



**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

**North Carolina Capital Facilities Finance Agency**  
**August 5, 2025**  
**PRELIMINARY AGENDA**

1. Pledge of Allegiance / Salute to the North Carolina Flag
2. Conflict of Interest Statement
3. Appointment of Secretary-Treasurer and Deputy Secretary-Treasurer (*see Resolution*)
4. Approval of March 4, 2025 Minutes
5. Debt Approval Criteria and Requirements
  - a. Conduit Revenue Bonds Approval: The Montessori School of Raleigh, Inc.
  - b. Conduit Revenue Bonds Approval: Pine Lake Preparatory, Inc.
6. Decennial Rules Review: Initial Determination of Rules (*see Resolution*)
7. Other Business
8. Adjourn Meeting



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STATE TREASURER OF NORTH CAROLINA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION  
AND THE LOCAL GOVERNMENT COMMISSION

**DENISE CANADA**  
DIVISION DIRECTOR

**NORTH CAROLINA CAPITAL FACILITIES FINANCE AGENCY**

**RESOLUTION APPOINTING THE SECRETARY-TREASURER AND  
DEPUTY SECRETARY-TREASURER OF THE AGENCY**

**WHEREAS**, the Board of Directors (the “Board”) of the North Carolina Capital Facilities Finance Agency (the “Agency”), acting pursuant to North Carolina General Statutes (“N.C.G.S.”) § 159D-38(a), desires to elect, appoint, and prescribe the duties of a secretary-treasurer; and

**WHEREAS**, the Agency Board, acting pursuant to N.C.G.S. § 159D-38(a), considers it necessary or advisable to elect and appoint a deputy secretary-treasurer; and

**WHEREAS**, the Chairman of the Agency Board has nominated Department of State Treasurer (“DST”) staff member Carolyn Heden as Secretary-Treasurer and; and DST staff member Jennifer Wimmer as Deputy Secretary-Treasurer;

**NOW, THEREFORE**, the Agency Board acting pursuant to N.C.G.S. § 159D-38(a) hereby

1. Elects and appoints Carolyn Heden as Secretary-Treasurer of the Agency to perform all duties assigned by law to the office of the Agency’s secretary-treasurer, to administer the Agency Rules codified in 20 NCAC Chapter 09, and to perform other duties as may be assigned to the secretary-treasurer by the Agency Board.
2. Elects and appoints Jennifer Wimmer as Deputy Secretary-Treasurer of the Agency to assist the Secretary-Treasurer as needed, and to act in the stead of the Agency Secretary-Treasurer when the Secretary-Treasurer is unavailable.

This resolution shall be effective immediately upon its adoption.

\* \* \* \* \*

I, Bradford B. Briner, Chair of the North Carolina Capital Facilities Finance Agency, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the *Resolution Appointing the Secretary-Treasurer and Deputy Secretary-Treasurer of the Agency* adopted by the Agency at its meeting held on August 5, 2025.

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

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Bradford B. Briner, State Treasurer  
Chair of the North Carolina Capital Facilities Finance Agency

# NORTH CAROLINA CAPITAL FACILITIES FINANCE AGENCY

## MEETING MINUTES

**March 4, 2025**

The meeting was called to order by Chair Bradford B. Briner at 1:00 p.m. on the above date. The meeting was conducted in person and by use of simultaneous communication by GoToWebinar™. Members present in person: Chair Briner and State Auditor Dave Boliek. Members present virtually: DeAlva Arnold, Marcus Bowen, Benny Bowers, and Joseph McLaughlin.

Members Absent: Frank Beam.

Other participants present in person: Carolyn Heden, Debbie Tomasko, Cindy Aiken.

A quorum was present for the entire meeting.

Chair Briner asked those present if they had any actual or potential conflict of interest regarding the matters on the agenda. There were no conflicts to report.

Auditor Boliek made a motion that the minutes of the November 12, 2024 meeting be approved. Mr. McLaughlin seconded the motion, and the minutes were approved by a vote of 6 – 0 (Absent: Beam).

Mr. Bowers made a motion to adopt the following Resolution:

**See EXHIBIT 1:** “Resolution Providing Updated Guidance to Staff Regarding Acceptable Final Maturity Guidelines for Entities Seeking to Issue Revenue Bonds Through The North Carolina Capital Facilities Finance Agency”.

Mr. McLaughlin seconded the motion and the Resolution was adopted by unanimous vote of 6 – 0 (Absent: Beam).

### **Statements of Economic Interest**

The attached Statement of Economic Interest evaluations issued by the State Ethics Commission for Treasurer Bradford B. Briner, Eric Naisbitt (designee of Bradford B. Briner), Auditor David Boliek, and Brenton C. Woodcox (designee of David Boliek) were presented to the Agency members for review, are incorporated into these meeting minutes pursuant to the requirements of the State Government Ethics Act and are labeled “**EXHIBIT 2**”.

\*\*\*\*\*

Mr. Bowen made a motion to adjourn. Mr. McLaughlin seconded the motion which passed by unanimous vote. The meeting adjourned at 1:30 p.m.

\*\*\*\*\*

I, Carolyn Heden, Interim Secretary-Treasurer, North Carolina Capital Facilities Finance Agency, CERTIFY that the foregoing is a true and correct account of actions taken at a meeting of the North Carolina Capital Facilities Finance Agency duly called and held on March 4, 2025.

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

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Carolyn Heden  
Interim Secretary-Treasurer  
North Carolina Capital Facilities Finance Agency



**RESOLUTION PROVIDING UPDATED GUIDANCE TO STAFF REGARDING  
ACCEPTABLE FINAL MATURITY GUIDELINES FOR ENTITIES SEEKING TO  
ISSUE REVENUE BONDS THROUGH THE NORTH CAROLINA CAPITAL  
FACILITIES FINANCE AGENCY**

**WHEREAS**, in August 2012, the North Carolina Capital Facilities Finance Agency (the "Agency"), adopted a *Resolution Providing Guidance To Staff Regarding Acceptable Final Maturity Guidelines For Institutions Of Higher Education Seeking To Issue Revenue Bonds Through The North Carolina Capital Facilities Financing Agency*; and

**WHEREAS**, the staff of the Agency has reviewed the existing guidance and is requesting updated guidance on acceptable final maturities for conduit revenue bonds issued through the Agency on behalf of all qualified applicants; and

**WHEREAS**, NCGS §159D-45(a) limits the ultimate maturity of revenue bonds issued through the Agency to such time or times not exceeding forty (40) years from the date of issuance, as may be determined by the Agency; and

**WHEREAS**, within this maturity limitation there is no statutory guidance and a wide range of maturity structures are permitted; and

**WHEREAS**, in its role as a conduit issuer of debt, the Agency shall be guided by and shall observe the criteria and requirements of NCGS §159D-40(a):

- (1) No project shall be sold or leased nor any loan made to any participating institution that is not financially responsible and capable of fulfilling its obligations, including its obligations under an agreement of sale or lease or a loan agreement to make purchase price payments, to pay rent, to make loan repayments, to operate, repair and maintain at its own expense the project and to discharge any other responsibilities imposed under the agreement of sale or lease or loan agreement.
- (2) Adequate provision shall be made for the payment of the principal of and the interest on the bonds and any necessary reserves for payment and for the operation, repair and maintenance of the project at the expense of the participating institution.

## EXHIBIT 1 Page 2 of 3

Resolution Providing Updated Guidance To Staff Regarding Acceptable Final Maturity Guidelines

March 4, 2025

Page 2

- (3) The public facilities, including utilities, and public services necessary for the project will be made available.
- (4) The projects shall be operated to serve and benefit the public and there shall be no discrimination against any person based on race, creed, color, or national origin; and

**WHEREAS**, the Agency desires to rescind its prior Resolution dated August 7, 2012, and to provide updated guidance to its staff on this matter.

**NOW, THEREFORE**, the Agency hereby rescinds the August 7, 2012 *Resolution Providing Guidance To Staff Regarding Acceptable Final Maturity Guidelines For Institutions Of Higher Education Seeking To Issue Revenue Bonds Through The North Carolina Capital Facilities Financing Agency*, and recommends the following guidelines for use by its staff when evaluating requests from entities seeking to issue conduit revenue bonds through the Agency:

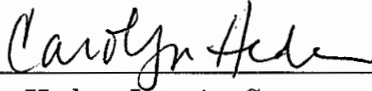
1. Pursuant to NCGS §159D-45(a), final maturities for bonds shall not exceed 40 years.
2. Any staff recommendation as to maturity structure is entirely within staff's discretion based on its professional judgment.
3. In recommending a maturity, staff may consider factors and guidance including but not limited to:
  - a. the useful life of the financed asset and specific components of the project;
  - b. The maximum period of usefulness of capital projects for which units of local government may issue bonds as defined in North Carolina Administrative Code (20 NCAC 03 .0305);
  - c. the powers, experience, background, financial condition, record of service and capability of the management of the applicant (NCGS §159D-41) and
  - d. the amount and maturities of any outstanding debt of the applicant.
4. For refunding or restructuring transactions, final maturities may not be extended beyond their original term without specific staff recommendation.
5. Transactions that have maturity structures that have not received staff's recommendation, or at a minimum acquiescence, will not receive consideration by the Agency.

## EXHIBIT 1 Page 3 of 3

Resolution Providing Updated Guidance To Staff Regarding Acceptable Final Maturity Guidelines  
March 4, 2025  
Page 3

I, Carolyn Heden, Interim Secretary-Treasurer of the North Carolina Capital Facilities Finance Agency, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the resolution adopted by the North Carolina Capital Facilities Finance Agency at its meeting held in Raleigh, NC on March 4, 2025.

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

  
\_\_\_\_\_  
Carolyn Heden, Interim Secretary-Treasurer  
North Carolina Capital Facilities Finance Agency



## STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

### Via Email

January 9, 2025

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

### **Re: Evaluation of Statement of Economic Interest Capital Facilities Finance Agency**

Dear Treasurer Briner:

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

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

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

The North Carolina Capital Facilities Finance Agency was established to provide the benefits of tax-exempt financing to non-profit institutions providing elementary and secondary education, private institutions of higher education and various other entities for special purpose projects serving a public interest. The Agency has the authority to issue bonds and notes, award contracts for the construction of any project on behalf of a participating institution, fix and collect fees, loan repayments, rents and charges for the use of any project.

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



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

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

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

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

Sincerely,

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

Jane Steffens, SEI Unit  
State Ethics Commission

cc: Elizabeth Hawley, Ethics Liaison

Attachment: Ethics Education Guide



## STATE ETHICS COMMISSION

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

### Via Email

January 7, 2025

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

**Re: Evaluation of Statement of Economic Interest Filed by Mr. Eric Naisbitt**  
**Capital Facilities Finance Agency**

Dear Treasurer Briner:

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

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

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

The North Carolina Capital Facilities Finance Agency was established to provide the benefits of tax-exempt financing to non-profit institutions providing elementary and secondary education, private institutions of higher education and various other entities for special purpose projects serving a public interest. The Agency has the authority to issue bonds and notes, award contracts for the construction of any project on behalf of a participating institution, fix and collect fees, loan repayments, rents and charges for the use of any project.

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

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

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

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

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

Sincerely,

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

Jane Steffens, SEI Unit  
State Ethics Commission

cc: Eric Naisbitt  
Elizabeth Hawley, Ethics Liaison

Attachment: Ethics Education Guide



## STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

### Via Email

February 10, 2025

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

**Re: Evaluation of Statement of Economic Interest**

Dear State Auditor Boliek:

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

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

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

The North Carolina Capital Facilities Finance Agency was established to provide the benefits of tax-exempt financing to non-profit institutions providing elementary and secondary education, private institutions of higher education and various other entities for special purpose projects serving a public interest. The Agency has the authority to issue bonds and notes, award contracts for the construction of any project on behalf of a participating institution, fix and collect fees, loan repayments, rents, and charges for the use of any project.

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

As the State Auditor, you are an ex officio member of the Agency. You disclosed that your spouse serves on the Western Carolina University Board of Trustees. As such you have the potential for a conflict of interest and should exercise appropriate caution in the performance of your public duties should issues involving Western Carolina University come before the Agency for official action.

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

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

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

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

Sincerely,

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

Mary Roerden, SEI Unit  
State Ethics Commission

cc: Elizabeth Hawley  
Attachment: Ethics Education Guide



## STATE ETHICS COMMISSION

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

### Via Email

February 17, 2025

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

### **Re: Evaluation of Statement of Economic Interest Filed by Mr. Brenton C. Woodcox** **Capital Facilities Finance Agency**

Dear Auditor Boliek:

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

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

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

The North Carolina Capital Facilities Finance Agency was established to provide the benefits of tax-exempt financing to non-profit institutions providing elementary and secondary education, private institutions of higher education and various other entities for special purpose projects serving a public interest. The Agency has the authority to issue bonds and notes, award contracts for the construction of any project on behalf of a participating institution, fix and collect fees, loan repayments, rents and charges for the use of any project.

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

impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mr. Woodcox fills the role of a designee for the State Auditor. His spouse is employed with OneGoal, an educational non-profit organization, which could possibly be provided with tax-exempt financing from the Agency. Therefore, Mr. Woodcox has the potential for a conflict of interest and should exercise appropriate caution in the performance of his public duties should issues involving OneGoal come before the Commission for official action.

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

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

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

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

Sincerely,



Jane Steffens, SEI Unit  
State Ethics Commission

cc: Brenton C. Woodcox  
Elizabeth Hawley, Ethics Liaison

Attachment: Ethics Education Guide

**NC Capital Facilities  
Finance Agency**

**Debt Approvals**



## Statutory Findings

### § 159D-40. Criteria and requirements.

(a) In undertaking any project pursuant to this Article, the agency shall be guided by and shall observe the following criteria and requirements listed below. The determination of the agency as to its compliance with these criteria and requirements is conclusive.

- (1) No project shall be sold or leased nor any loan made to any participating institution that is not financially responsible and capable of fulfilling its obligations, including its obligations under an agreement of sale or lease or a loan agreement to make purchase price payments, to pay rent, to make loan repayments, to operate, repair and maintain at its own expense the project and to discharge any other responsibilities imposed under the agreement of sale or lease or loan agreement.
- (2) Adequate provision shall be made for the payment of the principal of and the interest on the bonds and any necessary reserves for payment and for the operation, repair and maintenance of the project at the expense of the participating institution.
- (3) The public facilities, including utilities, and public services necessary for the project will be made available.
- (4) The projects shall be operated to serve and benefit the public and there shall be no discrimination against any person based on race, creed, color, or national origin.

(b) In making these determinations, the agency may consider the participating institution's experience and ratio of current assets to current liabilities; the participating institution's net worth, earnings trends, and coverage of fixed charges; the nature of the project involved; and any additional security for payment of the bonds and performance of the participating institution's obligations under the agreement of sale or lease or loan agreement, such as credit enhancement, insurance, guaranties, or property pledged to secure the payment and performance. (1985 (Reg. Sess., 1986), c. 794, s. 6; 1998-124, s. 6; 2000-179, s. 2.)



LGC Staff Analysis For:		NCCFFA: The Montessori School of Raleigh	
Amount Not To Exceed	\$ 5,000,000	Financing Type Conduit Revenue Bonds	
Purpose and Type	Education Refunding/Refinancing		
Project Description	The proposed refunding is to (1) issue an Educational Facilities Revenue Refunding Bond (The Montessori School of Raleigh, Inc.), Series 2025 (privately placed with Pinnacle Bank) to refund the Public Finance Authority's Educational Facilities Revenue Bonds (The Montessori School of Raleigh, Inc.), Series 2015A and 2015B, originally issued in the aggregate principal amount of \$4,000,000 and \$2,500,000, respectively and (2) pay costs of issuance.		
Statutory Reference	G.S. 159D-45	Last Request to Borrow	March 2003: \$3,000,000
Debt Management	<input checked="" type="checkbox"/> Good – no deficiencies and no defaults noted, or reasonable assurance of strict, lawfully compliant management proceeding forward.		
Proposed Bond Issue or Contract is Necessary or Expedient	The Agency finds the refunding necessary or expedient to further the Agency's objective to provide assistance to qualified institutions to be able to construct and renovate facilities for educational purposes.		
Proposed Amount is Adequate and Not Excessive	Refunding amount is par plus the cost of issuance.		
Feasibility	MSR reported (1) cash from operations of \$457k and \$1.15M in 2024 and 2023, respectively and (2) FYE 2024 Cash and Cash Equivalent of \$5.9M. In addition, Bank has conducted its own credit review.		
TEFRA Hearing Date	7/1/2025		
Terms	Lender/Purchaser/Bank	Pinnacle Bank	
	Interest Rate	Initial rate not to exceed 12.0%. Variable: 79% of Term SOFR plus 1.54% spread * 50% of loan amount is a swap fixed rate (as of 07/18/25: 4.86%) * 50% of loan amount is variable SOFR capped at 3.46% (as of 07/18/25).	
	Term	15 years	
	Payment	Monthly principal and interest payments	
	Structure and Term	level debt service	
	Final Maturity	NTE 12/31/2040; subject to tender in August 2035	
	Other:	Refunding relates to change in banking partners and restructuring of amortization. MSR tested the market for interest rates and will thus be in better economic position than if there were no refunding.	



**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

LGC Staff Analysis For:		NCCFFA: The Montessori School of Raleigh
Marketability	Moody's N/A	
	S&P N/A	
	Fitch N/A	

Financing Team			
Financial Advisor			
Underwriter/Senior			
Underwriter's Counsel			
Bond Counsel	Parker Poe Adams & Bernstein, LLP		
Lender/Purchaser/Bank	Pinnacle Bank		
Trustee			
Trustee's Counsel			
Bank Counsel	Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP		
Swap Advisor	DerivGroup		

Amount Not to Exceed: \$ 5,000,000	
Sources:	Amount:
1 Par Amount of Bond	\$ 4,900,000
2 Equity	\$ 75,000
3	
4	
5	
6	
7	
8	
9	
10	
Total	\$ 4,975,000
Uses:	Amount:
1 Redemption of Refunded Bonds	\$ 4,800,000
2 Costs of Issuance	\$ 175,000
3	
4	
5	
6	
7	
8	
9	
10	
Total	\$ 4,975,000

## MSR Supplement

### **Background**

The Montessori School of Raleigh (MSR) is a not-for-profit, independent Montessori and International Baccalaureate (IB) World School serving children from six weeks through grade 12 on two Triangle-area campuses - the Lead Mine Campus in Raleigh and the Brier Creek Campus in Durham. Instruction pairs Montessori's hands-on, mixed-age approach with the inquiry-driven IB framework. Academic work is complemented by outdoor and experiential learning, arts, athletics, after-school offerings, and college-counseling support, all aimed at fostering curiosity and independence.

In March 2003, NCCFFA approved \$3.1M at 14-year amortization for a Wachovia Bank Letter of Credit provided for

- (1) the acquisition, construction, and equipping of additional instructional spaces at its Durham Campus and
- (2) costs of issuance

In July 2015, (WI) Public Finance Authority approved \$6.5M at 25-year amortization for

- (1) refinancing of MSR's Series 2003 debt (Series 2015B) for \$2.5M and
- (2) financing of MSR's Raleigh Campus project (2015A) for \$4.0M with a 07/01/25 interest rate swap agreement maturity

The current Lender (Truist) has executed a letter agreement extending the mandatory purchase date to October 16, 2025.

### **Current refinancing proposal by Pinnacle Bank**

Total Amount: \$5.0M

- Refinance Series 2015A and Series 2015B via Series 2025: (Tax-Exempt) Educational Facilities Revenue Refunding Bond
  - 20-year amortization with a 10-year put-date;
  - 79% of TERM SOFR + 1.54%
    - 50% of loan amount is a swap fixed rate (approximately 4.86% (as of 07/18/25)
    - 50% of loan amount is variable SOFR capped at 3.46% (as of 07/18/25)
- Revolving Line of Credit Facility \$500k<sup>1</sup>
  - Variable rate of SOFR + 2.5% with 4% SOFR floor
  - Payment of interest only monthly

Financing is secured via (1) Deed of Trust of Raleigh and Durham campuses and (2) pledge of gross revenues.

Additional Bank requirements include:

- Submission of annual financial statements and projections
- Minimum debt service coverage at 1.10x, tested annually as of July 31
- Days' Cash on Hand Requirement: 90 days, tested annually as of July 31

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<sup>1</sup> For informational purposes only; not for Agency approval



# 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

<b>LGC Staff Analysis For:</b>		<b>NCCFFA: Pine Lake Preparatory, Inc. ("PLP")</b>	
<b>Amount Not To Exceed</b>	\$ 37,000,000	<b>Financing Type</b> Conduit Revenue Bonds	
<b>Purpose and Type</b>	Education		
<b>Project Description</b>	Proceeds used to (1) refinance outstanding fixed rate Public Finance Authority Education Revenue Bonds Series 2015, (2) finance an administrative building, a field house and other capital projects (collectively, the "Project") and (3) pay costs of issuance.		
<b>Statutory Reference</b>	G.S. 159D-45	<b>Last Request to Borrow</b>	December 2010: \$20,000,000
<b>Debt Management</b>	<input checked="" type="checkbox"/> Good – no deficiencies and no defaults noted, or reasonable assurance of strict, lawfully compliant management proceeding forward.		
<b>Proposed Bond Issue or Contract is Necessary or Expedient</b>	The Agency finds the refunding and financing are necessary or expedient to further the Agency's objective to provide assistance to qualified institutions to be able to construct and renovate facilities for educational purposes.		
<b>Proposed Amount is Adequate and Not Excessive</b>	Refunding amount is less than the par amount being refunded. Construction costs are being finalized but are within budget. School has adequate reserves if there are costs overruns. Bank will be monitoring construction.		
<b>Feasibility</b>	The School, with its Municipal Advisor, projects Debt Service Coverage Ratio ranges from 1.71x to 2.01x for FY 2026-FY 2030 and Days Cash on Hand ranges from 170 days to 221 days for FY 2026-2030. Bank has done its own credit review.		
<b>TEFRA Hearing Date</b>	6/24/2025		
<b>Terms</b>	<b>Lender/Purchaser/Bank</b>	Pinnacle Bank	
	<b>Interest Rate</b>	Initial rate not to exceed 12.0%. Variable: 79% of Term SOFR plus 1.05% spread. Synthetic (swap-based) fixed rate @ 4.34% (current)	
	<b>Term</b>	30 years	
	<b>Payment</b>	Monthly; construction portion is payable, interest only, for the first 12-months after closing.	
	<b>Structure and Term</b>	level debt service	
	<b>Final Maturity</b>	NTE 12/31/2055; subject to tender in August 2040	
<b>Other:</b>	No signed Guaranteed Maximum Price (GMP); however, (1) both Agency and Lender (Pinnacle Bank) will require a GMP prior to construction draws and (2) should GMP exceed the amount borrowed, PLP has adequate reserves to cover excess (after value engineering).		



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**DENISE CANADA**  
DIVISION DIRECTOR

LGC Staff Analysis For:		NCCFFA: Pine Lake Preparatory, Inc. ("PLP")	
Marketability	Moody's N/A	Stable	
	S&P BBB-		
	Fitch N/A		

Financing Team			
Financial Advisor	First Tryon Advisors, LLC		
Underwriter/Senior			
Underwriter's Counsel			
Bond Counsel	McGuire Woods, LLP	Borrower's Counsel	Chapman & Cutler LLP
Lender/Purchaser/Bank	Pinnacle Bank		
Trustee			
Trustee's Counsel			
Bank Counsel	Maynard Nexsen PC		

Amount Not to Exceed: \$ 37,000,000	
Sources:	Amount:
1 2025 Bonds	\$ 36,187,000
2 Series 2015 Debt Service Reserve Fund	\$ 2,330,323
3	
4	
5	
6	
7	
8	
9	
10	
Total	\$ 38,517,323
Uses:	Amount:
1 Series 2015 Refunding	\$ 28,216,127
2 Construction	\$ 9,041,768
3 Soft Costs/ Architectural and Engineering	\$ 733,750
4 Transaction costs (costs of issuance)	\$ 525,405
5 Miscellaneous/ Rounding	\$ 273
6	
7	
8	
9	
10	
Total	\$ 38,517,323

## PLP Supplement

### **Background**

Pine Lake Preparatory (PLP) is a tuition-free, K-12 public charter school authorized by the North Carolina State Board of Education in August 2006 as a North Carolina Charter School. PLP is located in the southernmost portion of Iredell County within minutes of I-77 and convenient to Davidson, Mooresville, and the surrounding area.

PLP has approximately 1890 students from 9 counties with a current wait list of approximately 5,043. The School has a student retention greater than 97% and a graduation rate greater than 98%. PLP has a college prep curriculum, enhanced by fine art and STEM courses. It has 20+ athletic teams in addition to academic, service and social clubs. PLP employs approximately 185 employees.

See also: [www.pinelakeprep.org](http://www.pinelakeprep.org)

### **Financing history/purpose**

#### **Refunding**

Currently outstanding fixed-rate Public Finance Authority Education Revenue Bonds (Pine Lake Preparatory) Series 2015 (the "Series 2015 Bonds") originally issued in an aggregate principal amount of \$33.0M with current principal outstanding at \$27.6M. Outstanding principal coupon range is 4.35%-5.5% for maturities in 2025 – 2045.

PLP is seeking to refund the Series 2015 issuance to realize interest rate savings (approximately 10.75% of refunded par or \$2.67M), resulting in an estimated \$690k decrease in annual debt service.

#### **New Project**

PLP is seeking to finance the construction of new facilities to enhance school property, including the construction of an administration building, a field house, and improvements to its turf and track facilities for approximately \$9.7M.

### **Current Financing**

Amortization period is 30-years (2055) with a 15-year (2040) tender option.

Synthetic fixed rate via a swap agreement provides PLP an estimated coupon of 4.34% and True Interest Cost (TIC) of 4.37%.

Repayment structure is level debt service, where the annual debt service is relatively equal from year to year, an average of approximately \$2.17M per year (low: \$1.7M, high: \$2.2M).

Financing is secured via Deed of Trust against PLP's main campus. Additional Bank requirements include:

- Submission of quarterly/annual financial statements and projections
- Minimum debt service coverage ratio of not less than 1.10 to 1.00
- Days' Cash on Hand Requirement: 70 days, tested annually at the end of each fiscal year





# NORTH CAROLINA DEPARTMENT OF STATE TREASURER

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STATE TREASURER OF NORTH CAROLINA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION  
AND THE LOCAL GOVERNMENT COMMISSION

DENISE CANADA  
DIVISION DIRECTOR

## NORTH CAROLINA CAPITAL FACILITIES FINANCE AGENCY RESOLUTION ACCEPTING STAFF REPORT ON INITIAL DETERMINATION OF ADMINISTRATIVE RULES FOR DECENNIAL RULES REVIEW

WHEREAS, the North Carolina Capital Facilities Finance Agency ("Agency") is a governmental entity of the State of North Carolina housed within the Department of State Treasurer ("DST"); and

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

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

WHEREAS, as a rulemaking agency, the Agency has promulgated administrative rules, codified as part of the rules of DST in Title 20, Chapter 09 of the North Carolina Administrative Code ("NCAC"); and

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

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

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

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

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

WITNESS my hand this 5<sup>th</sup> day of August 2025.

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Carolyn Heden, Secretary-Treasurer  
North Carolina Capital Facilities Finance Agency



**G.S. 150B-21.3A Report for 20 NCAC 09, CAPITAL FACILITIES FINANCE AGENCY**

Agency - Capital Facilities Finance Agency

Comment Period -

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation
	SECTION .0100 - GENERAL PROVISIONS	20 NCAC 09 .0101	ORGANIZATION AND FUNCTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No	
		20 NCAC 09 .0102	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No	
	SECTION .0200 - RULE-MAKING	20 NCAC 09 .0201	RULE-MAKING PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No	
		20 NCAC 09 .0202	DECLARATORY RULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No	
	SECTION .0300 - CONTESTED CASES	20 NCAC 09 .0301	CONTESTED CASE PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No	
	SECTION .0400 - APPROVAL OF APPLICATION	20 NCAC 09 .0401	REQUESTS FOR ACTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No	
		20 NCAC 09 .0403	APPLICATION TO AMEND PRIOR APPROVALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No	
	SECTION .0500 - REVIEW CRITERIA	20 NCAC 09 .0501	GENERAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No	
		20 NCAC 09 .0502	JURISDICTIONAL FINDINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No	
	SECTION .0600 - FEES	20 NCAC 09 .0601	COLLECTING FEES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No	
		20 NCAC 09 .0602	FEES AND EXPENSES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No	