

Minutes
Regular Meeting
Hertford County Board of Commissioners
County Commissioners' Meeting Room
Monday, March 18, 2013
7:00 P.M.

Present: Curtis A. Freeman, Sr., William F. Mitchell, Jr., Johnnie R. Farmer, Ronald J. Gatling, and Howard J. Hunter, III

Absent: None

Also Present with the Board: Loria D. Williams, County Manager; Charles L. Revelle, III, County Attorney (entered late); and Shelia W. Matthews, Clerk to the Board

Chairman Curtis A. Freeman, Sr., called the meeting to order.

The invocation for the meeting was provided by Vice-Chairman William F. Mitchell, Jr.

TAX

On a motion by Hunter and a second by Farmer, the Board voted unanimously to approve the following Tax Releases for the month of February, 2013:

TOTAL VALUE APPROVED THIS REPORT (2012 LEVY)	86,420.00
TOTAL TAX RELEASED THIS REPORT (2012 LEVY)	794.67
TOTAL VALUE APPROVED THIS REPORT (PRIOR LEVY)	00.00
TOTAL TAX RELEASED THIS REPORT (PRIOR LEVY)	34.94
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2012)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2012)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2011)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2011)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2010)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2010)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2009)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2009)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2008)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2008)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2007)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2007)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2006)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2006)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2005)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2005)	00.00

TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2004)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2004)	00.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2003)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2003)	00.00

REGULAR SESSION

On a motion by Hunter and a second by Gatling, the Board voted unanimously to go into a scheduled Public Hearing per the following advertisement:

NOTICE OF CLOSEOUT PUBLIC HEARING HERTFORD COUNTY FY 10 COMMUNITY DEVELOPMENT PROGRAM

Notice is hereby given that Hertford County will hold a public hearing on Monday, March 18, 2013 at 7:00 PM at the Hertford County Office Building Number One, Room 222, Commissioner's Meeting Room located at 704 N. King Street, Winton, North Carolina, to review and assess the performance of the County's FY 10 Community Development Block Grant Program. The Hertford County FY 10 CDBG Scattered Site Housing Program was financed with \$400,000 (100 percent of the total program costs) received by the County from the North Carolina Department of Commerce.

Citizens having any questions concerning the Small Cities CDBG Program should contact Loria D. Williams, County Manager, Hertford County, PO Box 116, Winton, NC 27986, telephone: 252-358-7805. All citizens are urged to attend the public hearing and make their views known prior to the submission of closeout information to the North Carolina Department of Commerce. Hertford County does not discriminate based on race, color, religion, sex, national origin, handicap, age, or political affiliation in the admission, access to, treatment or employment in the CDBG program and activities. Persons with disabilities requiring special accommodations should contact Shelia Matthews, Clerk to the Board, at 252-358-7805, TDD 800-735-2962 or Relay Service at 7-1-1, at least 48 hours prior to the scheduled meeting. This information is available in Spanish or any other language upon request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Loria D. Williams al (252) 358-7805 o en la Oficina del Administrador del Condado de Hertford para esta solicitud.

Loria Williams, County Manager

PUBLIC HEARING

The County Manager presented a Closeout Resolution and a Closeout Grant Project Ordinance for review and consideration.

There was no one present to speak during the Public Hearing.

On a motion by Hunter and a second by Gatling, the Board voted unanimously to leave the Public Hearing and return to Regular Session.

REGULAR SESSION

CDBG

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to approve the following Closeout Resolution:

**HERTFORD COUNTY FY 10 COMMUNITY DEVELOPMENT PROGRAM
CLOSEOUT RESOLUTION**

A Resolution Authorizing the closeout of the Hertford County FY 10 Community Development Program.

Be It Resolved by the Hertford County Board of Commissioners, That

WHEREAS, the County is participating in the Community Development Block Grant Program under the Housing and Community Development Act of 1974, as amended, administered by the North Carolina Department of Commerce; and

WHEREAS, the County has completed all the approved project activities; and

WHEREAS, the County certifies that an advertisement was published on February 28, 2013 in *The Roanoke Chowan News-Herald* and,

WHEREAS, the County certifies that a public hearing, to review and assess the performance of this project, in accordance with the North Carolina CDBG Program Regulations, was conducted on Monday, March 18, 2013 at 7:00 PM to discuss the project closeout. Comments made at the public hearing were favorable; and

THEREFORE, BE IT RESOLVED, that the Hertford County Board of Commissioners, hereby authorizes the closeout of the FY 10 Community Development Program and directs the Chairman to act on behalf of the County in executing closeout documentation as the Chief Elected Official under the provisions of the North Carolina Community Development Block Grant Program Regulations (4 NCAC 19L).

Adopted this 18th day of March, 2013

On a motion by Hunter and a second by Gatling, the Board voted unanimously to approve the following Closeout Ordinance:

**HERTFORD COUNTY FY 10 COMMUNITY DEVELOPMENT PROGRAM
CLOSEOUT GRANT PROJECT ORDINANCE**

Be it ordained by the Hertford County Board of Commissioners that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Ordinance is hereby adopted:

Section 1. The project authorized is the Community Development Project described

in the work statement contained in Grant Agreement 10-C-2121 between Hertford County and the North Carolina Department of Commerce. This project is more familiarly known as the Hertford County Scattered Site Housing Project.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the North Carolina Department of Commerce and the budget contained herein.

Section 3. The following revenues were received to complete this project:

Community Development Block Grant (C-1)	\$ 400,000.00
Total	\$ 400,000.00

Section 4. The following amounts were expended for the project:

Rehabilitation-Reconstruction	\$ 316,517.10
Rehabilitation-Clearance	44,156.30
Planning	7,000.00
Administration	32,326.60
Total	\$ 400,000.00

Section 5. The Finance Director is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the Grant Agreement and Federal and State regulations.

Section 6. Funds were requisitioned periodically from the State after submission of documentation to the County. Disbursement of funds was made by the County upon actual receipt of invoice from the vendor. Compliance with all federal and state procurement regulations was required.

Section 7. The Finance Director reported monthly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Finance Director was directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this Grant Project Ordinance shall be made available to the Finance Director for direction to closeout this project.

Adopted this 18th day of March, 2013.

County Attorney Charles L. Revelle, III, entered the meeting at this time.

PUBLIC COMMENT PERIOD

There was no one to speak during Public Comment Period.

N.C.D.O.T./MID-EAST COMMISSION

Mr. Justin Oakes, RPO Planner with Mid-East Commission/Peanut Belt RPO, presented the Hertford County Comprehensive Transportation Plan. This plan was first presented by Mr. Mike Abuya, with N.C.D.O.T., in November, 2012. At that time, the Board was not pleased with the data presented which projected no growth for Hertford County by the year 2040. Mr. Oakes explained that the numbers from the previous report came from the North Carolina Office of State Budget and Management. The data has been updated and derived from Log into North Carolina (LINC).

Chairman Freeman commented that this report looked much better. On a motion by Farmer and a second by Hunter, the Board voted unanimously to approve the Hertford County Comprehensive Transportation Plan.

On a motion by Hunter and a second by Gatling, the Board voted unanimously to recess Regular Session to go into a scheduled Public Hearing as advertised:

NOTICE OF PUBLIC HEARING

THE PUBLIC SHOULD TAKE NOTICE the HERTFORD COUNTY BOARD OF COMMISSIONERS will hold a Public Hearing on Monday, March 18, 2013 at 7:15 P.M. in the COMMISSIONERS' MEETING ROOM OF THE HERTFORD COUNTY OFFICE BUILDING # 1, WINTON, N.C. for the purpose of hearing and considering public comments on a request by Kim Bristow & Mathew Lewis to rezone property from Heavy Industrial (IH) to Residential Agriculture (RA-20). The property contains 2 parcels identified as PIN's 6945-40-7911 and 6945-40-9534 and contains approximately 11.18 acres. The property is located on the west side of SR 1471, known as Cottons Island Road, approximately 1,205' south of SR 1445, known as Bazemore Road.

Interested citizens will be heard on this issue. Following the Public Hearing, the Hertford County Board of Commissioners may adopt, revise, or reject the requested rezoning.

A copy of the full proposal is available for public inspection in the office of the Zoning Administrator, Hertford County Office Building # 1 Winton NC between the hours of 8:30 A.M. to 5:00 P.M. For further information call Bill Early, Zoning Administrator at 252-358-7801.

This the 7th day of March, 2013.

PUBLIC HEARING

Mr. Bill Early, Planning and Zoning Administrator, shared that the Planning Board voted to recommend this rezoning request. He also updated the Board that the rezoning request would be for Kimberly Bristow only; Tommy Castelow had requested to be excluded from the rezoning request due to the fact that his property was being purchased by Nucor.

Mr. Early shared with the Board all the permitted uses for a Residential Agricultural District.

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to go back into Regular Session.

REGULAR SESSION

REZONING

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to rezone property owned by Kimberly L. Bristow from Heavy Industrial (IH) to Residential Agriculture (RA). The property is located on the west side of SR 1471, known as Cottons Island Road, approximately 1,205' south of SR 1445, known as Bazemore Road. The property is identified as PIN #6945-40-9534 and contains approximately 4.99 acres.

EMERGENCY SERVICES

Mr. James Broglin, EMS Director, was present to request an increase in ambulance rates as follows:

	<u>From</u>	<u>To</u>
ALS	\$425.00	\$525.00
BLS	\$325.00	\$425.00
Rural Mileage	\$10.50	\$13.50

The last increase in rates was in 2011.

On a motion by Hunter and a second by Farmer, the Board voted unanimously to approve the increase in ambulance rates as presented above.

After some discussion, on a motion by Hunter and a second by Farmer, the Board voted unanimously to retract the previous motion.

On a motion by Hunter and a second by Farmer, the Board voted unanimously to set the ambulance rates affective April 1 as follows:

ALS	\$521.90
BLS	\$439.50
Rural Mileage	\$13.96

BUDGET AMENDMENTS

On a motion by Farmer and a second by Gatling, the Board voted to approve the following Amendment No. 7 to the FY 2012-2013 Hertford County Budget Ordinance as presented by Robbin Stephenson, Finance Director:

**AMENDMENT TO THE HERTFORD COUNTY BUDGET ORDINANCE
2012/2013
(Amendment No. 7)**

Section I of the Hertford County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Increase (Decrease) Appropriations:

General Fund

Elections – State HAVA Grant	\$ 5,028.00
Public Buildings – Capital Outlay Buildings	\$ 4,922.00
Office of Aging – Personnel Removal	\$ (4,922.00)
Register of Deeds – Repair and Preserve Books	\$ 2,500.00

Economic/Physical Development

Soil Conservation	\$ 4,290.00
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Total **\$ 11,818.00**

Section II of the Hertford County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Increase (Decrease) Revenues:

Transfer from Fund 18 Enhance and Preserve Fund	\$ 2,500.00
Restricted Intergovernmental – State HAVA Grant	\$ 5,028.00
Restricted Intergovernmental – NCDENR Service Contract #3867	\$ 4,290.00

Total **\$ 11,818.00**

This amendment:

- To record State HAVA Grant to refund Elections for coding. Source of Funds: State
- Public Buildings have begun to clean Aging’s Building in which Aging actually paid this individual. Public Buildings will not utilize these funds. Source of Funding: Local
- Register of Deeds is utilizing funds set aside especially for these repairs in the Enhancement and Preserved Fund
- These funds will be used to perform monitoring responsibilities for 39 properties. Source of Funding: State/Federal

Chairman Freeman questioned why the \$4,922 could not be put aside to use somewhere it may be needed later (such as toward health insurance cost). He opposed the motion to approve this budget amendment.

On a motion by Mitchell and a second by Hunter, the Board voted unanimously to approve the following Amendment No. 1 to the FY 2012-2013 Hertford County Enhancement & Preservation Fund as presented by Robbin Stephenson, Finance Director:

**AMENDMENT TO THE HERTFORD COUNTY
ENHANCEMENT & PRESERVATION FUND
2012/2013
(Amendment No. 1)**

Section 17 of the Hertford County Budget Ordinance, pertaining to the Register of Deeds Enhancement Fund operations of the county shall be amended as follows:

Increase (Decrease) Appropriations:

Transfer to Fund 10 General Fund	\$ 2,500.00
Total	\$ 2,500.00

Section 18 of the Hertford County Budget Ordinance, pertaining to the Register of Deeds Enhancement Fund operations of the county, shall be amended as follows:

Increase (Decrease) Revenues:

Appropriated Fund Balance	\$ 2,500.00
Total	\$ 2,500.00

This amendment:

- Register of Deeds is utilizing funds set aside especially for preservation of their permanent records.

BOARD APPOINTMENTS

East Carolina Behavioral Health

Commissioner Farmer informed the Board that anyone interested in serving on the East Carolina Behavioral Health Board needs to submit a "Statement of Interest to Serve" by Friday, March 22, 2013.

PIEDMONT NATURAL GAS

On a motion by Gatling and a second by Hunter, the Board voted unanimously to approve the grant of temporary construction easement to Piedmont Natural Gas Company, Inc. for the US Highway 13 Widening Project.

N.C.D.O.T.

At the February 18, 2013, Regular Meeting, the Board voted unanimously to approve an Abandonment Petition for a portion of Parker Land Road (SR 1162) and to forward the petition to N. C. D. O. T. Although not required by General Statute, the N.

C. D. O. T. is requesting that the Commissioners hold a public hearing regarding this abandonment.

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to schedule a Public Hearing for Monday, April 1, 2013, at 9:15 a.m. for the purpose of receiving public comments on a Petition of Abandonment of State Road #1162 (Parker Land Road).

RESOLUTIONS/MUSEUM OF THE ALBEMARLE

On a motion by Hunter and a second by Farmer, the Board voted unanimously to approve the following resolution:

RESOLUTION SUPPORTING CONTINUED FUNDING FOR MUSEUM OF THE ALBEMARLE

WHEREAS, Museum of the Albemarle serves a 13 county area that spans Northeastern North Carolina and is one of six divisional museums of the North Carolina Museum of History; and

WHEREAS, Museum of the Albemarle opened its first museum on May 29, 1967, in the old Highway Patrol building south of Elizabeth City; and

WHEREAS, by 1987 the museum's collection was overflowing and there was a critical need for a larger facility that would allow for the proper housing and display of the region's precious collections and a decision was made to seek a larger facility; and

WHEREAS, property was donated for a site and following a fundraising campaign and delays due to state budget shortfalls, a new 50,000 square foot museum was constructed using local and state resources; and

WHEREAS, the new Museum of the Albemarle opened on April 8, 2006, and is a wonderful facility that includes large public gathering areas, meeting and conference rooms, a 200 seat auditorium, 11,000 square feet of lobby and galleries, and 3,500 square feet of collection storage; and

WHEREAS, the museum is a regional resource center that houses historically significant regional artifacts and state-of-the-art displays that provide rare opportunities for inquiry and learning; and

WHEREAS, some of the current exhibits which are quite significant for our area include "Our Story: Life in the Albemarle", "Out of the Blue: Coast Guard Aviation", "Under Both Flags: Civil War in the Albemarle"; and

WHEREAS, over the past 45 years, Museum of the Albemarle has shown hundreds of exhibits, collected, displayed and cared for thousands of regional artifacts, conducted hundreds of educational programs, given general tours to thousands of regional school children, and educated, entertained and showed off the amazing history of the Albemarle Area; and

WHEREAS, Museum of the Albemarle has become a vital resource for our area;

NOW, THEREFORE, BE IT RESOLVED that the Hertford County Board of Commissioners supports funding for continued operation of Museum of the Albemarle and requests the Governor and General Assembly to include full funding in the state's 2013-14 budget for Museum of the Albemarle.

ADOPTED this 18th day of March, 2013.

TAX FORECLOSURES/COUNTY PROPERTY

On a motion by Hunter and a second by Mitchell, the Board voted unanimously to accept a bid offer in the amount of \$3,100 from Chiquita Savage on the Lemuel E. Cotton, Heirs, tax foreclosure property (PIN #5995-54-2331) and to authorize the County Attorney to advertise for upset bid.

Chairman Freeman questioned if these properties should be occupied and also requested that staff research the Harry Mountain, Heirs, tax foreclosure property (208 Lloyd Street, Ahoskie).

On a motion by Hunter and a second by Gatling, the Board voted unanimously to accept a bid offer in the amount of \$3,800 from Barbara and Anthony Archer on the Wesley Ray Stewart tax foreclosure property (PIN #6915-55-5342) and to authorize the County Attorney to advertise for upset bid.

On a motion by Hunter and a second by Gatling, the Board voted unanimously to recess Regular Session and meet as the Governing Board of the Tunis Sewer District.

GOVERNING BOARD OF THE TUNIS SEWER DISTRICT

Commissioner Gatling introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by title:

**RESOLUTION PROVIDING FOR THE ISSUANCE OF
\$307,000 GENERAL OBLIGATION SANITARY SEWER BOND
ANTICIPATION NOTES**

BE IT RESOLVED BY the Board of Commissioners for Tunis Sewer District, Hertford County, North Carolina (the "District"):

Section 1. The Board of Commissioners has determined and does hereby find, declare and represent:

- a) That an order authorizing not exceeding \$400,000 Sanitary Sewer Bonds of Tunis Sewer District, Hertford County, North Carolina, was adopted by said Board of Commissioners on November 1, 2010, (the "Bond Order"), which Bond Order was approved by the vote of a majority of the qualified voters of said District who voted thereon at a referendum duly called and held February 1, 2011.

- b) That none of said bonds have been issued and that no notes have been issued in anticipation of the receipt of the proceeds of said bonds.
- c) That it is necessary to issue at this time \$307,000 notes in anticipation of the receipt of the proceeds of the sale of a like amount of said bonds.
- d) That (i) said District is a governmental unit with general taxing powers, (ii) no note which is part of the issue of notes described in Section 2 hereof is a private-activity bond, as defined in the Internal Revenue Code of 1986, as amended, (the "Code"), (iii) 95 percent or more of the net proceeds of said notes are to be used for local governmental activities of said District (iv) the aggregate face amount of all tax-exempt obligations (not counting private-activity bonds) issued by said District, all entities which issue obligations on behalf of said District and all subordinate entities of said District during calendar year 2013 is not reasonably expected to exceed \$5,000,000 and (v) to the best of said District's knowledge, there are no entities which issue obligations on behalf of, or subordinate entities of, said District.

Section 2. In anticipation of the receipt of the proceeds of the sale of a like amount of said bonds, the issuance of \$307,000 negotiable notes of said district is hereby authorized, the proceeds of which notes shall be used for the purposes set forth in the Bond Order. Said notes shall be designated "General Obligation Sanitary Sewer Bond Anticipation Notes," shall be dated April 2, 2013, shall mature on February 26, 2014, without option of prior payment, and shall bear interest at a rate to be determined by the Local Government Commission of North Carolina at the time said notes are sold, which interest shall be payable at the maturity of said notes on the basis of a 360-day year, consisting of twelve 30-day months, and to which notes no interest coupons shall be attached. Said notes shall be payable as to both principal and interest at such bank or trust company, shall have such denomination or denominations, provided that the minimum denomination shall be \$100,000 and whole multiples of \$5,000 in excess of \$100,000, and shall bear such number or numbers as may be fixed by the Chairman or Vice-Chairman of said Board of Commissioners, after the award of said notes by the Local Government Commission of North Carolina. Both the principal of and the interest on said notes shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Section 3. Said notes shall be signed by the Chairman or Vice-Chairman of and the Clerk to said Board of Commissioners, and the seal of said District shall be affixed to said notes. The form of said notes and the endorsements to be placed upon the reverse thereof shall be substantially as follows:

No. _____

\$ _____

United States of America
 State of North Carolina
 County of Hertford

TUNIS SEWER DISTRICT

Sanitary Sewer Bond Anticipation Note

Tunis Sewer District, a body politic and corporate in the County of Hertford, North Carolina, is justly indebted and for value received hereby promises to pay to the bearer on the 26th day of February, 2014, the principal sum of

_____ THOUSAND DOLLARS

and to pay interest thereon from the date hereof on the basis of a 360-day year, consisting of twelve 30-day months, at the rate of _____ per centum (____%) per annum, payable upon the presentation and surrender of this note at its maturity. Both the principal of and the interest on this note are payable at _____, in _____, _____, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of said District are hereby irrevocably pledged.

This note is given for money borrowed in the amount of the face of this note in anticipation of the receipt of the proceeds of the sale of a like amount of Sanitary Sewer Bonds, duly authorized under an order adopted by the Board of Commissioners for said District on November 1, 2010, which order was approved by the vote of a majority of the qualified voters of said District who voted thereon at a referendum duly called and held on February 1, 2011, and this note is issued pursuant to and in full compliance with The Local Government Bond Act, as amended, and Article 9, as amended, of Chapter 159 of the General Statutes of North Carolina and a resolution duly passed by the Board of Commissioners for said District.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this note have happened, exist and have been performed in regular and due form and time as so required and that the total indebtedness of said District, including this note, does not exceed any constitutional or statutory limitation thereon.

IN WITNESS WHEREOF, said Tunis Sewer District, Hertford County, North Carolina, pursuant to a resolution of its Board of Commissioners, has caused this note to be signed by the Chairman or Vice-Chairman of and the Clerk to said Board of Commissioners and the seal of said District to be affixed hereto, all as of the ____ day of April, 2013.

TUNIS SEWER DISTRICT

By: Chairman of the Board

By: Clerk to the Board

The issuance of this note has been approved under the provisions of The Local Government Board Act of North Carolina, as amended.

T. VANCE HOLLOMAN
Secretary, Local Government Commission

Section 4. The actions of the Attorney for said District in applying to the Local Government Commission of North Carolina to approve, advertise and sell said notes and of the Local Government Commission of North Carolina in asking for bids for said notes by publishing a notice and printing and distributing circulars relating to the sale of said notes are hereby approved, ratified and confirmed.

Section 5. Said District covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will do and perform all acts and things to comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), and any related regulations and procedures in order to assure that interest paid on said notes will not be includable in the gross income of the owners thereof for purposes of federal income taxation, except to the extent that said District obtains an opinion of bond counsel to the effect that noncompliance would not result in interest on said notes being includable in the gross income of the owners of said notes for purposes of federal income taxation.

Section 6. Said District hereby represents that it reasonably expects that said District, all subordinate entities thereof and all entities that issue obligations on behalf of said District, will not issue in the aggregate more than \$10,000,000 of tax-exempt obligations (not counting private-activity bonds except for qualified 501(c)(3) bonds as defined in the Code) during calendar year 2013. In addition, said District hereby designates each of said notes as a "qualified tax-exempt obligation" for the purposes of Section 265(b)(3) of the Code.

Section 7. As necessary or appropriate in connection with the issuance of said notes, all officers, employees and agents of said District are authorized and directed to provide certifications of material facts and estimates as to the reasonable expectations of said District as of the date said notes are delivered and on behalf of said District to sign agreements or acknowledge instructions regarding compliance with the requirements of the Code and any related regulations and procedures relating to said notes.

Section 8. There are hereby created, as may be needed, appropriate capital project funds and/or accounts of said District for the receipt and expenditure of the proceeds of said notes and appropriate debt service funds and/or accounts of said District for the receipt and disbursement of debt service payments on said notes.

Section 9. The Chairman or Vice-Chairman of and the Clerk to said Board of Commissioners and other officers of said District are hereby authorized and directed to execute and deliver for and on behalf of said District any and all certificates, documents and other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

Section 10. This resolution shall take effect upon its passage.

Thereupon Commissioner Gatling moved the passage of the foregoing resolution entitled "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$307,000 SANITARY SEWER BOND ANTICIPATION NOTES", and Commissioner Farmer seconded the motion, and the resolution was passed by the following vote:

Ayes: Commissioners Gatling, Farmer, Hunter, Freeman & Mitchell

Noes: None

On a motion by Hunter and a second by Gatling, the Board voted unanimously to return to Regular Session.

REGULAR SESSION

COUNTY MANAGER'S UPDATE

Activity Report was presented for January and February, 2013.

COMMISSIONERS' COMMENTS

- Chairman Freeman recognized Mrs. Betty Williams, Administrative Assistant to the County Manager, and commended her on the excellent job she was doing.

On a motion by Mitchell and a second by Gatling, the Board voted unanimously to recess Regular Session and go into a scheduled Closed Session as allowed under G. S. 143-318.11 (a) (3) to consult with the County Attorney, (5) to discuss acquisition of property, and (6) to discuss personnel matters.

CLOSED SESSION

Minutes of Closed Session are on file in the office of the Clerk to the Board.

REGULAR SESSION

COUNTY PROPERTY/NUTRITION SITE

On a motion by Hunter and a second by Gatling, the Board voted unanimously to purchase property at 320 West Main Street, Murfreesboro, in the amount of \$60,000 to be used for the Murfreesboro Nutrition Site.

On a motion by Hunter and a second by Gatling, the Board voted unanimously to adjourn the meeting.