Chairman Church opened the meeting and welcomed everyone.

Public Comment

There was no public comment.

Regular Session

Rev. Rob Hinman, Pastor of Lenoir Presbyterian Church gave the invocation and Commissioner Branch led the Pledge of Allegiance. Chairman Church asked if there were any additions or amendments to the August 13, 2018 agenda. The Clerk noted there were requests from Finance staff to add four items to the agenda regarding the new EMS bases; the Sheriff Office requested the addition of approval to apply for a JAG grant; the County Manager requested the addition of a resolution to exempt the County regarding engineering and architectural services related to a new release area at the Detention Center; and, the retiree to be recognized would not be in attendance; therefore, staff requested removal of Item #6. Commissioner LaBrose moved to approve the agenda as presented and amended. The vote was unanimous.

Proclamation—Appreciation to Dr. Steve Stone

Commissioner LaBrose read the following proclamation and extended appreciation to Dr. Stone for his leadership and commitment as superintendent of Caldwell County Schools. Upon its reading, Commissioner LaBrose moved to adopt the proclamation and it carried unanimously.

Dr. Stone thanked the Board for the opportunity he had as school superintendent and said his twelve years and four days in Caldwell County were absolutely the best. He thanked Commissioners for their support and said he was appreciative.
Proclamation

Whereas, Dr. Steve Stone grew up in Person County, North Carolina; attended school in Roxboro; graduated from UNC-Chapel Hill with a Bachelor's Degree in Education; received a Master's Degree in Human Development and Administration from UNC-Charlotte; and received his Doctorate from North Carolina State University; and

Whereas, Dr. Stone's career in education spanned almost three decades, including five years as a classroom teacher, eleven years as an assistant principal, and five years as a principal; and, served four years each as Superintendent of the Hertford County Schools and Superintendent of the Edgecombe County Schools; and

Whereas, Dr. Steve Stone moved to Caldwell County in 2006 and served twelve years as Superintendent of Caldwell County Schools until his retirement June 30, 2018; and

Whereas, Dr. Stone's goal to improve literacy and promote reading for students throughout the community is evidenced by the increased high school graduation rate in Caldwell County; and,

Whereas, Dr. Stone advocated for and ultimately realized the construction of a new state of the art facility for William Lenoir Middle School; and

Whereas, Dr. Stone played an integral part in establishing the Patterson Science Center to afford unique learning opportunities for school students such as the STEAM Initiative (Science, Technology, Engineering, Art, Math) and to participate in outdoor learning experiences; and,

Whereas, Dr. Stone actively works to improve public education as a member of the local Rotary Club, AASA, NCASA, ASCD, NCASCD, NCAE, NEA, the Caldwell County Association of Educators, the New Schools Task Force, the Northwest RESA Superintendents’ Council and Board of Directors, the ASU Leadership Council, the Cooperative programs Committee for Caldwell Community College and the Caldwell County Schools, the Communities in Schools Board of Directors, the Smart Start Board of Directors, and the Even Start Board of Directors; and,

Whereas, Dr. Stone is a founding member and chairman of Robin's Nest, a Child Advocacy Center and a founding member of Leaders for Change, an organization of civic and community leaders who advocate for community understanding and support for the schools.

Now, Therefore, Be It Resolved that the Caldwell County Board of Commissioners does hereby recognize Dr. Steve Stone for his commitment to public education and, in honor of his dedication to Caldwell County Schools and the community, extends appreciation to Dr. Stone for his achievements and success as Superintendent of Caldwell County Schools for the past twelve years.

Adopted this the 13th day of August, 2018.
Report—Child Support Awareness Month

Mitch Laws, Child Support Supervisor with the Department of Social Services, provided Commissioners the following statistics for the program during FY2017-18. Mr. Laws said the Child Support Division of DSS was made up of ten employees (seven child support agents, one administrative assistant, one supervisor, and one lead agent). He said their responsibilities included location of nonparent(s); establishment of paternity; establishment of child support obligation; collection/distribution of child support obligations; and, enforcement. Contrary to what some people believe, Mr. Laws said they were not responsible for custody rights, visitation, or property settlements. During FY2017-18, they served 3,561 children; established 309 new child support obligations; established paternity for 313 children; modified 389 child support obligations; initiated 6,135 enforcement actions; intercepted more than $290,000 in state and federal income tax refunds; and, collected $5,655,519 in child support payments. Mr. Laws noted that only eight other counties in the State did as well as Caldwell County. As a result of the department meeting all of its goals except one that was only one-half percent less than projected, they were not required to develop a corrective action plan. Mr. Laws said his employees took pride in their jobs, set high standards, and worked together well to accomplish the goals they set for the program. He said Caldwell County and the Board of Commissioners could be proud of the department.

Mr. Laws extended appreciation to the Caldwell County Sheriff Office; Clerk of Court; magistrates; district attorney; judges; and, Lenoir, Hudson, and Granite Falls Police Departments for their assistance and support that enabled DSS Child Support to have a successful program.

Mr. Laws read the following proclamation and, upon its reading, Commissioner Potter moved to adopt it as read. The vote was unanimous.

PROCLAMATION

CHILD SUPPORT AWARENESS MONTH

IN CALDWELL COUNTY

AUGUST 2018

WHEREAS, the welfare of our children is the most important responsibility we have as parents. A child should be able to depend on support from both parents; and
WHEREAS, children who do not receive adequate financial and emotional support from both parents may experience greater difficulty in becoming healthy, happy and productive citizens of the State. In such cases, the taxpayers of this State support the children whose parents fail to meet this responsibility; and

WHEREAS, many concerned and dedicated judges, district attorneys, clerks of court, sheriff’s departments, and child support enforcement professionals, work to establish and enforce child support for Caldwell County’s children…our future;

NOW, THEREFORE, BE IT RESOLVED, that the Caldwell County Board of Commissioners does hereby proclaim August 2018 as “CHILD SUPPORT AWARENESS MONTH” in Caldwell County, and commends this observance to our citizens.

Adopted this the 13th day of August, 2018.

Randy T. Church, Chairman

Attest:

Kathy T. Greene, Clerk to the Board

### Budget Revision for Construction of New EMS Bases

Finance Officer Tony Helton noted the Board conducted a public hearing previously regarding a loan of up to $2.5 million to construct the new EMS bases; however, the bids for the project came in much higher than anticipated. Mr. Helton said a budget revision was necessary for the County to proceed with the project at the increased cost. He said the total cost for the project was now at $3,922,628.40 and the loan amount needed was $3,572,628.40.

Chairman Church moved to adopt the following budget revision.

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<th>Description</th>
<th>Amount</th>
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<tr>
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<td>Design Fees-Lower Creek</td>
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<tr>
<td>41.4726.419601.10155</td>
<td>Loan Fees</td>
<td>$15,750.00</td>
</tr>
</tbody>
</table>
Commissioner Branch said he was not ready to change the loan amount by $1 million. Chairman Church said construction costs had increased since the project was first planned. He said the facility was a “no frills” building and noted the City of Lenoir required certain aesthetics, sidewalks, etc. that partly increased the cost. Commissioner Branch expressed concern at the half million-dollar cost of site preparations for the Valmead property and felt Commissioners should explore more options before they approve a jump in the cost by $1 million. Commissioner LaBrose said he felt the Board should go ahead in order to get on schedule; however, they should look at every opportunity to save costs. Commissioner Wilkie said he, as the former EMS director, and staff had researched twenty-six sites over several years trying to find property amenable to what was needed for EMS bases in the Lower Creek and Valmead areas of the County. He said it was his understanding that, due to grading needs on the Valmead site, made it not the best property but it was workable. Commissioner Branch said he feared approving the larger amount would then result in it all being spent and he felt that all options should be exhausted before moving so quickly to add $1 million to the cost. Commissioner Wilkie said he felt the increase was due to increased costs of building materials. Commissioner Potter said he was disappointed but was told by a contractor that the data used to estimate the project was five years old and the cost of materials was going up as well as the lack of available contractors. He said they needed to be mindful of increasing interest rates with another half percent increase expected by yearend. Commissioner Branch suggested rebidding for a different location or redoing the site plan to keep the costs down. Chairman Church noted the Sales Tax Reinvestment Fund contract was renewed last year and that allowed the County to secure monies to pay the debt service for the project. Commissioner Branch cautioned that the contract was only good for two more years. Commissioner LaBrose said the County may not be able to find a property that would work and he was concerned about staying within the timeline. He suggested looking for a possible new site but to not change the schedule. Chairman Church mentioned that Dino DiBernardi agreed that one EMS base could be built to house all the teams in it rather than to build two facilities. Chairman Church emphasized the increase in the Lower Creek site was due more to city ordinance requirements.

Following discussion, the motion carried by majority vote. Commissioner Branch vote against the motion.

Request to Schedule Special Meeting and Public Hearing

Mr. Helton reminded Commissioners they held a public hearing recently to consider a borrowing of up to $2.5 million to build two EMS bases; however, the bids for the construction project came in much higher than anticipated. He said the County would need to borrow $3,572,628.40; therefore, the Board of Commissioners would have to conduct another public hearing to consider the new loan amount. Because the next regular meeting of the Board is September 10th and the need to proceed quickly in order to meet the Local Government Commission’s deadline for its next meeting, he suggested Commissioners schedule a special meeting for Noon on Monday, August 27, 2018 in the City-County Chambers in order to conduct the required public hearing.

Commissioner LaBrose moved to schedule the special meeting and public hearing for 12:00 p.m. on Monday, August 27, 2018. The motion carried by majority with Commissioner Branch voting against the motion.
Resolution Authorizing Negotiation of Installment Loan Contract to Finance Construction of Two New EMS Bases

Mr. Helton noted the Board of Commissioners previously adopted an authorizing resolution for construction; however, the bids for construction were higher than anticipated. He requested authorization from them to negotiate a new contract for the revised amount.

Chairman Church moved to adopt the following resolution and the motion carried by majority vote. Commissioner Branch voted in opposition.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CALDWELL, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

WHEREAS, the County of Caldwell, North Carolina (the “County”) is a political subdivision validly existing as such under and by virtue of the constitution, statutes and laws of the State of North Carolina (the “State”);

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment contracts in order to finance or refinance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the Board of Commissioners of the County (the “Board of Commissioners”) has retained (A) Parker Poe Adams & Bernstein LLP, as special counsel (“Special Counsel”) and (B) First Tryon Advisors, a business unit of First Tryon Securities, LLC, as financial advisor (collectively, the “Financing Team”), in connection with the installment financing;

WHEREAS, the County staff will solicit requests for proposal from financial institutions for the installment financing;

WHEREAS, the Board of Commissioners hereby determines that it is in the best interest of the County to (1) enter into an installment financing contract (the “Contract”) with a financial institution to be selected through a requests for proposal process (the “Lender”) in order to provide funds to pay the capital costs of constructing, equipping and furnishing two new Emergency Medical Services bases in the County located at 214 Clark Street, Lenoir, North Carolina and 201 Taylorsville Road NE, Lenoir, North Carolina (the “Projects”), and (2) in order to provide security for the County’s obligations under the Contract, grant to the Lender a security interest under a deed of trust, security agreement and fixture filing (the “Deed of Trust”) in all or such portion of the County’s fee simple interest in the sites where the Projects will be located, together with all improvements and fixtures located thereon, as the Lender may require;

WHEREAS, the County hereby determines that the Projects are essential to the County’s proper, efficient and economic operation and to the general health and welfare of its inhabitants;
that the Projects will provide an essential use and will permit the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust is necessary and expedient for the County by virtue of the findings presented herein;

WHEREAS, the County hereby determines that the Contract allows the County to purchase the Projects and take title thereto at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County;

WHEREAS, the County previously determined pursuant to a resolution adopted on July 23, 2018, that the estimated cost of financing the Projects would not exceed $2,500,000;

WHEREAS, the County hereby determines that the estimated cost of financing the Projects is an amount not to exceed $4,000,000 and that such cost of the Projects exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, although the cost of financing the Projects pursuant to the Contract is expected to exceed the cost of financing the Projects pursuant to a bond financing for the same undertaking, the County hereby determines that the cost of financing the Projects pursuant to the Contract and Deed of Trust and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of acquiring and constructing the Projects; and (3) insufficient revenues are produced by the Projects so as to permit a revenue bond financing;

WHEREAS, the County has determined and hereby determines that the estimated cost of financing the Projects pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the County does not anticipate a future property tax increase to pay installment payments falling due under the Contract;

WHEREAS, Special Counsel will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law;

WHEREAS, no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any money due under the Contract;

WHEREAS, the County is not in default under any of its debt service obligations;
WHEREAS, the County’s budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the County has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget Ordinance;

WHEREAS, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the Local Government Commission of North Carolina (the “LGC”), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on the Contract after publication of a notice with respect to such public hearing will be held on August 27, 2018 and approval of the LGC with respect to entering the Contract must be received; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CALDWELL, NORTH CAROLINA, AS FOLLOWS:

Section 1. Authorization to Negotiate the Contract. The County Manager and the Finance Officer, with advice from the County Attorney and Special Counsel, are hereby authorized and directed to negotiate on behalf of the County for the financing of the Projects for a principal amount not to exceed $4,000,000 under the Contract to be entered into with the Lender in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina and to provide in connection with the Contract, as security for the County’s obligations thereunder, a security interest in all or such portion of the County’s fee simple interest in the sites where the Projects will be located, together with all improvements and fixtures located thereon, as may be required by the Lender providing the funds to the County under the Contract.

Section 2. Application to LGC. The Finance Officer or his designee is hereby directed to file with the LGC an application for its approval of the Contract and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the County and its financial condition as may be required by the LGC.

Section 3. Approval of the Financing Team. The Financing Team is hereby approved in connection with the financing of the Projects, and the County Manager and the Finance Officer are each hereby authorized to retain other persons or organizations as may be necessary and appropriate to carry out the intention of this Resolution.

Section 4. Repealer. All motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 5. Effective Date. This Resolution is effective on the date of its adoption.
I, Kathy Greene, Clerk to the Board of Commissioners of the County of Caldwell, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution entitled “RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CALDWELL, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THEREETO” adopted by the Board of Commissioners of the County of Caldwell, North Carolina, at a meeting held on the 13th day of August, 2018.

WITNESS my hand and the corporate seal of the County of Caldwell, North Carolina, this the ___ day of August, 2018.

[Seal]

Kathy Greene
Clerk to the Board of Commissioners
County of Caldwell, North Carolina

EMS Construction Project Reimbursement Resolution

Because the loan for the original projected amount could not be approved because of the increase, Mr. Helton requested the Board’s approval to adopt a resolution that would allow the County to recoup or include anything already spent on the project in the 60 days prior to the loan closing and be reimbursed from the loan proceeds.

Commissioner Potter moved to adopt the following resolution and the motion carried unanimously.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CALDWELL, NORTH CAROLINA, DECLARING THE INTENT TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE CONSTRUCTION, EQUIPPING AND FURNISHING OF CERTAIN CAPITAL PROJECTS FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS

WHEREAS, the Board of Commissioners of the County of Caldwell, North Carolina (“County”) has determined that it is in the best interests of County to proceed with constructing, equipping and furnishing two new Emergency Medical Services bases in the County located at 214 Clark Street, Lenoir, North Carolina and 201 Taylorsville Road NE, Lenoir, North Carolina (the “Projects”);

WHEREAS, the County reasonably expects to receive the proceeds of the sale of tax-exempt obligations (the “Obligations”) to finance the Projects;

WHEREAS, the County has incurred and paid certain expenditures in connection with the Projects prior to the date of issuance of the Obligations and will incur and pay additional expenditures in connection with the Projects prior to the date of issuance of the Obligations from general funds currently on hand with
County (collectively, the “Original Expenditures”), and reasonably expects, to reimburse itself for the Original Expenditures from a portion of the proceeds of the sale of the Obligations;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Caldwell, North Carolina as follows:

Section 1. Official Declaration of Intent. The County presently intends, and reasonably expects, to reimburse itself for the Original Expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations. The maximum principal amount of the Obligations to be issued by County to pay for the costs of the Projects is not expected to exceed $4,000,000.

Section 2. Compliance with Regulations. This Resolution is a declaration of official intent of the County under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the County’s intent to reimburse itself for the Original Expenditures from proceeds of the Obligations.

Section 3. Itemization of Capital Expenditures. The Finance Officer of the County or his designee, with advice from bond counsel, is hereby authorized, directed and designated to act on behalf of the County in determining and itemizing all of the Original Expenditures incurred and paid by the County in connection with the Projects during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of issuance of the Obligations.

Section 4. Effective Date. This Resolution is effective immediately on the date of its adoption.

STATE OF NORTH CAROLINA )
 ) SS:
COUNTY OF CALDWELL )

I, Kathy T. Greene, Clerk to the Board of Commissioners of the County of Caldwell, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution titled “RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CALDWELL, NORTH CAROLINA, DECLARING THE INTENT TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE CONSTRUCTION, EQUIPPING AND FURNISHING OF CERTAIN CAPITAL PROJECTS FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS” adopted by the Board of Commissioners of the County of Caldwell, North Carolina in regular session convened on the 13th day of August, 2018, as recorded in the minutes of the Board of Commissioners of the County of Caldwell, North Carolina.

WITNESS my hand and the seal of the County of Caldwell, North Carolina, this the ___ day of __________________, 2018.

(SEAL)

Kathy T. Greene
Clerk to the Board of Commissioners
County of Caldwell, North Carolina
Award Installment Loan Contract for FY2018-19 Capital Outlay Acquisition

Tony Helton advised Caldwell County received the following bids for financing the acquisition of capital outlay (vehicles, equipment, etc.) identified for FY 2018-2019. The lowest bid came from Regions Bank for a 59-month term at 2.79%. Therefore, he recommended the installment loan contract be awarded to Regions Bank.

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<th>Financial Institution</th>
<th>Rate</th>
<th>Total Debt Service</th>
<th>Annual Debt Service</th>
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<tr>
<td>Regions Bank</td>
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<tr>
<td>Zions Bank</td>
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<td>3.5370%</td>
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Commissioner Potter moved to award the installment loan contract for FY2018-2019 capital outlay acquisition to Regions Bank and to adopt the following resolution. The motion carried unanimously.

**RESOLUTION #2018-027**

**RESOLUTION OF THE COUNTY OF CALDWELL, NORTH CAROLINA APPROVING AN INSTALLMENT FINANCING CONTRACT TO FINANCE VEHICLES AND EQUIPMENT AND DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS**

**WHEREAS**, the County of Caldwell, North Carolina (the “County”) is a political subdivision validly existing under the Constitution, statutes and laws of the State of North Carolina (the “State”);

**WHEREAS**, the County has the power, pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment contracts in order to finance or refinance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;
WHEREAS, the Board of Commissioners of the County (the “Board of Commissioners”) has determined that it is in the best interest of the County to enter into an installment financing contract (the “Contract”) with Regions Equipment Finance Corporation (the “Lender”) in order to pay the capital costs of the acquisition and installation of vehicles and equipment (collectively, the “Projects”), and to put a security interest in all or a portion of the Projects in favor of the Lender in order to provide security for the County’s obligations under the Contract;

WHEREAS, the County will enter into the Contract in an aggregate principal amount of not to exceed $1,457,000;

WHEREAS, there has been made available to the Board of Commissioners in the office of the County’s Finance Officer the form of the Contract which the County proposes to approve, enter into and deliver, as applicable, to effectuate the proposed financing at an interest rate as specified in the Contract and in the bid summary provided to the Board of Commissioners; and

WHEREAS, it appears that the Contract is in appropriate form and is an appropriate instrument for the purposes intended;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CALDWELL, NORTH CAROLINA, AS FOLLOWS:

Section 1. Ratification of Prior Actions. All actions of the County Manager, the County Attorney, the County Purchasing Agent, the Finance Officer and the Clerk to the Board of Commissioners and their respective designees in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Contract.

Section 2. Approval, Authorization and Execution of Contract. The County hereby approves the Projects in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the County in accordance with its terms. The County hereby approves the amount advanced by the Lender to the County pursuant to the Contract in an aggregate principal amount not to exceed $1,457,000, such amount to be repaid by the County to the Lender as provided in the Contract. The form, terms and content of the Contract are in all respects authorized, approved and confirmed, and the County Manager, the County Attorney, the Finance Officer and the Clerk to the Board of Commissioners or their respective designees (the “Authorized Officers”) are authorized, empowered and directed to execute and deliver the Contract for and on behalf of the County, including necessary counterparts, in substantially the form made available to the Board of Commissioners, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions. From and after the execution and delivery of the Contract, each Authorized Officer is hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract as executed.

Section 3. Further Actions. Each Authorized Officer is hereby designated as the County’s representative to act on behalf of the County in connection with the transactions
contemplated by the Contract, and the Authorized Officers are authorized and directed to proceed with the Projects in accordance with the terms of the Contract, and to seek opinions on matters of law from the County Attorney, which the County Attorney is authorized to furnish on behalf of the County, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The Authorized Officers are hereby authorized to designate one or more employees of the County to take all actions which they are authorized to perform under this Resolution, and each is in all respects authorized on behalf of the County to supply all information pertaining to the transactions contemplated by the Contract. The Authorized Officers are authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the Contract or as they may deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution. Any and all acts of the Authorized Officers may be done individually or collectively.

Section 4. **Severability.** If any section, phrase or provision of this Resolution is for any reason declared invalid, such declaration will not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 5. **Repealer.** All motions, orders, resolutions, ordinances and parts thereof in conflict herewith are hereby repealed.

Section 6. **Effective Date.** This Resolution is effective on the date of its adoption.

*PASSED, ADOPTED AND APPROVED* this 13th day of August, 2018.

STATE OF NORTH CAROLINA  )
) ss:
COUNTY OF CALDWELL  )

I, KATHY T. GREENE, Clerk to the Board of Commissioners of the County of Caldwell, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION OF THE COUNTY OF CALDWELL, NORTH CAROLINA APPROVING AN INSTALLMENT FINANCING CONTRACT TO FINANCE VEHICLES AND EQUIPMENT AND DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS**” adopted by the Board of Commissioners of the County of Caldwell, North Carolina at a meeting held on the 13th day of August, 2018.

**WITNESS** my hand and the corporate seal of the County of Caldwell, North Carolina, this the ___ day of ______________, 2018.

_____________________________
Kathy T. Greene
Clerk to the Board of Commissioners
County of Caldwell, North Carolina
Application for Edward Byrne Memorial Justice Assistance Grant

Sheriff Officer Bill DuPree said he and staff with the Sheriff Office and EMS Department had been working on a JAG grant application to purchase a new armored vehicle to replace the current unit that is out of service. He informed Commissioners the grant application would be for $225,999 and the deadline for submittal of the request was August 22nd. It was noted that no local match was required.

Commissioner Wilkie moved to authorize the Caldwell County Sheriff Office to apply for the grant and it carried unanimously.

Consent Agenda

1. Approval of Minutes
Mr. Kiser recommended the Board of Commissioners approve the July 23, 2018 minutes as presented.

2. Budget Amendments
Mr. Kiser recommended the Board of Commissioners approve the following budget amendments.

   a. Rollover of FY2017-2018 Encumbered Funding to FY2018-2019 - $376,137.65
Finance staff identified several purchase orders that were encumbered in FY2017-2018 and were still outstanding at the end of the past fiscal year. The following budget amendment is necessary to rollover the funding from FY2017-2018 to the current fiscal year in order to pay for the items identified on the purchase orders. No new local dollars are necessary.

<table>
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<tr>
<th>Increase</th>
<th>Fund Balance Appropriation</th>
<th>$376,137.65</th>
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<tbody>
<tr>
<td>10.9800.397000</td>
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<tr>
<td>Increase</td>
<td>M&amp;R Building</td>
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<tr>
<td>Increase</td>
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<td>10.4190.444100</td>
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<td>Increase</td>
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<tr>
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<td>10.9000.451000.4160</td>
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   b. DSS (Increased Crisis Intervention Program Funding) $75,882.00
The following budget amendment is necessary to reflect an increase in Crisis Intervention Program funding. The federal funds are used to assist eligible families with heating and cooling expenses in emergency situations. No local dollars are required.

<table>
<thead>
<tr>
<th>Increase</th>
<th>ECIP</th>
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<tr>
<td>10.5392.331614</td>
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<td>Increase</td>
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<td>$75,882.00</td>
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<tr>
<td>10.5392.438800</td>
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   c. Health Department
      1) Community Health Grant - $42,208.00
The Health Department received notification that the department’s Health Check position will no longer be funded and the following budget amendment is necessary to remove the line item amounts associated with the position. It was noted the position is currently vacant.
| Decrease       | 10.5113.330514 | Medicaid         | $42,208.00 |
| Decrease       | 10.5113.412100 | Salary           | $29,433.39 |
| Decrease       | 10.5113.412700 | Longevity        | $ 1,650.00 |
| Decrease       | 10.5113.418100 | FICA             | $ 2,377.90 |
| Decrease       | 10.5113.418200 | Retirement       | $ 2,331.27 |
| Decrease       | 10.5113.418300 | Hospitalization  | $ 6,000.00 |
| Decrease       | 10.5113.418400 | Dental Insurance | $  393.84 |
| Decrease       | 10.5113.418700 | Life Insurance   | $  21.60  |

2) Community Health Grant - $150,000.00
The Office of Rural Health granted the Health Department $150,000.00 to help support its Adult Dental Program in partnership with Helping Hands Clinic and West Caldwell Health Council. It will also be used for the department’s increase in first-trimester prenatal appointments for eligible clients. No local dollars are required.

| Increase       | 10.5115.330000 | Dental-Other Grants | $150,000.00 |
| Increase       | 10.5115.426000 | Supplies           | $ 21,592.00 |
| Increase       | 10.5115.431100 | Mileage            | $ 1,000.00  |
| Increase       | 10.5115.431200 | Training           | $  3,000.00 |
| Increase       | 10.5115.426100 | Medical Supplies   | $ 30,474.00 |
| Increase       | 10.5115.444100 | Contractual        | $ 58,500.00 |
| Increase       | 10.5110.452000 | Non-cap Equipment  | $ 35,434.00 |

3) WIC Program Funding - $21,814.81
The Health Department received special funding from the Division of Public Health to purchase equipment and to provide services Caldwell County’s WIC Program. No local dollars are required.

| Increase       | 10.5167.331501 | WIC               | $21,814.81 |
| Increase       | 10.5167.444100 | Contractual       | $  8,013.00 |
| Increase       | 10.5167.431100 | Mileage           | $  100.00  |
| Increase       | 10.5167.431200 | Training          | $  3,704.00 |
| Increase       | 10.5167.426000 | Supplies          | $  9,997.81 |

  d. Sheriff Office (General Fund Appropriation to Buy Vehicle) $26,430.00
A Sheriff Office vehicle was recently wrecked and, as a result, declared a total loss. The insurance company provided a settlement in the amount of $15,570.00; however, the Sheriff Office needs $26,430.00 in addition to the settlement to buy a replacement vehicle. The following budget amendment is necessary to use revenues from the General Fund to buy a vehicle.

| Increase       | 10.9800.392001 | Sale of Assets    | $15,570.00 |
| Increase       | 10.9800.397000 | Fund Balance Appropriation | $26,430.00 |
| Increase       | 10.9000.451001.4316 | Vehicles | $42,000.00 |

3. Approval of Fireworks Display Permit
Mr. Kiser reported Caldwell County received a request from Eric Wright with JECO Pyrotechnics for a fireworks display permit. The event will be held on Saturday, September 15, 2018 and will be held at Amity Creek Farms, 6088 Petra Mill Road, Granite Falls, NC. The Fire Marshal advised his office would conduct the necessary inspections of the site prior to the event and ensure appropriate documentation is submitted. Therefore, Mr. Kiser recommended the Board of
Commissioners approve the fireworks display permit as requested.

4. Certification of North Catawba and Sawmills Fire District Boundary Changes
Mr. Kiser reported the Fire Marshal submitted a proposal from Sawmills and North Catawba Fire Departments regarding the fire district designation for Edgewater Development located off Liberty Road, Granite Falls. It was noted the development had parcels located in both fire districts with the majority of them located within North Catawba Fire District. The lots were previously undeveloped woodlands; however, structures were now being constructed and insurance ratings were being imposed on the homeowners. Both departments agree that the parcels in Edgewater Development should be located within North Catawba’s Fire District so that they will be designated a 9E insurance class rating as opposed to a 10 insurance rating in the Sawmills District. The chairmen and chiefs of each department have signed off on the map identifying the change in district boundaries. Therefore, he recommended the Board of Commissioners approve the insurance district boundary changes for Edgewater Development as proposed by Sawmills and North Catawba Fire Departments which is hereby incorporated by reference and made a part of these minutes (Exhibit A).

5. Approval of Sheriff Office Mutual Aid Agreement
Mr. Kiser reported there was a resolution, adopted September 12, 2011, on file that allows the Sheriff to enter into mutual aid agreements with other law enforcement agencies to provide and receive assistance when necessary. He said the Sheriff had requested a new resolution be adopted by the current Board of Commissioners signifying their approval for the department to continue mutual aid assistance agreements with other agencies. Therefore, Mr. Kiser recommended the Board of Commissioners adopt the following resolution.

RESOLUTION ADOPTING A POLICY FOR MUTUAL ASSISTANCE WITH OTHER LAW ENFORCEMENT AGENCIES

WHEREAS, pursuant to North Carolina General Statutes 160A-288, the governing body of a county may adopt appropriate guidelines for the purpose of mutual assistance with other municipal and county law enforcement agencies; and

WHEREAS, pursuant to said laws, the law enforcement assistance to be rendered authorizes lending officers to work temporarily with officers of the requesting agencies, including in an undercover capacity, and lending equipment and supplies; and

WHEREAS, it is deemed to be in the best interests of the citizens of Caldwell County to adopt a reasonable policy and guidelines whereby reciprocal law enforcement assistance can be both rendered to and obtained from other governmental jurisdictions; and

WHEREAS, such reciprocal assistance is necessary for effective law enforcement for the protection of the citizens of Caldwell County;
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
THAT:

1. The Sheriff is hereby authorized to enter into mutual assistance agreements with
other municipal and county law enforcement agencies, provided that the head of
the requesting law enforcement agency makes such a request in writing.

2. The Sheriff is hereby authorized to permit officers of the Caldwell County
Sheriff’s Office to work temporarily with officers of the requesting agency,
including in an undercover capacity, and the Sheriff may lend such equipment
and supplies to requesting agencies, as he deems advisable.

3. All such request and authorizations shall be in accordance with the North
Carolina General Statute 160A-288, as applicable.

4. While working with a requesting agency, an officer shall have the same
jurisdiction, powers, rights, privileges and immunities (including those relating to
the defense of civil actions and payment of judgements) as the officers of the
requesting agency in addition to those the officer normally possesses.

5. While on duty with the requesting agency, an officer shall be subject to the lawful
operational commands of the officer’s superior officers in the requesting agency,
but the officer shall for personnel and administrative purposes, remain under the
control of the officer’s own agency, including for purposes of pay. An officer shall
furthermore be entitled to worker’s compensation and the same benefits to the
extent as though he were functioning within the normal scope of the officer’s
duties.

6. The Sheriff is hereby authorized to enter into mutual assistance agreements with
other law enforcement agencies in accordance with such reasonable
arrangements, terms and conditions as may be agreed upon between the
respective heads of the law enforcement agencies.

Commissioner ___________________________ moved for the adoption of the
foregoing resolution. Upon unanimous vote, same was adopted.

This the _____ Day of ______________, 2018

Chairman _____________________________

Caldwell County
Board of Commissioners
6. Resolution to Exempt County re Engineering and Architectural Services for New Detention Center Release Area

Mr. Kiser recommended the Board of Commissioners adopt the following resolution needed to exempt Caldwell County from bidding out engineering and architectural services expected to be less than $50,000 for construction of a new release area at the Detention Center.

RESOLUTION EXEMPTING ARCHITECTURAL AND ENGINEERING SERVICES
FOR THE NEW RELEASE AREA OF THE DETENTION CENTER
FROM G.S. 143-64.31

WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively “design services”) to be based on qualifications and without regard to fee;

WHEREAS, the County proposes to enter into one or more contracts for architectural/engineering services for a new release area of the Detention Center and

WHEREAS, G.S. 143-64.32 authorizes units of local government to exempt contracts for the services from the qualifications-based selection requirements of G.S. 143-64.32 if the estimated fee is less than $50,000; and

WHEREAS, the estimated fee for the architectural/engineering services for the above-described project is less than $50,000.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CALDWELL RESOLVES:
Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31.
Section 2. This resolution shall be effective upon adoption this 13th day of August, 2018.

______________________________
Randy T. Church, Chairman
Caldwell County Board of Commissioners

Commissioner Potter moved to adopt the six items on the consent agenda as presented and recommended by the County Manager. The vote was unanimous.

There being no further business, Commissioner LaBrose moved to adjourn and, by unanimous vote, Chairman Church declared the meeting adjourned at 6:56 p.m.