entire tax value of the Fire District's parcel and the Fire District's outstanding debt which totals \$554.08. The annexation was completed on December 22, 2021.

The City of Gastonia and the Crowder's Mountain Volunteer Fire & Rescue are requesting approval of an annexation payment on Stagecoach Road in accordance with G.S. 160A-31.1, whereby the City will make a lump sum payment for the City's proportionate share (0.0035%) of the entire tax value of the Fire District's parcel and the Fire District's outstanding debt which totals \$8,263.06. The annexation was completed on September 27, 2022.

Secretary Marshall seconded the motion and the foregoing requests were approved by unanimous vote of 9 – 0.

END OF CONSENT AGENDA

CITY OF SALISBURY

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

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE CITY OF SALISBURY INSTALLMENT FINANCING CONTRACT

WHEREAS, the City of Salisbury (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 Installment Financing Contract (the “Contract”) between the City and JPMorgan Chase Bank, NA (the “Lender”) whereby the Lender shall advance moneys to the City and the City, subject to its right of nonappropriation, shall repay the advance with interest:

Bond Counsel:	Robinson, Bradshaw & Hinson, P.A.
Purchaser:	JPMorgan Chase Bank, NA
Purchaser’s Counsel:	Parker Poe Adams & Bernstein LLP
Financial Advisor:	First Tryon Advisors, LLC

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

NOW, THEREFORE, BE IT RESOLVED by the Commission that the above financing team is hereby approved for the execution and delivery of the Contract.”

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

* * *

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

“RESOLUTION APPROVING THE APPLICATION OF THE CITY OF SALISBURY TO FINANCE THE COST OF CERTAIN PROJECTS THROUGH AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. 160A-20.

WHEREAS, the City of Salisbury (the “City”) has determined to finance a portion of the acquisition, construction, equipping, and improvement of a new fire station to be located at 150 Mahaley Avenue, Salisbury, North Carolina 28144 (the “Project”); and

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

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

WHEREAS, the principal amount of the Contract shall not exceed \$6,500,000 and shall be payable annually as to principal and semiannually as to interest at a rate of interest of 3.290% per annum and a final maturity not exceeding June 1, 2038; and

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

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

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

- (i) that the Contract is necessary or expedient for the City;
- (ii) that the Contract, under the circumstances, is preferable to a bond issue for the same purpose;
- (iii) that the sums to fall due under the Contract are adequate and not excessive for the proposed purpose of the Contract;
- (iv) that the 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 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.”

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

* * * * *

NEW HANOVER COUNTY

Mr. Burns 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, AND THE ACQUISITION OF REAL PROPERTY 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*”), Amendment Number Three to the 2010 Contract dated as of March 1, 2021 (the “*Third Amendment*”), and Amendment Number Four to the 2010 Contract dated as of June 1, 2022 (the “*Fourth Amendment*”); 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 dated as of June 1, 2023 (the “*Fifth Amendment*” and together 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 pay the capital costs of (1) the acquisition of vehicles and equipment for use by various County departments, (b) construction and development of Hanover Pines Nature Park, (c) improvements to various County buildings, (d) expansion of the County’s maintenance facility at Ogden Park, (e) facility replacement for the detective and vice units of the Sheriff’s department, and (f) the purchase of real property for use by Cape Fear Community College to expand its nursing and allied health programs (collectively, the “*2023 Projects*”); and

WHEREAS, the County intends to enter into the Fifth 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 5 dated as of June 1, 2023 (the “*Fifth 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 2023 (the “*2023 Bonds*”); and

WHEREAS, the 2023 Bonds are to be underwritten by PNC Capital Markets LLC (the “*Underwriter*”), and the proceeds from the sale of the 2023 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 2023 Bonds shall not exceed \$25,000,000; and

WHEREAS, the maturity of the installment payments related to the 2023 Bonds shall not extend beyond 2043; and

WHEREAS, the interest rate shall not exceed an all-in TIC of 4.5%; 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 Fifth Amendment is necessary or 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 Fifth 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 North Carolina Local Government Commission that the application for approval of the Fifth Amendment, the 2023 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 a vote of 6-2 (No: Butler, Folwell; Recusal: Wood). One citizen, Neal Shulman, made comments to the Commission. Eric Credle, County CFO; Chris Coudriet, County Manager; Bill Rivenbark, Chair of the Board of Commissioners; Dane Scalise, Commissioner; Tim Buckland, Intergovernmental Affairs Manager and Rebecca Joyner, Parker Poe, Bond Counsel attended in person to speak and answer members’ questions.

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

**“RESOLUTION APPROVING THE FINANCING TEAM FOR THE
COUNTY OF NEW HANOVER LIMITED OBLIGATION BONDS,
SERIES 2023**

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 vote of 6-2 (No: Butler, Folwell; Recusal: Wood). One citizen, Neal Shulman, made comments to the Commission. Eric Credle, County CFO; Chris Coudriet, County Manager; Bill Rivenbark, Chair of the Board of Commissioners; Dane Scalise, Commissioner; Tim Buckland, Intergovernmental Affairs Manager and Rebecca Joyner, Parker Poe, Bond Counsel attended in person to speak and answer members’ questions.

CITY OF WILMINGTON

Secretary Marshall made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE CITY OF WILMINGTON FOR THE FINANCING OF THE ACQUISITION OF A DOWNTOWN CAMPUS INCLUDING A BUILDING, A PARKING DECK, AND RELATED PROPERTY 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 City of Wilmington, North Carolina (the “*City*”) has previously entered into (A) an Installment Financing Contract dated as of June 15, 2012 (the “*2012 Contract*”), as amended by Amendment Number One to the 2012 Contract dated as of June 1, 2015 (the “*First Amendment*”), Amendment Number Two to the 2012 Contract dated as of May 1, 2020 (the “*Second Amendment*”), Amendment Number Three to the 2012 Contract dated as of May 1, 2021 (the “*Third Amendment*”), and Amendment Number Four to the 2012 Contract dated as of May 1, 2023 (the “*Fourth Amendment*”), each with Wilmington Future, Inc. (the “*Corporation*”), to finance and refinance the projects described therein; and (B) to secure its obligations under the 2012 Contract, as amended, a Deed of Trust and Security Agreement dated as of June 26, 2012 (the “*2012 Deed of Trust*”), granting a security interest in the sites of the Operations Center, Fire Station 8, Fire Station 9, Masonboro Fire Station, Seagate Fire Station and the Command Center (all as defined in the 2012 Contract), a Notice of Extension dated as of June 1, 2015, extending the lien of the 2012 Deed of Trust to the sites of Cinema Drive and Shipyard Fire Stations (all as defined in the First Amendment), a Second Notice of Extension dated as of May 1, 2020, extending the lien of the 2012 Deed of Trust to the site of the Public Safety Training Facility and Firing Range (as defined in the Second Amendment), and a Third Notice of Extension dated as of May 1, 2023, extending the lien of the 2012 Deed of Trust to the site of the Riverlights Fire Station (as defined in the Third Amendment); and

WHEREAS, the City has determined that, in connection with the execution and delivery by the Corporation of its Variable Rate Taxable Limited Obligation Bond, Series 2023B (the “*2023B Bond*”), Taxable Limited Obligation Bonds, Series 2023C (the “*2023C Bonds*”), and Limited Obligation Bonds, Series 2023D (the “*2023D Bonds*” and together with the 2023B Bond and the 2023C Bonds, the “*2023BCD Bonds*”) it was in the best interest of the City to (1) to enter into Amendment Number Five to the 2012 Contract (the “*Fifth Amendment*” and together with the 2012 Contract, the First Amendment, the Second Amendment, the Third Amendment, and the Fourth Amendment, the “*Contract*”) and use the advance by the Corporation related to the 2023BCD Bonds to pay the capital costs of the acquisition of the Northern Downtown Campus that includes a building with 370,000 square feet of office space in which the City will consolidate City administrative offices, a parking deck, and related property (the “*2023BCD Project*”) and (2) to secure its obligations under the 2012 Contract, enter into a Fourth Notice of Extension to the 2012 Deed of Trust (the “*Fourth Extension*” and together with the 2012 Deed of Trust, the First Extension, the Second Extension, and the Third Extension, the “*Deed of Trust*”), extending the lien of the 2012 Deed

of Trust to the site of the Northern Downton Campus (as defined in the Fifth Amendment), once acquired; and

WHEREAS, the 2023B Bond, the 2023C Bonds, and the 2023D Bonds each evidence proportionate undivided interests in rights to receive certain Revenues pursuant to the Contract and Deed of Trust; and

WHEREAS, Truist Bank (the “*Bank*”) has agreed to purchase the 2023B Bond pursuant to the terms of a Bond Purchase Agreement to be dated on or about July 12, 2023 and will advance funds to the Corporation, which will fund a portion of the advance by the Corporation to the City under the Fifth Amendment; and

WHEREAS, the 2023C Bonds and 2023D Bonds are to be underwritten by Raymond James & Associates, Inc. (the “*Underwriter*”), and the proceeds from the sale of the 2023C Bonds and 2023D Bonds will be remitted by the Underwriter to the Corporation to fund a portion of the advance by the Corporation to the City under the Fifth Amendment; and

WHEREAS, the aggregate principal amount of the 2023BCD Bonds, shall not exceed \$70,000,000; and

WHEREAS, the maturity of the installment payments relating to the 2023BCD Bonds shall not extend beyond September 1, 2043; and

WHEREAS, the effective interest cost of the 2023BCD Bonds shall not exceed 6.00%; 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 Fifth Amendment is necessary or expedient for the City;
- ii) the Fifth Amendment, under the circumstances, is preferable to a bond issue by the City for the same purposes;
- iii) the sums to fall due under the Fifth Amendment are adequate and not excessive for the 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 Fifth Amendment 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 Fifth Amendment, the 2023BCD Bonds

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.”

Mr. Burns seconded the motion and the foregoing resolution was adopted by a vote of 7-1 (No: Folwell; Recusal: Wood). Bill Saffo, Mayor; Clifford Barnett, Councilman; Tony Caudle, City Manager; Chad McEwan, Deputy City Manager; Meredith Everhart, City Attorney; Jennifer Maready, Finance Director; Bryon Dorey, Assistant Finance Director; and Rebecca Joyner, Parker Poe, Bond Counsel attended in person to speak and answer members’ questions.

Secretary Marshall made a motion to approve the following resolution:

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE CITY OF WILMINGTON LIMITED OBLIGATION BONDS FINANCING

WHEREAS, the City of Wilmington, 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 limited obligation bonds:

Bond Counsel:	Parker Poe Adams & Bernstein LLP
Underwriter (CD Bonds):	Raymond James & Associates, Inc.
Underwriter’s Counsel:	Pope Flynn, LLC
Bank (B Bond):	Truist Bank
Bank’s Counsel:	Moore & Van Allen, PLLC
Financial Advisor:	Waters & Company, LLC
Trustee:	U.S. Bank Trust Company, National Association
Trustee’s Counsel:	McGuireWoods LLP

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

NOW, THEREFORE, BE IT RESOLVED by the Commission that the above-referenced financing team is hereby approved for the referenced limited obligation bonds.”

Mr. Burns seconded the motion and the foregoing resolution was adopted by a vote of 7-1 (No: Folwell; Recusal: Wood). Bill Saffo, Mayor; Clifford Barnett, Councilman; Tony Caudle, City Manager; Chad McEwan, Deputy City Manager; Meredith Everhart, City Attorney; Jennifer Maready, Finance Director; Bryon Dorey, Assistant Finance Director; and Rebecca Joyner, Parker Poe, Bond Counsel attended in person to speak and answer members’ questions.

* * * * *

Secretary Marshall made a motion to adopt the following items:

See EXHIBIT 2: Grant Project Ordinance For Town of Robersonville 2023
Community Project Fund/Street Improvements

See EXHIBIT 3: Grant Project Ordinance For Town of Robersonville - American Rescue Plan Act of 2021: Coronavirus State And Local Fiscal Recovery Funds

See EXHIBIT 4: for the Town of Kingstown: Resolution to Approve a Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement

See EXHIBITS 5 – 15: Eleven (11) Budget Ordinance Amendments for the Town of Spring Lake (Ordinance Nos. 23–15 through 23–25)

Mr. Butler seconded the motion and the foregoing were adopted by unanimous vote of 7 – 0 (Absent: Wood, Burns).

* * * * *

Secretary Marshall made a motion to adopt the following item:

See EXHIBIT 16: Resolution Approving Viable Utility Reserve Grant Application for the Lumber River Council of Governments

Mr. Philbeck seconded the motion and the foregoing was adopted by a vote of 5 – 2 (No: Butler, Folwell; Absent: Wood, Burns).

* * * * *

Chair Folwell asked that the meeting be adjourned in remembrance of Memorial Day and in honor of all those who have served our country in the military, those alive, deceased and missing in action. Mr. Philbeck made a motion to adjourn. Mr. Butler seconded the motion which passed by unanimous vote (Absent: Wood, Burns). The meeting adjourned at 3:51 p.m.

The next regularly scheduled meeting of the North Carolina Local Government Commission will be held on July 11, 2023 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 6, 2023.

WITNESS my hand at Raleigh, NC, this 6th day of June 2023.

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

Local Governments Requesting Debt Approval by LGC									
Meeting Date		06/06/23							
		As Reported in 2022 Fiscal Year End Audits							
Name of Unit	County	Total OPEB Liability	Actuarial Value of OPEB Assets	Net OPEB Liability	Total LEOSSA Pension Liability	Actuarial Value of LEOSSA Assets	Net LEOSSA Pension Liability	Total Net Liability for OPEB and LEOSSA	LGERS/TSERS Net Pension Liability (1)
Asheboro Housing Authority (2)	Randolph	699,174	0	699,174	N/A	N/A	N/A	N/A	151,979
Gastonia	Gaston	65,707,214	0	65,707,214	24,212,812	0	24,212,812	89,920,026	9,941,229
Hope Mills	Cumberland	11,742,491	0	11,742,491	835,249	0	835,249	12,577,740	1,291,748
Kernersville	Forsyth	1,051,659	0	1,051,659	155,442	0	155,442	1,207,101	73,613
Kings Mountain	Cleveland	14,689,355	0	14,689,355	1,685,091	0	1,685,091	16,374,446	1,980,637
Laurinburg	Scotland	2,786,571	0	2,786,571	1,939,078	0	1,939,078	4,725,649	1,518,873
Mocksville	Davie	839,594	0	839,594	211,503	0	211,503	1,051,097	430,787
New Hanover County	New Hanover	383,103,721	0	383,103,721	20,021,043	0	20,021,043	403,124,764	21,906,192
Onslow County	Onslow	20,720,525	0	20,720,525	5,342,353	0	5,342,353	26,062,878	11,994,408
Orange County	Orange	132,737,808	363,033	132,374,775	6,941,163	0	6,941,163	139,315,938	11,317,480
Rocky Mount	Nash	50,418,123	0	50,418,123	10,163,709	0	10,163,709	60,581,832	10,246,722
Rowan County	Rowan	13,161,926	0	13,161,926	5,746,791	0	5,746,791	18,908,717	8,594,426
Salisbury	Rowan	8,833,858	0	8,833,858	3,952,090	0	3,952,090	12,785,948	5,005,351
Wallace	Duplin	N/A	N/A	N/A	275,021	0	275,021	275,021	552,401
Wilmington	New Hanover	41,653,001	3,061,235	38,591,766	17,159,226	0	17,159,226	55,750,992	12,200,983
Winston Salem Housing Authority	Forsyth	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

LGERS - Local Government Employees' Retirement System
 TSERS - Teachers' and State Employees' Retirement System

OPEB - Other Post Employment Benefits (e.g. retiree healthcare)
 NA - Not applicable

(1) LGERS/TSERS liabilities are satisfied by monthly employer contributions to the plans. The contribution rates are reviewed annually and adjusted as needed. See detailed explanation on cover page.

(2) Financials as of 03/31/2022

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

**GRANT PROJECT ORDINANCE FOR
TOWN OF ROBERSONVILLE
2023 COMMUNITY PROJECT FUND/STREET IMPROVEMENTS**

BE IT ORDAINED, by the North Carolina Local Government Commission acting in place of the Board of Commissioners of the Town of Robersonville, North Carolina pursuant to General Statute 159-181(c) that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Ordinance is hereby adopted:

Section 1. The projects authorized are for the 2023 Community Project Fund (CPF) / Street Improvements Project to be paid 100% with the Federal HUD CPF Grant.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the board resolution and the budget contained herein.

Section 3. The following amounts are appropriated for the projects:

Construction	\$	675,000
Design/Engineering		37,500
Construction/Administration/Oversight		18,750
Project Management		<u>18,750</u>
Total	\$	<u>750,000</u>

Section 4. The following revenue is anticipated to be available to complete these projects:

Federal HUD CPF Grant	\$	<u>750,000</u>
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Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations. The terms of the resolution also shall be met.

Section 6. Funds may be advanced by the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agencies in an orderly and timely manner.

Section 7. The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and on the total grant revenues received or claimed.



LOCAL GOVERNMENT COMMISSION
STATE AND LOCAL GOVERNMENT
FINANCE DIVISION

SHARON EDMUNDSON
DEPUTY TREASURER

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this Grant project in every budget submission made to the Local Government Commission on behalf of the Town Council.

Section 9. Copies of this grant project ordinance shall be furnished to the Clerk of the Governing Board and to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this 6th day of June 2023.

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 Grant Project Ordinance adopted by the North Carolina Local Government Commission at its meeting held on June 6th, 2023.

WITNESS my hand this 6th day of June 2023

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



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

**GRANT PROJECT ORDINANCE FOR
TOWN OF ROBERSONVILLE
AMERICAN RESCUE PLAN ACT OF 2021: CORONAVIRUS STATE AND LOCAL FISCAL
RECOVERY FUNDS**

BE IT ORDAINED by the North Carolina Local Government Commission acting in place of the Town of Robersonville, North Carolina pursuant to General Statute 159-181(c) that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: This ordinance is to establish a budget for projects to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Robersonville (Town) has received the total allocation of \$428,010.67. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, 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, 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.

Section 2: The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

Section 3: The following amounts are recognized as grant revenue and associated investment earnings and are appropriated for transfer to the General Fund:

Transfer out to General Fund	\$435,050	
ARP/CSLFRF Funds		\$428,010
Investment earnings		\$7,040



LOCAL GOVERNMENT COMMISSION
STATE AND LOCAL GOVERNMENT
FINANCE DIVISION

SHARON EDMUNDSON
DEPUTY TREASURER

Section 4: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town's Uniform Guidance Allowable Costs and Cost Principles Policy.

Section 5: The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section 6: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

Section 7: This grant project ordinance is effective as of March 3, 2021, and expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

I, Sharon Edmundson, Secretary of the North Carolina Local Government Commission, **CERTIFY** that the foregoing is a true and correct copy of the grant project ordinance adopted at a meeting of the North Carolina Local Government Commission duly called and held on June 6, 2023.

WITNESS my hand at Raleigh, this 6th day of June 2023.

Sharon Edmundson, Secretary of the
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 TO APPROVE A MUNICIPAL ACCOUNTING SERVICES, CYBERSECURITY
AND TECHNICAL ASSISTANCE MEMORANDUM OF AGREEMENT**

WHEREAS, the North Carolina State Budget Act of 2021 (SL 2021-180, as amended by SL 2021-189, and SL 2022-6) provided to the NC League of Municipalities (League) grant funds provided to the State of North Carolina by the U.S. Treasury pursuant the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319, American Rescue Plan Act of 2021 (ARP); and

WHEREAS, the League received two Award Agreements (OSBM-NCLM-65) from the Office of State Budget and Management (OSBM) and the North Carolina Pandemic Recovery Office (NCPRO); and

WHEREAS, the first Award Agreement is identified as OSBM-NCLM-65. This grant enables the League to provide "financial software and assistance programs for units of local government for expenses related to the COVID-19 pandemic..." This grant is referred to as the Municipal Accounting Services and Cybersecurity Grant; and

WHEREAS, the second Award Agreement is identified as OSBM-NCLM-66. This grant enables the League "to provide guidance and technical assistance to units of local government in the administration of funds from the Local Fiscal Recovery Fund, as established in Section 2.6 of S.L. 2021-25, and in the administration of projects funded through the State Fiscal Recovery Fund, as established in Section 2.2 of S.L. 2021-25." This grant is referred to as the Guidance and Technical Assistance Grant; and

WHEREAS, the Municipal Accounting Services and Cybersecurity Grant and the Guidance and Technical Assistance Grant are collectively referred to herein as the "League Grants".

WHEREAS, the League Grants are deemed part of US Treasury Expenditure Category: 6, Revenue Replacement and shall only be spent on governmental services; and

WHEREAS, pursuant to US Treasury Guidance, units of local government that receive services that are funded by one or both of the League Grants are beneficiaries of one or both of the League Grants, respectively, and such services are provided at no cost to these local governments; and

WHEREAS, the value of the Contractor Services provided by Black Mountain Software, LLC, to the Town of Kingstown is currently \$45,080; and

WHEREAS, the League has established a Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement pursuant to the terms of the League's Municipal Accounting Systems and Cybersecurity Grant and the Guidance and Technical Assistance Grant; and

WHEREAS, this Municipal Accounting System, Cybersecurity and Technical Assistance Memorandum of Agreement will offer local municipalities:

- (1) Services rendered by the League (League Services) (see Memorandum of Agreement Exhibit A); and
- (2) Services rendered by one or more service providers (Contractor Services), retained by the League on behalf of the Municipality, who are members of a particular profession or possess a special skill as set forth in §2 C.F.R. 200.459; and
- (3) Equipment, including information technology systems, and supplies, including computing devices, as set forth in §2 C.F.R. 200.439 and §2 C.F.R. 200.453; and

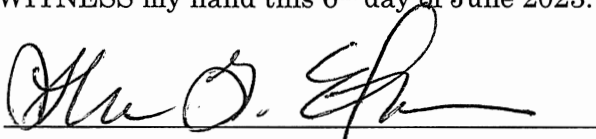
WHEREAS, the Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement, is attached hereto as EXHIBIT A.

NOW, THEREFORE BE IT RESOLVED BY THE LOCAL GOVERNMENT COMMISSION ACTING IN PLACE OF THE TOWN COUNCIL OF KINGSTOWN PURSUANT TO GENERAL STATUTE 159-181(c):

1. That the Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement is hereby approved.
2. That the Finance Officer is authorized to execute the attached Memorandum of Agreement (or one substantially equivalent thereto) and such other agreements as necessary in accordance with the League's Municipal Accounting Services and Cybersecurity Grant and the Guidance and Technical Assistance Grant.

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 6, 2023.

WITNESS my hand this 6th day of June 2023.



Sharon G. Edmundson, Secretary
North Carolina Local Government Commission

THE MEMORANDUM OF AGREEMENT (EXHIBIT A) IS NOT ATTACHED

TO THIS HARD COPY OF THESE MINUTES.

THE MEMORANDUM OF AGREEMENT IS ATTACHED TO THE ELECTRONIC

VERSION OF THESE MINUTES.

ORDINANCE NO. 23-15
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the OPEB and LEO Ordinance

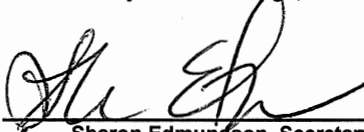
THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. OPEB and LEO Fund is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Amended Budget	Increase (Decrease)		Revised 2022-23 Amended Budget
ESTIMATED REVENUES				
Current Employee Ins Contribution	-	468	(1)	468
Retiree Ins Contribution	-	1,920	(1)	1,920
Interfund Transfer in - Water Sewer	-	10,457	(1)	10,457
Interfund Transfer in - General Fund -LEO	58,339	55,649	(2)	113,988
Interfund Transfer in - General Fund -OPEB	22,000	382	(1)	22,382
Total Revenues	80,339	68,876		149,215
APPROPRIATIONS				
Fund Balance Increase	-	36,148	(2)	36,148
LEO Separation Allowance Payments	58,339	-		58,339
Retiree Insurance Premium	22,000	13,227	(1)	35,227
Interfund Transfer out - Stormwater	-	18,426	(2)	18,426
Interfund Transfer out - Sanitation	-	1,075	(2)	1,075
Total Appropriations	80,339	68,876		149,215

- 1) FY 23 Fund 75 Budget had a \$80,339 Transfer in from the General Fund for both OPEB and LEO expenditures and an additional \$382 is required for OPEB. A Water Sewer Fund Transfer in the amount of \$10,457 is for those retiree OPEB expenditures. Contributions from employees with ages between 62 and 64 are \$468 and age 65 and over are \$1,920. The Towns share of the employees OPEB current year cost needs an additional \$13,227.
- 2) Prior Year reconciliation of transactions in Fund 75 discovered the following: An additional \$55,649 Transfer in from the General Fund. Fund 62 and Fund 66 did not have any retirees on OPEB and \$18,425 and \$1,075 respectively will be transferred back to those funds. This will leave a fund balance increase of \$36,148

WITNESS my hand at Raleigh, this 6th day of June 2023



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

EXHIBIT 6

ORDINANCE NO. 23-16
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the 2022-23 General Fund Budget

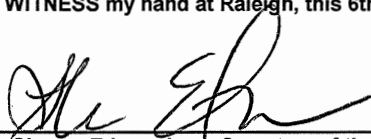
THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. General Fund is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Amended Budget	Increase (Decrease)		Revised 2022-23 Amended Budget
ESTIMATED REVENUES				
Total Revenues	11,158,047	-		11,158,047
APPROPRIATIONS				
Fund Balance Increase	888,978	(106,370)	(1) (2)	782,608
Retiree Insurance Premium	30,000	(30,000)	(1)	-
Interfund Transfer out - OPEB (Fund 75)	-	22,382	(1)	22,382
Interfund Transfer out - LEO (Fund 75)	-	113,988	(1) (2)	113,988
Interfund Transfer out - SAFR Grant	333,091	-		333,091
Interfund Transfer out - Sanitation	57,352	-		57,352
Interfund Transfer out - W/S Capital Project (Fund 46)	543,200	-		543,200
Total Appropriations	11,158,047	-		11,158,047

- 1) FY 2023 Budget for Fund 75 - included a Transfer from General Fund \$80,339 however, the General Fund did not include a Transfer out to Fund 75. The \$30,000 budgeted as an expenditure is eliminated and moved to Fund Balance Increase. The Transfer out to Fund 75 for \$80,339 is broken out by \$58,339 for LEO and \$22,000 for OPEB.
- 2) Prior Year reconciliation of transactions in Fund 75 discovered the following shortfall: An additional \$56,031 Transfer out to Fund 75 (\$55,649 LEO and \$382 OPEB) and will be funded by Fund Balance Increase account.

WITNESS my hand at Raleigh, this 6th day of June 2023



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

ORDINANCE NO. 23-17
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the 2022-23 Water and Sewer Fund Budget

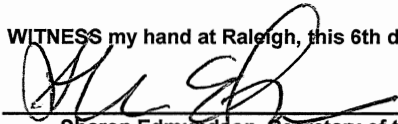
THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. Water and Sewer Fund is hereby amended by increasing estimated revenues and appropriations in the amounts indicated:

	2022-23 Amended Budget	Current Request Increase (Decrease)	Revised 2022-23 Amended Budget
ESTIMATED REVENUES			
Total Revenues	4,844,255	-	4,844,255
APPROPRIATIONS			
Increase in Fund Balance	29,872	(10,457) (1)	19,415
Interfund Transfer out - OPEB Fund 75	-	10,457 (1)	10,457
Total Appropriations	4,844,255	-	4,844,255

- 1) The Water Sewer Fund has retirees with OPEB benefits. The FY 23 cost was not originally budgeted and this amendment appropriates the \$10,457 needed to fund those OPEB retirees.

WITNESS my hand at Raleigh, this 6th day of June 2023



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

ORDINANCE NO. 23-18
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the 2022-23 Stormwater Fund Budget

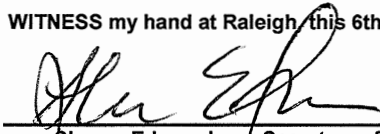
THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. Stormwater Fund is hereby amended by increasing estimated revenues and appropriations in the amounts indicated:

	2022-23 Amended Budget	Current Request Increase (Decrease)	Revised 2022-23 Amended Budget
ESTIMATED REVENUES			
Interfund Transfer in - OPEB Fund 75	-	18,426 (1)	18,426
Interfund Transfer In - ARPA	170,515	-	170,515
Total Revenues	449,935	18,426	468,361
APPROPRIATIONS			
Fund Balance Increase	165,458	18,426 (1)	-
Total Appropriations	449,935	18,426	468,361

- 1) Prior Year reconciliation of transactions in Fund 75 discovered that Fund 62 did not have any retirees on OPEB and \$18,425 is appropriated to repay Fund 62 and added to Fund Balance Increase.

WITNESS my hand at Raleigh, this 6th day of June 2023



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

ORDINANCE NO. 23-19
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the 2022-23 Sanitation Fund Budget

THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. Sanitation Fund is hereby amended by increasing estimated revenues and appropriations in the amounts indicated:

	2022-23 Amended Budget	Current Request Increase (Decrease)	Revised 2022-23 Amended Budget
ESTIMATED REVENUES			
Interfund Transfer In - Fleet	62,389	-	62,389
Interfund Transfer in - General Fund	57,352	-	57,352
Interfund Transfer in - OPEB Fund 75	-	1,075 (1)	1,075
Interfund Transfer In - ARPA	99,919	-	99,919
Total Revenues	961,695	1,075	962,770
APPROPRIATIONS			
Non-Departmental	426,243	-	427,318
Fund Balance Increase	-	1,075 (1)	
Total Appropriations	961,695	1,075	962,770

- 1) Prior Year reconciliation of transactions in Fund 75 discovered that Fund 66 did not have any retirees on OPEB and \$1,075 is appropriated to repay Fund 66 and added to Fund Balance Increase.

WITNESS my hand at Raleigh, this 6th day of June 2023



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

ORDINANCE NO. 23-20
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the 2022-23 General Fund Budget

THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. General Fund is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Amended Budget	Increase (Decrease)	Revised 2022-23 Amended Budget
ESTIMATED REVENUES			
Total Revenues	11,158,047	-	11,158,047
APPROPRIATIONS			
Fund Balance Increase	782,608	(4,077)	778,531
Interfund Transfer out - OPEB (Fund 75)	22,382		22,382
Interfund Transfer out - LEO (Fund 75)	113,988		113,988
Interfund Transfer out - Spring Fling Fund 20		4,077	4,077
Interfund Transfer out - SAFR Grant	333,091	-	333,091
Interfund Transfer out - Sanitation	57,352		57,352
Interfund Transfer out - W/S Capital Project (Fund 46)	543,200	-	543,200
Total Appropriations	11,158,047	-	11,158,047

- 1) Prior Year reconciliation of transactions in Spring Fling Fund 20 discovered a shortfall of \$4,077. A transfer out to Fund 20 in the amount of \$4,077 will be funded by Fund Balance Increase account.

WITNESS my hand at Raleigh, this 6th day of June 2023


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

ORDINANCE NO .23-21
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the OPEB and LEO Ordinance

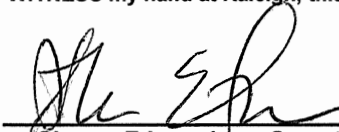
THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby amended:

Section I: This Ordinance is to amend the Spring Fling Special Revenue Fund (Fund20).

	Prior Project	Increase (Decrease)	Amended Project
ESTIMATED REVENUES			
Vendor Fees	1,250		1,250
Contribution Proceeds	14,200		14,200
Interfund Transfer in - General Fund	-	4,007 (1)	4,007
Total Revenues	15,450	4,007	19,457
APPROPRIATIONS			
Spring Fling	15,450	-	15,450
Fund Balance Increase	-	4,007 (1)	4,007
Total Appropriations	15,450	4,007	19,457

- 1) Prior Year reconciliation of transactions in Spring Fling Fund 20 discovered a shortfall of \$4,077. A transfer in from the General Fund in the amount of \$4,077 will be offset by Fund Balance Increase account.

WITNESS my hand at Raleigh, this 6th day of June 2023



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

EXHIBIT 12

ORDINANCE NO. 23-22
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the 2022-23 General Fund Budget

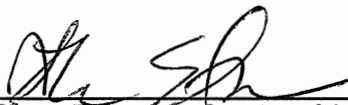
THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. General Fund is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Amended Budget	Increase (Decrease)		Revised 2022-23 Amended Budget
ESTIMATED REVENUES				
Total Revenues	11,158,047	-		11,158,047
APPROPRIATIONS				
Fund Balance Increase	778,531	(19,144)	(1)	759,387
Interfund Transfer out - OPEB (Fund 75)	22,382			22,382
Interfund Transfer out - LEO (Fund 75)	113,988			113,988
Interfund Transfer out - Spring Fling Fund 20	4,077			4,077
Interfund Transfer out - Fire Station #2 Fund 30	-	19,144	(1)	19,144
Interfund Transfer out - SAFR Grant	333,091	-		333,091
Interfund Transfer out - Sanitation	57,352			57,352
Interfund Transfer out - W/S Capital Project (Fund 46)	543,200	-		543,200
Total Appropriations	11,158,047	-		11,158,047

- 1) Fire Station #2 has an outstanding Receivable from NCDOT since FY 2022. The contractor paved over the driveway prior to NCDOT inspection. Until a cut in the pavement is made and passes inspection NCDOT will not pay for the upgrades they requested. Due to this delay the General Fund will transfer the \$19,144 to Fund 30 and it will be funded by Fund Balance Increase account.

WITNESS my hand at Raleigh, this 6th day of June 2023



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

ORDINANCE NO. 23-23
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the Fire Station #2 Capital Project Ordinance

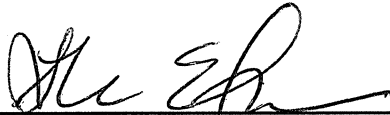
THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby amended:

Section I: This Ordinance is to amend the Fire Station #2 Capital Project Fund (Fund30).

	Prior Project	Increase (Decrease)	Amended Project
ESTIMATED REVENUES			
NCDOT - Reimbursement	19,144	(19,144) (1)	-
South River EMC Loan	1,000,000		1,000,000
Interfund Transfer in - General Fund	230,761	19,144 (1)	249,905
Total Revenues	1,249,905	-	1,249,905
APPROPRIATIONS			
Fire Station #2 Construction	1,249,905	-	1,249,905
Total Appropriations	1,249,905	-	1,249,905

- 1) Fire Station #2 has an outstanding Receivable from NCDOT since FY 2022. The contractor paved over the driveway prior to NCDOT inspection. Until a cut in the pavement is made and passes inspection NCDOT will not pay for the upgrades they requested. Due to this delay the General Fund will transfer the \$19,144 to Fund 30 and the NCDOT Reimbursement is reduced the same amount.

WITNESS my hand at Raleigh, this 6th day of June 2023



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

ORDINANCE NO. 23-24
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the 2022-23 General Fund Budget

THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. General Fund is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Amended Budget	Increase (Decrease)		Revised 2022-23 Amended Budget
ESTIMATED REVENUES				
Total Revenues	11,158,047	-		11,158,047
APPROPRIATIONS				
Fund Balance Increase	759,387	(114,503)	(1)	644,884
Interfund Transfer out - OPEB (Fund 75)	22,382			22,382
Interfund Transfer out - LEO (Fund 75)	113,988			113,988
Interfund Transfer out - Spring Fling Fund 20	4,077			4,077
Interfund Transfer out - Fire Station #2 Fund 30	19,144	-		19,144
Interfund Transfer out - Recreation Prj Fund 47	-	114,503	(1)	114,503
Interfund Transfer out - SAFR Grant	333,091	-		333,091
Interfund Transfer out - Sanitation	57,352			57,352
Interfund Transfer out - W/S Capital Project (Fund 46)	543,200	-		543,200
Total Appropriations	11,158,047	-		11,158,047

- 1) Prior Year reconciliation of transactions in Recreation Capital Project Fund 47 discovered the following shortfall: PARTF Grant (\$63,018) and Fit Community Grant (\$51,485) were not requested for reimbursement and to close this Project the General Fund needs to transfer \$114,503 to Fund 47 which will be funded by Fund Balance Increase account.

WITNESS my hand at Raleigh, this 6th day of June 2023



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

ORDINANCE NO. 23-25
TOWN OF SPRING LAKE, NORTH CAROLINA
Ordinance Amending the Recreation Grant Project Ordinance

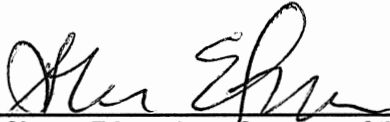
THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION ON BEHALF OF THE TOWN OF SPRING LAKE, NORTH CAROLINA DOES ORDAIN that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby amended:

Section I: This Ordinance is to amend the Recreation Grant Project Fund (Fund 47).

	Prior Project	Increase (Decrease)	Amended Project
ESTIMATED REVENUES			
PARTF Grant	426,400	(63,018)	363,382
Fit Community Grant	63,250	(51,485)	11,765
Installment Purchase Proceeds	365,450	-	365,450
Interfund Transfer in - General Fund	26,040	114,503	140,543
Interfund Transfer in - WS Fund	18,960	-	18,960
Total Revenues	900,100	-	900,100
APPROPRIATIONS			
Total Appropriations	900,100	-	900,100

- 1) Prior Year reconciliation of transactions in Recreation Capital Project Fund 47 discovered the following shortfall: PARTF Grant (\$63,018) and Fit Community Grant (\$51,485) were not requested for reimbursement and to close this Project the General Fund needs to transfer \$114,503 to Fund 47.

WITNESS my hand at Raleigh, this 6th day of June 2023



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



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

A handwritten signature in black ink, reading "Dale R. Folwell, CPA".

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

SHARON EDMUNDSON
DEPUTY TREASURER

**RESOLUTION APPROVING VIABLE UTILITY RESERVE GRANT APPLICATION
FOR THE LUMBER RIVER COUNCIL OF GOVERNMENTS**

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

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

WHEREAS, the Act amended Chapter 159G of the General Statutes by adding a new Section 159G-34.5 authorizing the Department of Environmental Quality (the "Department") to make grants from the Viable Utility Reserve (VUR) for (1) asset inventory and assessment (AIA) and rate studies to inventory the existing public water or wastewater system, or both, document the condition of the inventoried infrastructure, and conduct a rate study to determine a rate structure sufficient to prevent the local government unit from becoming a distressed unit, and (2) merger/regionalization feasibility (MRF) studies to determine the feasibility of consolidating the management of multiple water or wastewater systems into a single operation or to provide regional treatment or water supply and the best way of carrying out the consolidation or regionalization; and

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

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

WHEREAS, the Commission and the Authority have adopted resolutions approving the use of VUR funds for non-distressed units for the purpose of AIAs, rate studies, and/or MRF studies involving solutions for designated distressed units pursuant to specific requirements outlined in the Commission's July 13, 2021 resolution; and

RESOLUTION APPROVING VUR GRANT FOR LRCOG
June 6, 2023
Page 2

WHEREAS, the Commission approved a \$383,000 VUR grant at its March 1, 2022 meeting to the Lumber River Council of Governments (LRCOG) for a Merger/Regionalization Feasibility (MRF) grant for the wastewater systems of Fairmont, Fair Bluff, Boardman, Cerro Gordo, Proctorville, and Rowland and for the drinking water systems of Fairmont, Fair Bluff, Boardman, Cerro Gordo, and Rowland; and

WHEREAS, LRCOG wishes to expand the scope of the MRF to include a Rate Studies and Rate Education Project therefore increasing the funding required for the MRF; and

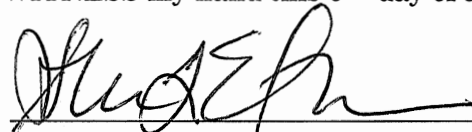
WHEREAS, merger/regionalization feasibility studies provide essential information on the options available to units regarding the management, financing, and regionalization of their water and/or wastewater systems, support the development of long-term action plans required of distressed units under G.S. 159G-45(b)(3), and assist the unit in identifying options for long-term viability of their systems; and

WHEREAS, the Authority approved increased funding for the LRCOG MRF at its February 21, 2023 meeting;

NOW THEREFORE, BE IT RESOLVED by the Commission, pursuant to its authority recited herein, THAT the Commission approves a Viable Utility Reserve grant of up to the maximum funding amount of \$195,000 for the expanded scope of the LRCOG's MRF study related to the drinking water and/or wastewater systems of Fairmont, Fair Bluff, Boardman, Cerro Gordo, Proctorville, and Rowland.

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 6, 2023.

WITNESS my hand this 6th day of June 2023.

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