

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

MINUTES

August 5, 2025

The meeting was called to order by Chairman Bradford B. Briner at 1:30 p.m. on the above date. The meeting was conducted in person and by use of simultaneous communication by GoToWebinar™. Members present in person: State Treasurer Briner; Bill Toole, Designee for Secretary of State Elaine Marshall; State Auditor Dave Boliek; Secretary of Revenue McKinley Wooten; Michael Brown; Nancy Hoffmann; and Thomas Stith. Members present virtually: John Burns and Vida Harvey.

Members absent: None.

A quorum was present for the entire meeting.

Other DST participants present in person: Denise Canada, Jennifer Wimmer, Kendra Boyle, Laura Rowe, and Cindy Aiken.

Others attending in person: DST staff: MJ Vieweg, Linde Skinner, Tony Blalock, Melissa Dearman, Carolyn Heden, Eric Naisbitt, and Jeff Poley.

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

Mr. Stith made a motion to approve the minutes of the July 1, 2025 meeting. Mr. Brown seconded the motion, and the minutes were approved by unanimous vote of 9 – 0.

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

TOWN OF MAYSVILLE

Secretary Wooten made a motion to adopt the following resolution:

"RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF MAYSVILLE, NORTH CAROLINA. THIS PROJECT CONSISTS OF THE PURCHASE OF TOWN VEHICLES AND EQUIPMENT (THE "PROJECT") THROUGH AN INSTALLMENT FINANCING AGREEMENT PURSUANT TO G.S. 160A-20.

WHEREAS, the Town of Maysville, North Carolina (the "Town") has determined that the Project is necessary and expedient to replace aging vehicles and outdated equipment in order to provide Town staff with reliable, safe, and efficient vehicles and equipment to provide public services to the Town; and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the

Town is financing the Project through an Installment Financing Contract executed during Fiscal Year 2025 (the "Contract") with First Citizens Bank & Trust Company (the "Bank") whereby the Bank has advanced moneys to the Town, and the Town, subject to its right of nonappropriation, is repaying the advance with interest in installments; and

WHEREAS, the principal amount of the Contract shall not exceed \$260,000 with annual level debt service payments for a term of five (5) years at an approved interest rate of 5.12%; and

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

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

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

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

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

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

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TOWN OF ANGIER

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

RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF ANGIER TO FINANCE COSTS OF TOWN POLICE STATION IMPROVEMENTS THROUGH AN INSTALLMENT PURCHASE CONTRACT PURSUANT TO G.S. §160A-20

WHEREAS, the Town of Angier (the "Town") has determined that it is necessary and expedient to finance costs of the acquisition and installation of municipal building facilities for law enforcement and related purposes (the "Project"); and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the Town intends to finance the Project through an installment financing contract to be entered into in August, 2025 (the "Contract") between the Town and First Bank (the "Lender") whereby the Lender will advance moneys to the Town for such purposes and the Town, subject to its right of nonappropriation, shall repay the amounts advanced with interest in installments; and

WHEREAS, the principal amount of the Contract may not exceed \$7,250,000 with annual payments over a maximum of twenty (20) years at an interest rate of 4.5% except in the case of default or an event of taxability; and

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, the Town has made proper application to the Local Government Commission (the "Commission") for approval of the proposed refinancing under the Contract; 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 Town;
- ii) that the Contract, under the circumstances, is preferable to a bond issue by the Town for the same purpose;
- iii) that the sums to fall due under the Contract are adequate and not excessive for its proposed purposes;
- iv) that the Town's debt management procedures and policies are good;
- v) that no increase in taxes will be necessary to meet the sums to fall due under the Contracts; and
- vi) that the Town is not in default in any of its debt service obligations; and

WHEREAS, the Town has selected the following as its financing team in connection with the Contracts and requested the Commission to approve the same:

Bond Counsel:	Sands Anderson PC
Lender:	First Bank
Lender's Counsel:	Maynard Nexsen, PC
Financial Advisor:	Davenport & Company, LLC

and

WHEREAS, based upon the information provided to it, the Commission has determined to approve such request of the Town.

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

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

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CITY OF ELIZABETH CITY – ENTERPRISE FLEET MANAGEMENT LEASE

Secretary Wooten made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF THE CITY OF ELIZABETH CITY, NORTH CAROLINA. THIS PROJECT CONSISTS OF THE LEASE OF CITY FLEET VEHICLES (THE “PROJECT”) THROUGH A LEASE CONTRACT PURSUANT TO G.S. 160A-19 AND G.S. 159-148.

WHEREAS, the City of Elizabeth City, North Carolina (the “City”) has determined that the Project is necessary and expedient to replace an aging fleet of vehicles, and to provide safe, reliable, and fuel efficient vehicles for the City staff; and

WHEREAS, pursuant to Section 160A-19 and Section 159-148 of the General Statutes of North Carolina, the City intends to finance the Project through a lease agreement (the “Contract”) with Enterprise Fleet Management, Inc.; and

WHEREAS, the principal amount of the Contract shall not exceed \$5,620,760 with monthly payments for a term of five (5) years at approved interest rates varying per vehicle and locked in upon vehicle delivery (the most recent rate quoted was for July 2025) but not to exceed 7.36%; 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 City has complied with G.S. 159-149; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for approval of the Contract and the planned financing are hereby approved under the provisions of G.S. 160A-19, Article 8 of Chapter 159 of the General Statutes, as amended, and relevant resolutions of the Commission.”

City Manager Reginald Goodson and Interim Finance Director Brian Lewis attended in person to speak and answer Commission members’ questions.

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

CITY OF ELIZABETH CITY – PNC BANK LOAN

Secretary Wooten made a motion to adopt the following resolution:

“RESOLUTION APPROVING THE APPLICATION OF ELIZABETH CITY, NORTH CAROLINA. THIS PROJECT CONSISTS OF A FINANCING AGREEMENT FOR THE LEASE OF MAINTENANCE EQUIPMENT (THE “PROJECT”) THROUGH CONTRACTS PURSUANT TO G.S. 159-148.

WHEREAS, the Elizabeth City, North Carolina (the “City”) has determined that the Project is necessary and expedient to lease maintenance equipment that will be used by the City and Pasquotank County Parks and Recreation Departments to ensure continued safety, cleanliness, and quality of City parks, and to support regular upkeep, improve operational efficiency, and reduce long-term maintenance costs; and

WHEREAS, pursuant to Section 159-148 of the General Statutes of North Carolina, the City intends to finance the Project through an Installment Financing Contract (the “Contract”) with PNC Bank, NA (the “Bank”); and

WHEREAS, the principal amount of the Contract shall not exceed \$500,000 with monthly level principal payments for a term of five (5) years at an approved interest rate not to exceed 6.5%; 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 City has complied with G.S. 159-149; and

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

- (i) that the proposed Project is necessary and expedient for the City;
- (ii) that the proposed undertaking cannot be economically financed by a bond issue;
- (iii) that the sums to fall due under the Contract are adequate and not excessive for its proposed purpose;

- (iv) that the Contract will not require an excessive increase in taxes; and
- (v) that the City is not in default in any of its debt service obligations.

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

City Manager Reginald Goodson and Interim Finance Director Brian Lewis attended in person to speak and answer Commission members’ questions.

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

CITY OF ELIZABETH CITY – SRF LOAN

Secretary Wooten made a motion to adopt the following resolution:

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

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

WHEREAS, the City filed an application with the Commission for approval of a Drinking Water State Revolving Loan in the amount not to exceed \$400,000 with the term of five (5) years at a zero (0%) interest rate; and

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

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

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

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

BEGIN CONSENT AGENDA

CAPE FEAR PUBLIC UTILITY AUTHORITY

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

**“RESOLUTION APPROVING THE FINANCING REQUEST OF THE
CAPE FEAR PUBLIC UTILITY AUTHORITY: THIS PROJECT
CONSISTS OF THE LEAD GOOSENECK AND GALVANIZED WATER
SERVICE LATERAL REPLACEMENT PROJECT.**

WHEREAS, the Cape Fear Public Utility Authority (the “Authority”) has determined that it is necessary or expedient to replace lead goosenecks and galvanized service lines at 369 addresses under the revised lead and copper rule; and

WHEREAS, the Authority filed an application with the North Carolina Local Government Commission (the Commission) for approval of a Drinking Water State Revolving Fund Loan in an amount not to exceed \$500,000 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 Authority’s debt management procedures and policies are good, or that reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;
- (4) That the increase in taxes, if any, necessary to service the proposed debt will not be excessive; and
- (5) That the interest rate for the proposed loan will be a reasonable rate.

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

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

DURHAM HOUSING AUTHORITY – BRIGGS AVENUE

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

RESOLUTION APPROVING HOUSING AUTHORITY OF THE CITY OF DURHAM MULTIFAMILY NOTE IN AN AMOUNT UP TO \$22,500,000 (THE “NOTE”) FOR 902 S. BRIGGS AVENUE AND THE FINANCING TEAM THEREFOR

WHEREAS, the Housing Authority of the City of Durham (the “Authority”) has decided to issue its Multifamily Note (the “Note”) to finance the cost of the acquisition, construction and equipping by Briggs Avenue, LLC, a North Carolina limited liability company, or a related or affiliated entity (the “Borrower”), of a low income multifamily residential rental facility, consisting of approximately 124 units, to be known as 902 S. Briggs Avenue and located in the City of Durham, North Carolina (the “Development”); and

WHEREAS, in order to finance the Development, the Authority proposes to issue the Note in an aggregate principal amount not to exceed \$22,500,000, pursuant to the Housing Authorities Law, Article 1 of Chapter 157 of the North Carolina General Statutes, as amended (the “Act”); and

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

WHEREAS, based upon the information and evidence received in connection with such application, including resolutions adopted by the Board of Commissioners of the Authority on July 23, 2025, it is hereby determined and found by the Commission:

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

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

Bond Counsel:	McGuireWoods LLP
Authority's Counsel:	The Banks Law Firm, P.A.
Borrower:	Briggs Avenue, LLC
Borrower's Counsel:	Ellinger & Carr, PLLC
Fiscal Agent:	U.S. Bank Trust Company, National Association
Initial Funding Lender:	First-Citizens Bank & Trust Company
Initial Funding Lender's Counsel:	Womble Bond Dickinson (US) LLP
Permanent Lender:	Federal Home Loan Mortgage Corporation
Freddie Mac Servicer:	Bellwether Enterprise Real Estate Capital, LLC
Freddie Mac's/Servicer's Counsel:	Katten Muchin Rosenman LLP
Tax Credit Investor:	Wincopin Circle LLLP
Tax Credit Investor's Counsel:	Gallagher Evelius & Jones LLP

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

WHEREAS, it is expected that the Note will initially be privately placed with First-Citizens Bank & Trust Company (the "Initial Funding Lender") during construction; and

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

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

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

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

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

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

Section 2. It is hereby determined, with the approval of the Authority and the Borrower that the Note shall be issued in an aggregate principal amount not to exceed \$22,500,000, shall initially bear interest at a variable rate, such rate not to exceed 12.0% per annum, and shall have a final maturity not later than December 31, 2046.

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

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

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

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

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TOWN OF MORRISVILLE

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

RESOLUTION APPROVING THE FINANCING TEAM FOR THE TOWN OF MORRISVILLE, NORTH CAROLINA LIMITED OBLIGATION BOND, SERIES 2025

WHEREAS, the Town of Morrisville, North Carolina (the "Town") has requested that the North Carolina Local Government Commission (the "Commission") approve its selection of the following financing team members in connection with the issuance by the Town of its Limited Obligation Bond, Series 2025:

Bond Counsel:	Womble Bond Dickinson (US) LLP
Purchaser:	TD Public Finance LLC
Purchaser's Counsel:	Pope Flynn, LLC
Trustee:	Truist Bank
Financial Advisor:	Davenport & Company LLC

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

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

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

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

RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF MORRISVILLE, NORTH CAROLINA FOR THE FINANCING OF THE ACQUISITION OF AN EXISTING BUILDING TO BE USED AS A NEW PUBLIC WORKS BUILDING THROUGH THE ISSUANCE OF A NOT TO EXCEED \$10,750,000 TOWN OF MORRISVILLE, NORTH CAROLINA

LIMITED OBLIGATION BOND, SERIES 2025 AND THE EXECUTION AND DELIVERY OF A MASTER TRUST AGREEMENT AND A FIRST SUPPLEMENTAL TRUST AGREEMENT IN CONNECTION THEREWITH

WHEREAS, the Town of Morrisville North Carolina (the “Town”) has determined that a need exists to (a) finance the acquisition of an existing building that will be renovated to be used as a new Public Works building for the Town (the “Project”) and (b) pay certain issuance costs relating thereto;

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

WHEREAS, the Town proposes to finance the Project through the issuance by the Town of a Town of Morrisville, North Carolina Limited Obligation Bond, Series 2025 (the “Series 2025 Bond”) in accordance with Section 160A-20, as amended, of the General Statutes of North Carolina, as amended (the “Act”);

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

(a) Master Trust Agreement, to be dated as of August 1, 2025 (the “Master Trust Agreement”), between the Town and Truist Bank, as trustee (the “Trustee”);

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

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

(d) Bond Purchase Agreement, to be dated the date of delivery thereof (the “Bond Purchase Agreement”), between TD Public Finance LLC (the “Purchaser”) and the Town;

WHEREAS, in order to secure its obligations with respect to the Series 2025 Bond under the Master Trust Agreement and the First Supplemental Trust Agreement, the Town will execute and deliver the Deed of Trust granting a lien on all or a portion of the site of the Project, together with any improvements and fixtures located or to be located thereon;

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

WHEREAS, the Town proposes to sell the Series 2025 Bond to the Purchaser pursuant to the terms of the Bond Purchase Agreement;

WHEREAS, the principal amount of the Series 2025 Bond shall not exceed \$10,750,000;

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

WHEREAS, the interest rate on the Series 2025 Bond shall not exceed 4.02% per annum (subject to adjustment as provided in the First Supplemental Trust Agreement); and

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

- (a) the proposed Series 2025 Bond is necessary or expedient for the Town;
- (b) the financing of the Project through the issuance of the Series 2025 Bond, under the circumstances, is preferable to a general obligation bond issue for the same purpose;
- (c) the sums to fall due with respect to the Series 2025 Bond are adequate and not excessive for the proposed purposes thereof;
- (d) the Town's debt management procedures and policies are good;
- (e) the increases in taxes, if any, necessary to meet the sums to fall due with respect to the Series 2025 Bond will not be excessive; and
- (f) the Town is not in default in any of its debt service obligations.

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

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

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TOWN OF MOORESVILLE

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

“RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF MOORESVILLE FOR THE FINANCING OF IMPROVEMENTS TO CERTAIN PARKS AND RECREATION AND LIBRARY FACILITIES THROUGH AN INSTALLMENT FINANCING CONTRACT PURSUANT TO G.S. § 160A-20

WHEREAS, Town of Mooresville, North Carolina (the “Town”) has determined that it is in the best interests of the Twon to enter into an installment financing contract with Mooresville Public Facilities Corporation, a North Carolina nonprofit corporation (the “Corporation”), in order to (1) finance (a) improvements and renovations to Moor Park, (b) improvements and renovations at Lee Street Park and (c) renovations and improvements to the Mooresville Public Library (collectively, the “Projects”), and (2) pay certain costs incurred in connection with the execution and delivery of the Contract (as defined below);

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina (the “General Statutes”), the Town intends to finance the Projects through an Installment Financing Contract (the “Contract”) between the Town and the Corporation, whereby the Corporation will advance money to the Town for the purpose of financing the Projects and the Town, subject to its right of non-appropriation, will repay the advancement with interest in installments; and

WHEREAS, the Corporation will enter into an Indenture of Trust between the Corporation and U.S. Bank Trust Company, National Association, as trustee (the “Trustee”), pursuant to which the Corporation will execute and deliver its Limited Obligation Bonds (Town of Mooresville, North Carolina), Series 2025A and Taxable Limited Obligation Bonds (Town of Mooresville, North Carolina, Series 2025B (collectively, the “2025 Bonds”); and

WHEREAS, the 2025 Bonds are to be underwritten by Wells Fargo Securities (the “Underwriter”), and the proceeds from the sale of the 2025 Bonds will be remitted by the Underwriter to the Corporation to fund the advances by the Corporation to the Town under the Contract; and

WHEREAS, the aggregate principal amount of the 2025 Bonds shall not exceed \$16,000,000; and

WHEREAS, the maturity of the installment payments under the Contract for the 2025 Bonds shall not extend beyond October 1, 2045; and

WHEREAS, the true interest cost with respect to the 2025 Bonds shall not exceed 6.50%; and

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

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

- (i) the Contract is necessary 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 the Contract’s 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, the 2025 Bonds and the planned financing are hereby approved and

ratified under the provisions of Section 160A-20, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission.”

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

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

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE LIMITED OBLIGATION BONDS (TOWN OF MOORESVILLE, NORTH CAROLINA), SERIES 2025A AND TAXABLE LIMITED OBLIGATION BONDS (TOWN OF MOORESVILLE, NORTH CAROLINA), SERIES 2025B”

WHEREAS, the Town of Mooresville, North Carolina (the “Town”) 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 bonds:

Bond Counsel:	- Parker Poe Adams & Bernstein LLP
Underwriter:	- Wells Fargo Securities
Underwriter’s Counsel:	- Womble Bond Dickinson (US) LLP
Trustee:	- U.S. Bank Trust Company, National Association

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

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

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

TOWN OF NAGS HEAD – FIRST NATIONAL BANK LOAN

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

“RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF NAGS HEAD, NORTH CAROLINA. THIS PROJECT CONSISTS OF CONSTRUCTION OF A NEW 6,000 SQUARE FOOT FACILITY (THE “PROJECT”) THROUGH AN INSTALLMENT FINANCING CONTRACT AGREEMENT PURSUANT TO G.S. 160A-20.

WHEREAS, the Town of Nags Head, North Carolina (the “Town”) has determined that the Project, including a town Employee Wellness Facility and seasonal workforce housing units for summer Ocean Rescue Service employees is necessary and expedient to replace the existing Town building since the cost to repair and remediate the building is beyond the building’s value, and to provide workforce housing for the summer employees; and

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

WHEREAS, the principal amount of the Contract shall not exceed \$2,700,000 with annual level principal payments for a term of ten (10) years at an approved interest rate of 4.17%; and

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

WHEREAS, the Secretary of the Commission has determined that the Town 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 Town;
- (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, as amended, Article 8 of Chapter 159 of the General Statutes, as amended, and relevant resolutions of the Commission.”

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

* * * * *

TOWN OF NAGS HEAD – SRF LOAN

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

“RESOLUTION APPROVING THE FINANCING REQUEST OF THE TOWN OF NAGS HEAD, NORTH CAROLINA: THIS PROJECT CONSISTS OF FUNDING A PORTION OF THE SEPTIC HEALTH INITIATIVE LOW-INTEREST LOAN PROGRAM

WHEREAS, the Town of Nags Head (the “Town”) has determined that it is necessary or expedient to fund a portion of the Town’s Septic Health Initiative low-interest loan program to assist homeowners needing septic system repairs or replacement, as a part of the Town’s promotion and implementation of decentralized wastewater management strategies and proactive protection of its ecosystem; and

WHEREAS, the Town filed an application with the North Carolina Local Government Commission (the Commission) for approval of a Wastewater State Revolving Fund Loan in an amount not to exceed \$500,000 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 Town’s debt management procedures and policies are good, or that reasonable assurances have been given that its debt will henceforth be managed in strict compliance with law;
- (4) That the increase in taxes, if any, necessary to service the proposed debt will not be excessive; and
- (5) That the interest rate for the proposed loan will be a reasonable rate.

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

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

* * * * *

NASH COUNTY

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

RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF NASH, NORTH CAROLINA FOR THE FINANCING OF VARIOUS CAPITAL PROJECTS FOR SAID COUNTY THROUGH AN INSTALLMENT FINANCING AGREEMENT PURSUANT TO N.C.G.S. 160A-20

WHEREAS, the County of Nash, North Carolina (the “County”) has determined that it is necessary or expedient to finance the costs of acquiring, constructing and equipping various capital projects, including, without limitation, (a) renovations to the County Administration Building, (b) field lighting at Miracle Park, (c) renovations and improvements to the Old County Courthouse, (d) renovations to a medical office building to be used for County health services and (e) renovation of a County recreation center (collectively, the “Project”); and

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

WHEREAS, the principal amount of the Agreement shall not exceed \$11,765,000, the interest rate payable under the Agreement shall not to exceed 3.85% per annum (subject to adjustment as provided in the Agreement) and the final maturity date of the Agreement shall not to exceed August 1, 2035; 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 Agreement and the proposed financing pursuant thereto; and

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

(a) the Agreement; and

(b) the Deed of Trust, to be dated the date of delivery thereof, from the County to the deed of trust trustee named therein for the benefit of the Lender, granting a first lien of record on the site of the medical office building constituting a portion of the Project, together with all improvements and fixtures located or to be located thereon; and

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

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

(i) that the Agreement is necessary or expedient for the County;

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for approval of the Agreement and the financing contemplated thereby are hereby approved under the provisions of N.C.G.S. 160A-20 pursuant to the terms of this resolution.

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

* * * * *

**NORTH CAROLINA CAPITAL FACILITIES FINANCE AGENCY
THE MONTESSORI SCHOOL OF RALEIGH, INC.**

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

**FINANCING TEAM FOR THE NORTH CAROLINA CAPITAL
FACILITIES FINANCE AGENCY REVENUE REFUNDING
BOND (THE MONTESSORI SCHOOL OF RALEIGH, INC.),
SERIES 2025**

WHEREAS, The Montessori School of Raleigh, Inc. (the "Borrower") has requested that the North Carolina Local Government Commission (the "Commission") approve its selection of the following financing team members for the upcoming issue by the North Carolina Capital Facilities Finance Agency of its Revenue Refunding Bond (The Montessori School of Raleigh, Inc.), Series 2025 (the "Bond"):

Borrower:	The Montessori School of Raleigh, Inc.
Purchaser:	Pinnacle Bank
Bond Counsel:	Parker Poe Adams & Bernstein LLP
Purchaser's Counsel:	Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP
Borrower's Counsel:	Parker Poe Adams & Bernstein LLP
Swap Advisor:	DerivGroup

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

NOW, THEREFORE, the Commission hereby approves the above financing team for the North Carolina Capital Facilities Finance Agency's Revenue Refunding Bond (The Montessori School of Raleigh, Inc.), Series 2025.

**RESOLUTION AUTHORIZING AND APPROVING THE SALE
AND ISSUANCE OF NOT TO EXCEED \$5,000,000 AGGREGATE
PRINCIPAL AMOUNT OF A REVENUE REFUNDING BOND**

**(THE MONTESSORI SCHOOL OF RALEIGH, INC.), SERIES
2025 OF THE NORTH CAROLINA CAPITAL FACILITIES
FINANCE AGENCY**

WHEREAS, the North Carolina Capital Facilities Finance Agency (the "Agency"), pursuant to the provisions of Article 2 of Chapter 159D of the General Statutes of North Carolina, as amended (the "Act"), has authorized the issuance of the North Carolina Capital Facilities Finance Agency's Revenue Refunding Bond (The Montessori School of Raleigh, Inc.), Series 2025 (the "Bond") for the purpose of providing funds, together with other available funds, to:

(i) refund in advance of their maturity the outstanding principal amount of the Public Finance Authority's Educational Facilities Revenue Bonds (The Montessori School of Raleigh, Inc.), Series 2015A and 2015B (the "2015 Bonds"), originally issued in the aggregate principal amount of \$4,000,000 and \$2,500,000, respectively, the proceeds of which were used to (1) refund in advance of their maturity all of the outstanding principal amount of the North Carolina Capital Facilities Agency's Tax-Exempt Adjustable Mode Educational Facilities Revenue Bonds (Montessori School of Raleigh Project), Series 2003, originally issued in the aggregate principal amount of \$3,000,000 (the "2003 Bonds"), the proceeds of which were loaned to the Borrower to provide funds to (a) refinance certain existing indebtedness, the proceeds of which were used to acquire, construct and equip certain capital improvements to the campuses of the Borrower at 7005 Lead Mine Road, Raleigh, North Carolina (the "Raleigh Campus") and 408 Andrews Chapel Road, Durham, North Carolina (the "Durham Campus" and, with the Raleigh Campus, the "Campuses") and (b) pay the costs of acquiring, constructing and equipping additional capital improvements to the Campuses (collectively, the "2003 Project"); and (2) finance the costs of the acquisition, construction, equipping and furnishing of various improvements to the Campuses, including, without limitation, (a) a new approximately 17,000 square foot gymnasium and administrative building at the Raleigh Campus; (b) renovation and repurposing of certain existing buildings on the Raleigh Campus; and (c) phase I of a new high school (such phase being an approximately 6,750 square foot building on the Durham Campus (the "2015 Project" together with the 2003 Project, the "Project"); and

(ii) pay certain costs incurred in connection with the issuance of the Bond;

WHEREAS, the Bond will be issued in an aggregate principal amount not to exceed \$5,000,000 pursuant to a Bond Purchase and Loan Agreement (the "Agreement"), among the Commission, the Agency, the Borrower and Pinnacle Bank, as purchaser (the "Purchaser");

WHEREAS, the Agency has notified the Commission that the Purchaser will purchase the Bond at private sale on the terms and conditions set forth in the Agreement, to be in form and substance satisfactory to the Secretary or any Deputy Secretary of the Commission;

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

(a) the form of the Agreement with the form of the Bond and the promissory note of the Borrower attached thereto;

(b) the form of a Credit Agreement (the "Credit Agreement"), between the Borrower and the Purchaser;

(c) with respect to both the site of the Durham Campus and the Raleigh Campus, a Deed of Trust, Security Agreement and Assignment of Rents and Leases (the "Deed of Trust"), from the Borrower for the benefit of the Purchaser, to be recorded in Durham and Wake counties, respectively; and

WHEREAS, the Commission desires to approve the issuance of the Bond, and accept the offer of the Purchaser when made, all as further described in the agenda item attached hereto as Exhibit A (the "Agenda Item"), which was presented to the Commission;

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

NOW, THEREFORE, the North Carolina Local Government Commission hereby takes the following actions:

1. The Agency's issuance of the Bond in an aggregate principal amount not to exceed \$5,000,000, as provided for in the Agreement, is hereby approved.

2. The Bond is hereby awarded to the Purchaser at private sale pursuant to the provisions of Section 159D-45 of the Act and in accordance with the Agenda Item, and subject to the approval of the Agency and the Borrower. The Bond shall bear interest at a variable rate of interest, as set forth in the Agreement, but shall not exceed 12% and the Bond's final maturity shall not extend beyond 2040.

3. The approval of the Agenda Item is evidence of consent by the Commission for the execution and delivery by the staff of the Commission of the Transaction Documents which must be signed by the Commission, and of the approval by the Commission of the other Transaction Documents.

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

5. The Bond shall be issued in accordance with and pursuant to the terms and conditions of the Agreement. Subject to the limitations in Section 2 of this resolution, the Secretary of the Commission or any Deputy Secretary is hereby appointed Designated Assistant for the purpose of the Bond; provided, however, that the Secretary shall have the power to appoint another Designated Assistant for the purpose of the Bond.

Mr. Stith seconded the motion to approve the Agenda Item concerning The Montessori School of Raleigh, Inc., and the Agenda Item, which constitutes approval of the transaction described therein, was adopted by unanimous vote of 9 – 0.

* * * * *

**NORTH CAROLINA CAPITAL FACILITIES FINANCE AGENCY
PINE LAKE PREPARATORY, INC.**

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

**FINANCING TEAM FOR THE NORTH CAROLINA CAPITAL
FACILITIES FINANCE AGENCY REFUNDING AND REVENUE
BOND (PINE LAKE PREPARATORY, INC.), SERIES 2025**

WHEREAS, Pine Lake Preparatory, Inc. (the "Borrower") has requested that the North Carolina Local Government Commission (the "Commission") approve its selection of the following financing team members for the upcoming issue by the North Carolina Capital Facilities Finance Agency of its Refunding and Revenue Bond (Pine Lake Preparatory, Inc.), Series 2025 (the "Bond"):

Borrower:	Pine Lake Preparatory, Inc.
Purchaser:	Pinnacle Bank, a Tennessee bank
Bond Counsel:	McGuireWoods LLP
Purchaser's Counsel:	Maynard Nexsen PC
Borrower's Counsel:	Chapman & Cutler LLP
Swap Advisor:	First Tryon Advisors

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

NOW, THEREFORE, the Commission hereby approves the above financing team for the North Carolina Capital Facilities Finance Agency's Refunding and Revenue Bond (Pine Lake Preparatory, Inc.), Series 2025.

**APPROVAL OF THE ISSUANCE AND SALE OF THE BOND OF
THE NORTH CAROLINA CAPITAL FACILITIES FINANCE
AGENCY**

WHEREAS, the North Carolina Capital Facilities Finance Agency (the "Agency"), pursuant to the provisions of Article 2 of Chapter 159D of the General Statutes of North Carolina, as amended (the "Act"), has authorized the issuance of the North Carolina Capital Facilities Finance Agency's Refunding and Revenue Bond (Pine Lake Preparatory, Inc.), Series 2025 (the "Bond") for the purpose of providing funds, together with other available funds, to:

(a) refund the outstanding principal amount of the Public Finance Authority Education Revenue Bonds (Pine Lake Preparatory), Series 2015 (the "Series 2015 Bonds"), the proceeds of which were used to (1) finance or refinance the acquisition, construction, improvement and/or equipping of certain charter school educational facilities for the Borrower known as "Pine Lake Preparatory" located at 1639 Mecklenburg Hwy., Mooresville, North Carolina 28115 (the "Main Campus"), including four classroom buildings, one athletic and community center building and one administrative building, (2) finance the acquisition, construction, improvement and/or equipping of additional charter school educational facilities for the Borrower at the Main Campus, (3) finance the acquisition of land and the acquisition, construction, improvement and/or equipping of athletic and related facilities for the Borrower on such land, consisting of 56.157 acres located at 203 Lions Den Trail, Mooresville, North Carolina 28117 (the "Athletic Facility") and (4) pay for costs incurred in connection with the authorization and issuance of the Series 2015 Bonds (items (1), (2) and (3) are referred to herein as the "Refinanced Projects");

(b) finance certain capital improvements at the Main Campus and the Athletic Facility, including, but not limited to, the acquisition, construction, improvement and equipping of (i) an approximately 16,000 square foot academic building with administrative offices and twelve classrooms and (ii) athletic facilities, including a new field house and track (the "New Money Project" and, together with the Refinanced Projects, the "Project"); and

(c) pay certain costs incurred in connection with the authorization and issuance of the Bond (collectively, the "Plan of Finance").

WHEREAS, the Bond will be issued in an aggregate principal amount not to exceed \$37,000,000 pursuant to a Bond Purchase and Loan Agreement (the "Agreement"), among the Commission, the Agency, the Borrower and Pinnacle Bank, a Tennessee bank, as purchaser (the "Purchaser");

WHEREAS, the Agency has notified the Commission that the Purchaser will purchase the Bond on the terms and conditions set forth in the Agreement, to be in form and substance satisfactory to the Secretary or any Deputy Secretary of the Commission;

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

WHEREAS, the Commission desires to approve the issuance of the Bond, and the sale thereof to the Purchaser, all as further described in the agenda item attached hereto as Exhibit A (the "Agenda Item"), which was presented to the Commission;

NOW, THEREFORE, the North Carolina Local Government Commission hereby takes the following actions:

1. The Agency's issuance of the Bond in an aggregate principal amount not to exceed \$37,000,000, as provided for in the Agreement, is hereby approved.

2. The Bond is hereby awarded to the Purchaser on a negotiated basis without advertisement pursuant to the provisions of the Act and in accordance with the Agenda Item, and subject to the approval of the Agency and the Borrower. The Commission hereby determines that such award and sale of the Bond at a variable rate of interest, initially not to exceed 12%, and with a final maturity not beyond 2055, are in the best interests of the Agency.

3. The approval of the Agenda Item is evidence of consent by the Commission for the execution and delivery by the staff of the Commission of the Transaction Documents which must be signed by the Commission, and of the approval by the Commission of the other Transaction Documents.

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

5. The Secretary of the Commission or any Deputy Secretary is hereby appointed Designated Assistant for the purpose of the Bond; provided, however, that the Secretary shall have the power to appoint another Designated Assistant for the purpose of the Bond.

Mr. Stith seconded the motion to approve the Agenda Item concerning Pine Lake Preparatory, Inc., and the Agenda Item, which constitutes approval of the transaction described therein, was adopted by unanimous vote of 9 - 0.

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TOWN OF PINEVILLE

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

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE TOWN OF PINEVILLE, NORTH CAROLINA ELECTRIC SYSTEM REVENUE BOND, SERIES 2025

WHEREAS, the Town of Pineville, North Carolina (the “*Town*”) has requested that the Local Government Commission of North Carolina (the “*Commission*”) approve their selection of the following financing team members for the issuance of the Town’s Electric System Revenue Bond, Series 2025 of not to exceed \$7,500,000 (the “*Bond*”):

Lender:	Truist Commercial Equity, Inc.
Lender’s Counsel:	Pope Flynn, LLC
Bond Counsel:	Parker Poe Adams & Bernstein LLP
Financial Advisor:	Davenport & Company LLC
Trustee/Paying Agent/Bond Registrar:	Truist Bank
Trustee’s Counsel:	Pope Flynn, LLC

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

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

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

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

“RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF PINEVILLE, NORTH CAROLINA FOR THE ISSUANCE OF ELECTRIC SYSTEM REVENUE BOND, SERIES 2025

WHEREAS, the Town of Pineville, North Carolina (the “*Town*”) has applied to the Local Government Commission of North Carolina (the “*Commission*”), pursuant to the State and Local Government Revenue Bond Act, as amended, for approval of the issuance of Electric System Revenue Bond, Series 2025 (the “*Bond*”), in the aggregate principal amount of not to exceed \$7,500,000 to (1) finance the construction of a new electric substation (the “*Project*”) and (2) to pay the costs of issuing the Bond. Undefined capitalized terms used herein have the meaning given them in the Series Indenture (as defined herein);

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

(1) Bond Order adopted by the Town Council of the Town on August 21, 2025 authorizing the issuance of the Bond to finance the Projects and the other costs associated therewith as set forth above;

(2) General Trust Indenture dated as of August 1, 2025 between the Town and Truist Bank, as trustee (the “*Trustee*”); and

(3) Series Indenture, Number 1 dated as of August 1, 2025 between the Town and the Trustee;

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

- (i) that such proposed revenue bond issue is necessary or expedient;
- (ii) that the proposed amount of such revenue bond issue is adequate and not excessive, when added to other money available to the Town, for the proposed purpose thereof;
- (iii) that the proposed Project is feasible;
- (iv) that the Town’s debt management procedures and policies are good; and
- (v) that the proposed revenue bonds can be marketed at a reasonable interest cost to the Town.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the application of the Town for approval of the proposed Bond in an aggregate principal amount not to exceed \$7,500,000 is hereby approved pursuant to the State and Local Government Revenue Bond Act, as amended.”

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

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

“RESOLUTION CONCERNING THE PRIVATE SALE OF THE TOWN OF PINEVILLE, NORTH CAROLINA ELECTRIC SYSTEM REVENUE BOND, SERIES 2025

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

WHEREAS, the Town of Pineville, North Carolina (the “*Town*”) has applied to the Local Government Commission of North Carolina (the “*Commission*”), pursuant to the State and Local Government Revenue Bond Act, as amended, for approval of the issuance of Electric System Revenue Bond, Series 2025 (the “*Bond*”), in the aggregate principal amount of not to exceed \$7,500,000 to (1) finance the construction of a new electric substation and (2) to pay the costs of

issuing the Bond. Undefined capitalized terms used herein have the meaning given them in the Series Indenture (as defined herein);

WHEREAS, Truist Commercial Equity, Inc. as the purchaser of the Bond (the “*Lender*”) has offered to purchase the Bond from the Commission on the terms and conditions set forth below;

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

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

WHEREAS, the Commission desires to accept the offer of the Lender to purchase the Bond on the terms and conditions set forth below;

NOW, THEREFORE, BE IT RESOLVED by the Commission:

Section 1. The sale of the Bond to the Lender at private sale without advertisement pursuant to the General Trust Indenture dated as of August 1, 2025 between the Town and Truist Bank, as trustee (the “*Trustee*”), and Series Indenture, Number 1 dated as of August 1, 2025 between the Town and the Trustee, substantially in the form furnished to the Commission is hereby approved, such sale being subject to the approval of the Secretary of the Commission or a designated assistant of the Commission (the “*Designated Assistant*”) and satisfaction of the conditions set forth below.

Section 2. The aggregate principal amount of the Bond shall not exceed an aggregate principal amount of \$7,500,000. The purchase price for the Bond will be 100% of the principal amount thereof.

Section 3. The Bond will bear interest at an initial interest rate not to exceed 4.29%.

Section 4. The final maturity of the Bond shall exceed August 1, 2040.

Section 5. The Commission hereby determines that the sale of the Bond in the manner and for the price as provided in this resolution is in the best interest of the Town.

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

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

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

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RALEIGH HOUSING AUTHORITY – THE AVERIE

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

RESOLUTION APPROVING HOUSING AUTHORITY OF THE CITY OF RALEIGH, NORTH CAROLINA MULTIFAMILY HOUSING REVENUE BONDS (THE AVERIE), SERIES 2025 IN AN AMOUNT UP TO \$32,500,000 (THE “BONDS”) AND THE FINANCING TEAM THEREFOR

WHEREAS, the Housing Authority of the City of Raleigh, North Carolina (the “Authority”) has decided to issue its Multifamily Housing Revenue Bonds (The Averie), Series 2025 (the “Bonds”) to finance the acquisition, construction and equipping by Roers Raleigh Apartments LLC, a Minnesota limited liability company (the “Borrower”), of a multifamily residential rental facility to be known as The Averie, consisting of 181 units, located in the City of Raleigh, North Carolina (the “Development”); and

WHEREAS, in order to finance the Development, the Authority proposes to issue the Bonds in one or more series in an aggregate principal amount of not to exceed \$32,500,000, pursuant to the Housing Authorities Law, Article 1 of Chapter 157 of the North Carolina General Statutes, as amended (the “Act”); and

WHEREAS, the Bonds have 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 July 24, 2025, it is hereby determined and found by the Commission:

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

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

Bond Counsel:	McGuireWoods LLP
Authority's Counsel:	The Francis Law Firm, PLLC
Borrower:	Roers Raleigh Apartments LLC
Borrower's Counsel:	Winthrop & Weinstine, P.A.
Trustee:	U.S. Bank Trust Company, National Association
Underwriter:	FMSbonds, Inc.
Controlling Person:	Ironsand Management LLC
Controlling Person's Counsel:	Sidley Austin LLP
Tax Credit Investor:	U.S. Bancorp Impact Finance or an affiliate
Tax Credit Investor's Counsel:	Kutak Rock LLP

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

WHEREAS, it is expected that the Bonds will be privately placed with one or more investors (the "Purchaser"), to be identified by FMSbonds, Inc., as Underwriter; and

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

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

(b) Loan Agreement between the Authority and the Borrower, pursuant to which the Authority will lend the proceeds of the Bonds to the Borrower (the "Loan");

(c) Promissory Note given by the Borrower to the Authority to evidence the Loan, which the Authority will assign to the Trustee as security for the Bonds;

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

(e) Bond Purchase Agreement to be dated the date of sale of the Bonds, among the Authority, the Borrower, and the Underwriter; and

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

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

Section 2. It is hereby determined, with the approval of the Authority and the Borrower that the Bonds shall be issued in an aggregate principal amount not to exceed \$32,500,000, 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, 2071.

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

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

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

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

* * * * *

WAKE COUNTY

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

RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF WAKE, NORTH CAROLINA FOR THE FINANCING OF THE CONSTRUCTION, RENOVATION, REHABILITATION AND EQUIPPING OF CERTAIN PUBLIC SCHOOL FACILITIES IN SAID COUNTY THROUGH AN INSTALLMENT FINANCING AGREEMENT PURSUANT TO G.S. § 160A-20

WHEREAS, the County of Wake, North Carolina (the “County”) has determined that it is necessary or expedient to finance the cost of constructing, renovating, rehabilitating and equipping public school facilities in the County including, but not limited to, the construction, equipping and furnishing of new public schools currently to be designated Morrisville High School, Parkside Middle School and Poole Road Elementary School, and the renovation, rehabilitation and improvement of existing school facilities in the County, including, but not limited to, North Garner Middle School, Lockhart Elementary School, Brentwood Elementary School, Athens Drive High School, Briarcliff Elementary School and Cary High School, all to serve the citizens of the County (collectively, the “Project”); and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the County intends to finance the Project through an Installment Financing Agreement, to be dated as of August 1, 2025 (the “Agreement”), between the County and Truist Commercial Equity, Inc. (the “Lender”), whereby the Lender shall from time to time prior to April 1, 2030 advance moneys to the County and the County, subject to its right of nonappropriation, shall repay the advance with interest in installments; and

WHEREAS, the principal component of the installment payments due under Agreement shall not exceed \$703,647,000; and

WHEREAS, interest component of the installment payments under the Agreement shall be computed at a variable interest rate as described in the Agreement, such rate not to exceed the maximum interest rate of 18%, with a final maturity date not to exceed April 1, 2035; and

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

WHEREAS, the Secretary of the Commission has determined that the County has complied with N.C.G.S. § 159-149; and

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

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

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

Section 1. That the application for approval of the Agreement and planned financing are hereby approved under the provisions of N.C.G.S. § 160A-20, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission.

Section 2. The following members of the financing team for the Agreement are hereby approved:

Financial Advisor:	First Tryon Advisors, LLC
Special Counsel	Womble Bond Dickinson (US) LLP
Lender:	Truist Commercial Equity, Inc.
Lender’s Counsel	Parker Poe Adams & Bernstein LLP

Section 3. This resolution shall be effective immediately upon its adoption.

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

* * * * *

WILMINGTON HOUSING AUTHORITY – AVENUE FLATS

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

**RESOLUTION APPROVING HOUSING AUTHORITY OF THE
CITY OF WILMINGTON, NORTH CAROLINA MULTIFAMILY
HOUSING REVENUE BONDS (AVENUE FLATS), SERIES 2025
IN AN AMOUNT UP TO \$28,000,000 (THE “BONDS”) AND THE
FINANCING TEAM THEREFOR**

WHEREAS, the Housing Authority of the City of Wilmington, North Carolina (the “Authority”) has decided to issue its Multifamily Housing Revenue Bonds (Avenue Flats), Series 2025 (the “Bonds”) to finance the acquisition, construction and equipping by BRAD Avenue Flats, LLC, a North Carolina limited liability company (the “Borrower”), of a low income multifamily residential rental facility, consisting of 184 units in the City of Wilmington, North Carolina (the “Development”); and

WHEREAS, in order to finance the Development, the Authority proposes to issue the Bonds in an aggregate principal amount not to exceed \$28,000,000, pursuant to the Housing Authorities Law, Article 1 of Chapter 157 of the North Carolina General Statutes, as amended (the “Act”); and

WHEREAS, the Bonds have 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 July 1, 2025, it is hereby determined and found by the Commission:

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

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

Bond Counsel:	McGuireWoods LLP
Issuer’s Counsel:	The Banks Law Firm, P.A.
Borrower:	BRAD Avenue Flats, LLC
Borrower’s Counsel:	Arnall Golden Gregory LLP

Underwriter:	Stifel, Nicolaus & Company, Incorporated
Underwriter's Counsel:	Tiber Hudson LLC
Permanent Lender:	Federal Home Loan Mortgage Corporation
Freddie Mac Servicer:	Lument Real Estate Capital, LLC
Freddie Mac/Servicer's Counsel:	Robinson & Cole LLP
Tax Credit Investor:	RBC Community Investments, LLC or an affiliate
Trustee/Fiscal Agent:	U.S. Bank Trust Company, National Association
Trustee/Fiscal Agent's Counsel:	Maynard Nexsen PC

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

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

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

(b) Loan Agreement between the Authority and the Borrower, pursuant to which the Authority will lend the proceeds of the Bonds to the Borrower (the "Loan");

(c) Promissory Note given by the Borrower to the Authority to evidence the Loan, which the Authority will assign to the Trustee as security for the Bonds;

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

(e) Preliminary Official Statement relating to the offering and sale of the Bonds;

(f) Bond Purchase Agreement among the Authority, the Borrower and the Underwriter;

(g) the form of the Funding Loan Agreement among the Authority, U.S. Bank Trust Company, National Association, as Fiscal Agent, and Lument Real Estate Capital, LLC, as Initial Funding Lender, relating to the permanent financing for the Development; and

(h) the form of the Project Loan Agreement among the Authority, the Borrower and the Fiscal Agent, relating to the permanent financing for the Development;

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

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

Section 2. It is hereby determined, with the approval of the Authority and the Borrower that the Bonds shall be issued in an aggregate principal amount not to exceed \$28,000,000, shall initially bear interest at a fixed rate not to exceed 12.0% per annum, and shall have a final maturity not later than December 31, 2046.

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

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

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

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

* * * * *

TOWN OF ZEBULON

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

RESOLUTION APPROVING THE APPLICATION OF THE TOWN OF ZEBULON TO FINANCE COSTS OF TOWN FIRE STATION AND EMS BUILDING IMPROVEMENTS THROUGH AN INSTALLMENT PURCHASE CONTRACT PURSUANT TO G.S. §160A-20

WHEREAS, the Town of Zebulon (the "Town") has determined that it is necessary and expedient to finance costs of the acquisition and installation of a fire and emergency medical services station and related facilities in the Town (the "Project"); and

WHEREAS, pursuant to Section 160A-20 of the General Statutes of North Carolina, the Town intends to finance the Project through an installment financing contract to be entered into in August, 2025 (the "Contract") between the Town and Webster Bank (the "Lender") whereby the Lender will advance moneys to the Town for such purposes and the Town, subject to its right of nonappropriation, shall repay the amounts advanced with interest in installments; and

WHEREAS, the principal amount of the Contract may not exceed \$4,602,000 with annual payments over a maximum of twenty (20) years at an interest rate of 4.59% except in the case of default or an event of taxability; and

WHEREAS, pursuant to Article 8, Chapter 159 of the General Statutes of North Carolina, the Town has made proper application to the Local Government Commission (the "Commission") for approval of the proposed refinancing under the Contract; 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 Town;
- ii) that the Contract, under the circumstances, is preferable to a bond issue by the Town for the same purpose;

- iii) that the sums to fall due under the Contract are adequate and not excessive for its proposed purposes;
- iv) that the Town's debt management procedures and policies are good;
- v) that no increase in taxes will be necessary to meet the sums to fall due under the Contracts; and
- vi) that the Town is not in default in any of its debt service obligations; and

WHEREAS, the Town has selected the following as its financing team in connection with the Contracts and requested the Commission to approve the same:

Bond Counsel:	Sands Anderson, PC
Lender:	Webster Bank
Lender's Counsel:	Gilmore & Bell, PC
Financial Advisor:	Davenport & Company, LLC
Town Attorney	Wyrick Robbins Yates & Ponton LLP

and

WHEREAS, based upon the information provided to it, the Commission has determined to approve such request of the Town.

NOW, THEREFORE, BE IT RESOLVED by the North Carolina Local Government Commission that the application for approval of the Contract and the Town's selection of the financing team members for the Contract is hereby approved under the provisions of G.S. 160A-20, Article 8 of Chapter 159 of the General Statutes and relevant resolutions of the Commission.

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

* * * * *

MISCELLANEOUS ACTION ITEMS

CITY OF MORGANTON

Mr. Brown made a motion to approve the following item for the City of Morganton:

The City of Morganton and the Salem Fire and Rescue Protection Association, Inc. are requesting approval of annexation payments according to G.S. 160A-31.1, whereby the City will make annual debt payments of \$3,861.84 for 10 years. The annexation was completed on May 1, 2025.

The City's first payment will be \$643.64 for the two remaining months (May and June) in the 2025 fiscal year and will be paid after LGC approval. Subsequently, the City will pay an annual payment in December of each year beginning in 2025 until the end of the loan, culminating in a two month payment in March of 2035. The 10 years of annual payments total \$37,974.76.

Mr. Stith seconded the motion and the foregoing item was approved by unanimous vote of 9 – 0.

WAKE COUNTY

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

RESOLUTION APPROVING THE APPLICATION OF THE COUNTY OF WAKE FOR THE ISSUANCE OF A GENERAL OBLIGATION COMMUNITY COLLEGE BOND ANTICIPATION NOTE, SERIES 2025 IN A PRINCIPAL AMOUNT NOT TO EXCEED \$172,975,000 AND AUTHORIZING THE PRIVATE SALE THEREOF

WHEREAS, the County of Wake, North Carolina (the “County”) has heretofore applied to the North Carolina Local Government Commission (the “Commission”) pursuant to the Local Government Bond Act, as amended, for approval of the issuance by the County of \$353,200,000 Community College Bonds (the “Community College Bonds”) pursuant to a bond order adopted by the Board of Commissioners for the County on July 11, 2022, which order was approved by the vote of a majority of the qualified voters of the County who voted thereon at a referendum duly called and held on November 8, 2022, and the Commission has approved the issuance of the Community College Bonds;

WHEREAS, the County has previously issued its General Obligation Community College Bond Anticipation Note, Series 2023B, dated August 8, 2023, in an aggregate principal amount not exceeding \$180,225,000 in anticipation of the issuance of Community College Bonds under the 2022 order;

WHEREAS, the County has applied to the Commission for the issuance of a General Obligation Community College Bond Anticipation Note, Series 2025 in an amount not to exceed \$172,975,000, to be sold at private sale to Truist Commercial Equity, Inc. (the “Purchaser”), pursuant to a Note Purchase and Advance Agreement, to be dated as of August 12, 2025 (the “Note Purchase Agreement”), among the County, the Commission and the Purchaser;

WHEREAS, under the arrangement proposed to the Commission, (i) the Purchaser will purchase one note designated “General Obligation Community College Bond Anticipation Note, Series 2025” (the “Series 2025 Note”) that will increase in principal amount from time to time, up to \$172,975,000, such increases to be in the amount of advancements made by the Purchaser to the County under the Note Purchase Agreement to finance costs of projects for which the Community College Bonds are authorized (and the principal amount to decrease to the extent that the principal amount advanced by the Purchaser under the Note Purchase Agreement is repaid by the County);

WHEREAS, the Note Purchase Agreement and the resolution adopted by the Board of Commissioners authorizing the issuance of the Series 2025 Note provide that the County shall maintain records for each advance showing that the amounts advanced on the Series 2025 Note are expended on Community College projects for which the Community College Bonds are authorized and do not exceed the aggregate principal amount of the Community College Bonds in anticipation of which the Series 2025 Note is being issued and provide for the amounts so advanced to be reported to the Commission; and

WHEREAS, there has been prepared the form of the Note Purchase Agreement, and such form have been reviewed by the staff of the Commission;

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

Section 1. The application of the County for the issuance of the Series 2025 Note in an amount not to exceed \$172,975,000 for the purposes set forth above is hereby approved pursuant to Article 9 of the Local Government Finance Act, as amended.

The Series 2025 Note shall bear interest at a variable interest rate (not exceeding 18%) computed as provided in the Note Purchase Agreement and the resolution of the Board of Commissioners for the County authorizing the issuance of the Series 2025 Note. The Series 2025 Note shall have a maturity date of April 1, 2030, such date subject to extension as provided in the Note Purchase Agreement and the resolution of the Board of Commissioners authorizing the issuance of the Series 2025 Note.

Section 2. The Commission hereby approves the Note Purchase Agreement in substantially the form presented to the Commission. The Series 2025 Note shall be sold to the Purchaser pursuant to the Note Purchase Agreement. The Series 2025 Note shall increase in principal amount as the advances are made to the County pursuant to the Note Purchase Agreement.

Section 3. The Commission hereby approves the following members of the finance team in connection with the issuance of the Series 2025 Note:

Bond Counsel:	Womble Bond Dickinson (US) LLP
Purchaser:	Truist Commercial Equity, Inc.
Purchaser's Counsel:	Parker Poe Adams & Bernstein LLP
Financial Advisor:	First Tryon Advisors, LLC

Section 4. 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 Note Purchase Agreement, as shall be satisfactory to him or her, to approve the forms of other documents relating to the Series 2025 Note, to execute and deliver the Note Purchase Agreement and such other documents on behalf of the Commission and to provide for the execution and delivery of the Series 2025 Note in accordance with the resolution adopted by the Board of Commissioners and the Note Purchase Agreement.

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

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

END OF CONSENT AGENDA

* * * * *

LINCOLN COUNTY

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

“RESOLUTION APPROVING THE FINANCING TEAM FOR THE SALE AND DELIVERY OF LINCOLN COUNTY PUBLIC FACILITIES CORPORATION LIMITED OBLIGATION BONDS (LINCOLN COUNTY, NORTH CAROLINA), SERIES 2025

WHEREAS, County of Lincoln (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 negotiated sale and delivery of the Lincoln County Public Facilities Corporation Limited Obligation Bonds (Lincoln County, North Carolina), Series 2025 (the “Bonds”):

Bond Counsel:	Robinson, Bradshaw & Hinson, P.A.
Purchaser:	TD Public Finance LLC
Purchaser’s Counsel:	Parker Poe Adams & Bernstein LLP
Trustee:	Truist Bank
Trustee Counsel:	Pope Flynn, LLC
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.”

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

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

“RESOLUTION APPROVING THE APPLICATION OF COUNTY OF LINCOLN, 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 County of Lincoln, North Carolina, (the “County”) has determined that it is in the best interest of the County to finance the costs of expanding, renovating, constructing, equipping and improving St. James Elementary School located at 1774 St. James Church Rd., Denver, North Carolina 28037 (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 August 1, 2025 (the “Installment Financing Agreement”), between the County and Lincoln County Public Facilities Corporation (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 August 1, 2025, with Truist Bank (the “Trustee”), pursuant to which the Corporation will execute and deliver its Limited Obligation Bonds (Lincoln County, North Carolina), Series 2025 (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 purchased by TD Public Finance LLC (the “Purchaser”), and the proceeds of the sale of the Bonds shall be paid by Purchaser to the Corporation for deposit with the Trustee; and

WHEREAS, the principal amount of the advance under the Installment Financing Agreement shall not exceed \$11,103,000; and

WHEREAS, the final maturity of the installment payments to be made pursuant to the Installment Financing Agreement shall not be beyond June 1, 2040; and

WHEREAS, the effective interest cost of the amount advanced pursuant to the Installment Financing Agreement shall not to exceed 3.86% 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:

- i. that the Installment Financing Agreement is necessary or expedient for the County;
- ii. that the Installment Financing Agreement, under the circumstances, is preferable to a general obligation bond issue for the same purpose;
- iii. that the sums to fall due under the Installment Financing Agreement are adequate and not excessive for its proposed purpose;
- iv. that the County’s debt management procedures and policies are good;
- v. that the County is not in default in any of its debt service obligations; and
- vi. 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.”

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

SB 299 LATE AUDITS – APPEALS OF SALES TAX WITHHOLDING PROCESS

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

See EXHIBIT 2: *Resolution of Successful Appeals Pursuant to Paragraph 1 of the Local Government Commission’s Revised Guidelines for Successful Appeal.*

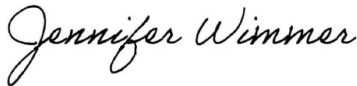
Secretary Wooten seconded the motion and the foregoing resolution was adopted by a unanimous vote of 9 – 0.

Mr. Stith made a motion to adjourn. Secretary Wooten seconded the motion which passed by unanimous vote. The meeting adjourned at 2:38 p.m.

The next regularly scheduled meeting of the North Carolina Local Government Commission will be held on September 9, 2025, at 1:30 p.m.

I, Jennifer Wimmer, Deputy Secretary of the North Carolina Local Government Commission, CERTIFY that the foregoing is a true and correct account of actions taken at a meeting of the North Carolina Local Government Commission duly called and held on August 5, 2025.

WITNESS my hand at Raleigh, NC, this 5th day of August 2025.



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

EXHIBIT 1

Local Governments Requesting Debt Approval by LGC									
Meeting Date 08/05/25									
		As Reported in 2024 Fiscal Year End Audits							
Name of Unit	County	Total OPEB Liability Ending	Plan Fiduciary Net Position	Net OPEB Liability (Asset)	Total LEOSSA Pension Liability Ending	Plan Fiduciary Net Position	Net LEOSSA Pension Liability	Total Net Liability for OPEB and LEOSSA	LGERS/TSERS Net Pension Liability (1)
Angier	Harnett	513,223	0	513,223	330,232	0	330,232	843,455	1,901,025
Bryson City	Swain	N/A	N/A	N/A	209,105	0	209,105	209,105	1,043,396
Cape Fear Public Utility Authority	New Hanover	7,228,568	0	7,228,568	N/A	0	N/A	7,228,568	16,083,637
Durham Housing Authority (2)	Durham	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Elizabeth City	Pasquotank	14,667,446	0	14,667,446	2,984,163	0	2,984,163	17,651,609	11,438,800
Lincoln County	Lincoln	52,125,530	0	52,125,530	4,457,442	0	4,457,442	56,582,972	37,510,780
Maysville (3)	Jones	N/A	N/A	N/A	48,797	0	48,797	48,797	260,070
Mooreville	Iredell	53,796,253	0	53,796,253	5,124,706	0	5,124,706	58,920,959	26,023,367
Morganton	Burke	15,727,032	235,580	15,491,452	3,000,711	0	3,000,711	18,492,163	11,424,428
Morrisville	Wake	5,819,562	0	5,819,562	2,192,148	0	2,192,148	8,011,710	13,297,173
Nags Head	Dare	4,267,907	0	4,267,907	1,440,295	0	1,440,295	5,708,202	6,046,680
Nash County	Nash	56,039,109	0	56,039,109	4,498,697	0	4,498,697	60,537,806	27,123,661
Pineville	Mecklenburg	2,810,744	0	2,810,744	2,007,177	0	2,007,177	4,817,921	4,966,123
Raleigh Housing Authority (4)	Wake	1,988,510	3,055,816	(1,067,306)	N/A	N/A	N/A	(1,067,306)	3,835,369
Wake County	Wake	413,808,636	23,725,032	390,083,604	26,040,889	0	26,040,889	416,124,493	253,364,802
Wilmington Housing Authority (4)	New Hanover	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1,004,131
Zebulon	Wake	5,929,580	0	5,929,580	1,155,538	0	1,155,538	7,085,118	4,182,612
LGERS - Local Government Employees' Retirement System		OPEB - Other Post Employment Benefits (e.g. retiree healthcare)				LEOSSA - Law Enforcement Officers' Special Separation Allowance			
TSERS - Teachers' and State Employees' Retirement System		NA - Not applicable							
(1) LGERS/TSERS liabilities are satisfied by monthly employer contributions to the plans. The contribution rates are reviewed annually and adjusted as needed. See detailed explanation on cover page.									
(2) Financials as of 12/31/2022									
(3) Financials as of 06/30/2023									
(4) Financials as of 03/31/2024									



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

BRADFORD B. BRINER
STATE TREASURER OF NORTH CAROLINA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

DENISE CANADA
DIVISION DIRECTOR

**RESOLUTION OF SUCCESSFUL APPEALS PURSUANT TO PARAGRAPH 1
OF THE LOCAL GOVERNMENT COMMISSION'S
REVISED GUIDELINES FOR SUCCESSFUL APPEAL**

WHEREAS, pursuant to G.S. 159-34(f), the Local Government Commission ("Commission") adopted the *Revised Guidelines for Successful Appeal of Sales Tax Withholding Pursuant to Session Law 2023-59* on November 12, 2024 (the "*Revised Guidelines*"); and

WHEREAS, the counties and municipalities listed within Attachment A ("Units") failed to submit a fiscal year 2024 annual audit report as required by G.S. 159-34(a) within nine (9) months of fiscal year end; and

WHEREAS, the Secretary of the Local Government Commission ("Secretary") provided Notices of Noncompliance on April 21, 2025, to the Units as required by G.S. 159-34(e); and

WHEREAS, the Units have failed to comply with the Notice of Noncompliance and have not submitted their fiscal year 2024 annual audit report within twelve (12) months of fiscal year end; and

WHEREAS, as provided by G.S. 159-34(e), the Units are deemed to have given consent to the withholding of a portion of their sales tax distributions as provided in G.S. 159-34(g); and

WHEREAS, Paragraph 1 of the *Revised Guidelines* states, "that the Commission shall deem an appeal successful if the audit for which the noncompliance notice was issued to the county or municipality is the only audit not submitted as required pursuant to G.S. 159-34(a);" and

WHEREAS, staff of the Commission have determined, and verified with Commission records, that the Units identified in Attachment A have met the Paragraph 1 guideline for a successful appeal, namely that the fiscal year 2024 audit report is the only audit report not submitted; and

WHEREAS, Paragraph 3 of the *Revised Guidelines* states, "that the Commission may waive the requirement for a county or municipality to appear before the Commission if the appeal is considered successful based on the guideline established in Paragraph 1;" and

WHEREAS, the Commission, in accordance with Paragraph 3, hereby waives the requirement that the Units appear before the Commission; and

WHEREAS, the Commission emphasizes the importance of every unit of local government submitting the required annual audit report in a timely manner pursuant to G.S. 159-34(a); and

WHEREAS, the Commission expects all Units identified in Attachment A to make every effort to file the fiscal year 2024 audit report as soon as possible.

NOW THEREFORE, BE IT RESOLVED that:

1. No sales tax distributions shall be withheld from any of the Units listed on Attachment A for the Commission's fiscal year 2024 review cycle.
2. The Commission directs the Secretary to provide written notice to the Units on Attachment A that each Unit has qualified for a successful appeal to the withholding of a portion of the Unit's sales tax distribution based on the guideline established within Paragraph 1 of the *Revised Guidelines*, and that no sales tax distributions will be withheld from those Units.

I, Denise Canada, Secretary of the North Carolina Local Government Commission, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the resolution adopted by the North Carolina Local Government Commission at its meeting held on August 5, 2025.

WITNESS my hand this 5th day of August, 2025.



Denise Canada, Secretary
North Carolina Local Government Commission

EXHIBIT 2 Page 3 of 3

Resolution of Successful Appeals Pursuant To Paragraph 1

August 5, 2025

Page 3

ATTACHMENT A: APPEALS BASED ON PARAGRAPH 1 OF THE LGC'S REVISED GUIDELINES FOR SUCCESSFUL APPEAL

1.	Belhaven	19.	Newland
2.	Benson	20.	Parmelee
3.	Bertie County	21.	Pikeville ¹
4.	Bolton	22.	Pilot Mountain
5.	Bridgeton	23.	Randleman
6.	Caswell County ¹	24.	Robbinsville ¹
7.	Cherokee County	25.	Scotland Neck
8.	East Spencer ¹	26.	Seagrove ¹
9.	Ellenboro	27.	Sims
10.	Everetts	28.	Stanley
11.	Graham County ¹	29.	Star ¹
12.	Hemby Bridge	30.	Taylorsville
13.	Lake Lure	31.	Transylvania County
14.	Lilesville ¹	32.	Walkertown
15.	Linden	33.	Wallace
16.	Maysville ¹	34.	Whitakers ¹
17.	Middlesex		
18.	Murfreesboro		

¹ As of April 1, 2025 these units were missing two fiscal year audit reports and have since filed the fiscal year 2023 report. As a result, the fiscal year 2024 audit report is the only report not received.