

The Hoke County Board of Commissioners convened for a regular meeting at 7:00 pm on July 1, 2019 in the Commissioners Room in the Pratt Building.

PRESENT:

James Leach
 Harry Southerland
 Tony Hunt
 Robert Wright
 Allen Thomas, Jr.

ALSO PRESENT:


Grady Hunt, County Attorney
 Gwen McGougan, Clerk to the Board

Chairman Leach called the meeting to order at 7:00 pm. Mr. Ron Flippin led the Pledge of Allegiance and Mr. James Allen gave the invocation.

1. Adoption of Agenda

Hoke County
Board of Commissioners

227 N Main Street
Raeford, North Carolina
28376



July 1, 2019
7:00 P.M.

Commissioner's Room
Pratt Building

AGENDA

INVOCATION & PLEDGE: Commissioner Tony Hunt

ITEMS

1. Adoption of Agenda
2. Public Comment
3. Public Hearings, Planning Matters
 - a. Ritecheck Investments, LLC is requesting approval of a minor subdivision of five (5) lots adjacent to a previously approved minor subdivision of four (4) lots they developed in August, 2018. The Planning Board unanimously recommended approval.
 - b. Application for Rezoning RZ-19-6 submitted by Rockfish Church / Raeford Christian Fellowship to rezone the approximately 34.47 acre parcel located at 8848 Fayetteville Road also known as Parcel Identification Number (PIN) 494760101116. The property is currently split zoned Residential Agricultural (RA-20) and Residential (R-15) and the request is to rezone the property to Highway Commercial (HC). The Planning Board approved the request 3 - 2.
 - c. Application for Conditional Use Permit CU-19-3 submitted by Lewanda Marie Sincos for the use of "Rural Home Occupation - Barber Shop" located on the approximately 0.66 acre parcel located at 624 New Tree Lane also known as Parcel Identification Number (PIN) 604330001027. The property is currently zoned Residential Agricultural (RA-20). The Planning Board unanimously recommended approval.
 - d. Application for Conditional Use Permit CU-19-4 submitted by Tax Funds for the use of "Child Care Center" located on the approximately 0.57 acre parcel located at 104 Hayes Court also known as Parcel Identification Number (PIN) 494500401153. The property is currently zoned Residential (R-15). The Planning Board unanimously recommended approval.
 - e. Lairy King and Associates and BSHJ Land, LLC requests approval of the proposed 31 lot James Farm Subdivision located at PINs 494930 01002. The Planning Board unanimously recommended approval.
4. Consent Agenda
 - a. North Carolina Vehicle Tax Refunds totaling \$2,409.00
 - b. Finance Budget Amendments
 - c. Approval of JCPC Plan Addendum "Raise the Age" priorities
 - d. Community Booking Policy

6. Reappointment of Vice Chairman Harry Southerland to the Sandhills Center Board of Directors
6. Appointment of Voting Delegate to 2019 National Association of Counties Annual Conference
7. Appointment of Voting Delegate to 2019 NC Association of County Commissioners Annual Conference
8. Federal Certifications and Assurances - HATS Director Nancy Thornton
9. Discussion of Teen Court program with Attorney James Allen
10. Manager's Report (not present)
11. Closed Session
12. Recess

Chairman Leach asked if anyone had any changes to the agenda.

Commissioner Thomas asked to add the DSS Consultant's contract to the agenda. This item was added to the Consent Agenda as item (e).

Vice Chairman Southerland asked to add an agreement to accept a 100kw generator from the Department of Defense Firefighter Property Cooperative. This item was added to the Consent Agenda as item (f).

Motion: Upon motion by Commissioner Thomas and second by Vice Chairman Southerland the Board voted unanimously to adopt the agenda as amended.

2. Public Comment

- a. Kevin Jackson
334 Morgan Drive
Raeford, NC 28376

Mr. Jackson explained to the Board that his property abuts the property upon which the Stonegate Shopping Center is located. Customers associated with the shopping center are using his private road to enter and exit the shopping center. Chairman Leach asked the County Attorney if there was anything the County could do to help Mr. Jackson. County Attorney Grady Hunt suggested that Mr. Jackson put up a "No Trespassing" sign. Mr. Jackson said he'd already tried that. Vice Chairman Southerland asked Mr. Jackson to give the Board 30 days to come up with a solution.

Mr. Jackson added that he was unhappy with the drainage ditch put in for the shopping center. Water is flowing counter to the natural flow of the water. He was told that the shopping center was built on wetlands. Dirt had to be hauled in to build the shopping center. Vice Chairman Southerland asked Planner Robert Farrell if he knew anything about the area and Mr. Farrell replied that the Army Corps of Engineers map shows wetlands toward Mr. Jackson's property but not specifically at the shopping center. When he checked with the Department of Environmental Equality he was told that the development met the DEQ standards. Chairman Leach asked Mr. Farrell to look into the issue again and report back to the Board within 30 days.

- b. Donnie Henderson
1353 Reservation Road
Aberdeen, NC 28315

Mr. Henderson told the Board that, after his retirement from the Army, he moved back to Ashley Heights and he raises chickens. Recently, he has received 4 citations for breaking the County's Noise Ordinance. The citations reference steep fines and possible jail time. His neighbors also have chickens, as well as goats, donkeys and other animals. Mr. Henderson is requesting that the Noise Ordinance be revised so that the noises from chickens aren't considered a violation of the law.

Vice Chairman Southerland asked Mr. Henderson if the citations that he received referenced a noise level. Mr. Henderson said that he has no device to measure noise levels.

County Attorney Grady Hunt said that the Noise Ordinance does have exemptions for certain situations and an exemption could be made for farm animals in a Residential Agricultural district. A Public Hearing must be held prior to any changes to the Ordinance.

Vice Chairman Southerland asked that a moratorium be placed on further citations until the Public Hearing is held.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Wright the Board voted unanimously to set public hearing for the August 5, 2019 meeting at 7:00 pm.

3. Public Hearings: Planning Matters

- a. Rheibeck Investments, LLC is requesting approval of a minor subdivision of five (5) lots adjacent to a previously approved minor subdivision of four (4) lots they developed in August, 2018. The Planning Board unanimously recommended approval.

Planner Robert Farrell advised the Board that Rheibeck developed four lots on McGougan Road. They would like to develop five additional lots on McGougan Road toward the corner of Arabia Road. The request does meet Ordinance requirements.

Commissioner Hunt asked about the access to the two lots in the back. Mr. Farrell said that there will be a driveway going back to those lots. Commissioner Hunt asked if the easement is wide enough for a fire truck to access those back houses. The easement is 30' wide, which is wide enough for a fire truck to enter.

Motion: Upon motion by Commissioner Wright and second by Commissioner Hunt the Board voted unanimously to close the public hearing.

Motion: Upon motion by Commissioner Wright and second by Commissioner Hunt the Board voted unanimously to approve the request from Rheibeck Investments, LLC for approval of a minor subdivision of five (5) lots adjacent to a previously approved minor subdivision of four (4) lots they developed in August, 2018.

- b. Application for Rezoning RZ-19-6 submitted by Rockfish Church / Raeford Christian Fellowship to rezone the approximately 34.47-acre parcel located at 9949 Fayetteville Road also known as Parcel Identification Number (PIN) 494760101116. The property is currently split zoned Residential Agricultural (RA-20) and Residential (R-15) and the request is to rezone the property Highway Commercial.

Robert Farrell said that Rockfish Church has purchased the land behind the church, including property that abuts the existing Oakview Subdivision. This property initially received preliminary plat approval to be a second phase of Oakview Subdivision. The developer elected not to build the second phase and ultimately the property was sold to the church. The property was combined with another large tract, resulting in the split zoning.

Residents from the subdivision attended the Planning Board hearing and expressed concern about an area reserved for a road into the second phase. This allows access from the church property to Oakview Road, which could result in increased traffic through the subdivision.

Mr. Dustin Whittington, representing Rockfish Church, told the Board that the church is growing and has outgrown the current facility. The objective is to eventually construct a new facility. In seeking a loan, the church discovered that their property was zoned Residential, which limits its value. If zoned to Highway Commercial, the property would substantially increase in value, increasing the potential amount of loans that the church could receive.

Motion: Upon motion by Commissioner Hunt and second by Commissioner Wright the Board voted unanimously to close the public hearing.

Vice Chairman Southerland expressed concern about the potential increase in traffic through a neighborhood that this rezoning could lead to. He suggested as an alternative a Conditional Use permit.

Commissioner Thomas asked the County Attorney if the Board approves the rezoning and the access to the property through Oakview is made possible, can the County compel the property owner to return for Board approval. Mr. Farrell said that the Department of Transportation could have final word because Oakview Drive is a state-maintained road.

Commissioner Hunt said that, although there are concerns, there's no way the Board can predict what will happen in the future. Given fact that the church is growing and the good that the church does for the community, he doesn't believe the County should hinder the church's expansion plans based upon what might happen years in the future.

Motion: Upon motion by Commissioner Hunt and second by Commissioner Wright the Board voted unanimously to approve Application for Rezoning RZ-19-6 submitted by Rockfish Church / Raeford Christian.

- c. Application for Conditional Use Permit CU-19-3 submitted by Lawanda Maria Sinclair for the use of "Rural Home Occupation - Barbershop" located on the approximately 0.55 acre parcel located at 194 Pine Tree Lane, also known as Parcel Identification Number (PIN) 694330001027. The property is currently zoned Residential Agricultural (RA-20). The Planning Board unanimously recommended approval.

The applicant stated that he wishes to open a barbershop in his home off Haire Road.

Motion: Upon motion by Commissioner Thomas and second by Commissioner Hunt the Board voted unanimously to close the public hearing.

Motion: Upon motion by Commissioner Wright and second by Vice Chairman Southerland the Board voted unanimously to approve the Application for Conditional Use Permit CU-19-3 submitted by Lawanda Maria Sinclair for the use of "Rural Home Occupation - Barbershop" located on the approximately 0.55 acre parcel located at 194 Pine Tree Lane, also known as Parcel Identification Number (PIN) 694330001027.

- d. Application for Conditional Use Permit CU-19-4 submitted by Tia Hunte for the use of "Child Care Center" located on the approximately 0.57 acre parcel located at 104 Hayes Court, also known as Parcel Identification Number (PIN) 494560401153. The property is currently zoned Residential (R-15). The Planning Board unanimously recommended approval.

Applicant Tia Hunte told the Board that she wishes to run a child care center, with a maximum of twelve children, from her house in Liberty Point Subdivision. The child care center will be open twelve hours per day, possibly increasing to twenty-four hours in the future.

Motion: Upon motion by Commissioner Hunt and second by Commissioner Wright the Board voted unanimously to close the public hearing.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Wright the Board voted unanimously to approve the Application for Conditional Use Permit CU-19-4 submitted by Tia Hunte for the use of "Child Care Center" located on the approximately 0.57 acre parcel located at 104 Hayes Court, also known as Parcel Identification Number (PIN) 494560401153.

- e. Larry King and Associates and BSNJ Land, LLC requests approval of the proposed 31 lot James Farm Subdivision located at PINs 494830 01002. The Planning Board unanimously recommended approval.

Robert Farrell told the Board that this is a major subdivision in the Davis Bridge area of Hoke County. The development has been granted a sewer waiver. All roads will be paved and constructed to DOT standards. Access will be on Creek Valley Road, just north of the Rockfish Road and Camden Road intersection.

Ms. Penny Markle, representing Larry King & Associates, advised the Board that they are beginning with 23 lots, due to a high-pressure gas line easement. The property is low-density due to the surrounding wetlands.

Motion: Upon motion by Commissioner Wright and second by Commissioner Hunt the Board voted unanimously to close the public hearing.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Wright the Board voted unanimously to approve the proposed 31 lot James Farm Subdivision located at PINs 494830 01002.

4. Consent Agenda

- a. North Carolina Vehicle Tax Refunds totaling \$2,409.55

PROJECT ORDINANCE 2019/2020
ESSENTIAL SINGLE-FAMILY REHABILITATION 2020
HOLY COUNTY, NORTH CAROLINA

BE IT ORDAINED by the Governing Board of Holy County, North Carolina, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is hereby adopted:

Section 1 The project authorized in the 2018 Essential Single-Family Rehabilitation Loan Pool Program described in the work statement contained in the grant agreement, between Holy County and the North Carolina Housing Finance Agency (NCHFA). This project is more specifically known as the Essential Single-Family Rehabilitation Program.

Section 2 The officers of this unit are hereby directed to proceed with the Essential Single Family Rehabilitation Loan Pool Program within the terms, the rules and regulations as approved by the grant documents associated with the North Carolina Housing Finance Agency and the Department of Housing and Urban Development and the budget contained herein.

Section 3 The following amounts are appropriated for the project:
Total Cost - \$145,000
Soft Cost - \$ 10,000

Section 4 The following revenues are anticipated to be available to complete the project:
Inter-Governmental State Restricted (Grant Award) - \$175,000

Section 5 Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 6 If it is determined by the County Manager and Finance Director that the funding of this capital project requires North Carolina Local Government Commission approval, contracts shall not be awarded until after said approval has been received.

Section 7 The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of Federal and State regulations.

Section 8 Copies of this Capital Project Ordinance shall be furnished to the Clerk, to the Governing Board, and held in the Finance Department for direction in carrying out this project.

Adopted this ____ day of _____

Chairman, Holy County Board of Commissioners

ATTEST:

Clerk to the Holy County Board of Commissioners

PROJECT ORDINANCE 2019/2020
URGENT REPAIR PROGRAM 2019
HOLY COUNTY, NORTH CAROLINA

BE IT ORDAINED by the Governing Board of Holy County, North Carolina, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is hereby adopted:

Section 1 The project authorized in the Urgent Repair 2019 Program Grant. This project shall be in accordance with the County's North Carolina Housing Trust Fund Application as approved by the North Carolina Housing Finance Agency.

Section 2 The officers of this unit are hereby directed to proceed with the Urgent Repair 2019 Program within the terms as approved by the grant documents associated with the North Carolina Housing Trust Fund and within the funds appropriated herein.

Section 3 The following amounts are appropriated for the project:
Maintenance & Repair - \$100,000

Section 4 The following revenues are anticipated to be available to complete the project:
Inter-Governmental State Restricted (Grant Award) - \$100,000

Section 5 If it is determined by the County Manager and Finance Director that the funding of this capital project requires North Carolina Local Government Commission approval, contracts shall not be awarded until after said approval has been received.

Section 6 The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of Federal and State regulations.

Section 7 Copies of this Capital Project Ordinance shall be furnished to the Clerk, to the Governing Board, and held in the Finance Department for direction in carrying out this project.

Adopted this ____ day of _____

Chairman, Holy County Board of Commissioners


ATTEST:

Clerk to the Holy County Board of Commissioners

c. Approval of JCPC Plan Addendum: "Raise the Age" priorities

JCPC_Plan Addendum Raise the Age and County Funding Plan

d. Community Building Rental Policy

 HOKE COUNTY PARKS AND RECREATION 423 E. Central Avenue, Raeford, NC 28376 phone (910) 875-4035 fax (910) 875-1100 COMMUNITY BUILDING FACILITY USE AGREEMENT	
CONTACT INFORMATION	
Name	Date
Sponsoring Organization	
Mobile Phone (required)	Email
Daytime Phone	Evening Phone
Address	Apt./Unit #
City	State
	Zip Code
FACILITY INFORMATION	
Day	Date
Start Time	End Time
Please select facility:	
<input type="checkbox"/> Stonewall/Dundarrach Community Building 119 Hall Road, Shannon, NC 28386 <input type="checkbox"/> Alendale/Duffie Community Building 4660 South Old Wire Road, Red Springs, NC 28377 <input type="checkbox"/> James Albert Hart Community Building 2905 Blue Springs Road, Raeford, NC 28376 <input type="checkbox"/> Rockfish Community Building 2749 Lynchway Road, Raeford, NC 28376 <input type="checkbox"/> Tylertown Community Building 399 Doe Brown Road, Raeford, NC 28376 <input type="checkbox"/> Cameron Village Community Building 1690 Loop Road, Raeford, NC 28376	
Nature of Event	
Expected Attendance	
Smoking Use Required: <input type="checkbox"/> Yes <input type="checkbox"/> No	State Use Required: <input type="checkbox"/> Yes <input type="checkbox"/> No

AGREEMENT OF RESPONSIBILITY

I have received a copy of the Hoke County Parks and Recreation Department rules and regulations for the use of the community buildings listed above. I agree to abide by any and all rules set by the County of Hoke Parks and Recreation Department and within this agreement. I agree that I will be responsible for the conduct of my group, which has been granted the use of the above named facility and shall conform to the official operating policies as established by the County of Hoke, and the Parks and Recreation Department. I further agree to reimburse the County of Hoke in full for the fee as agreed upon for the use of a park facility as well as any and all damage to the park facility. This includes both but not limited to, defacing of property, buildings or structures, or the natural state of the facility or park, failure to fully clean the facility, as assessed by the County of Hoke Parks and Recreation Department through its agency or employees following my use of the facility. Renters must give a two week notice of not using the building after renting and signing the contract in order to receive a refund of deposit.

Signature: _____ Date: _____

OFFICE USE ONLY

Event: _____ Event Date: _____

Form Control # _____ Receipt # _____ Approved By _____

CUSI

There is a \$1000 refundable deposit if the building is left clean and undamaged. All deposits must be paid upon signing of the contract.

RULES AND REGULATIONS

The Hoke County Board of Commissioners has passed the following regulations concerning the use of said building and grounds. By signing the community building facility use agreement, the signer agrees to abide by the following rules and regulations for the use of the above named building and grounds:

1. No Hoke County citizens may use a community building for more than three consecutive days of the same week (example: three consecutive Saturdays or Sundays) in a calendar year (January to December).
2. Rental fees begin at 9:00 am to 10:00 pm. All fees must be submitted and building and grounds fee waived except by prior approval by County Parks & Recreation Director or County Manager.
3. The use of alcoholic beverages are prohibited in building or on grounds.
4. Rooms of said building for personal game or hobbying by contract holder. If a contract holder in person to have submitted a building they will be banned from renting all Community Buildings.
5. Be responsible for any damages to the building, furniture, equipment, or furnishings contained therein.
6. No food is permitted on eating and walls for decorations and not apply nails, staples, tacks, tapes or screws to said building or furniture. DO NOT place anything on the walls or floor that will cause damage.
7. Allow right of entry to the County Manager and any of his/her authorized agents at any time when the building is in use.
8. Failure and pay for late fees assessed on State or Company for contracts in excess of 22 people.

9. Leave said premises and grounds in a clean and orderly manner. Make sure all garbage is taken.
10. Turn up conditions of building leaving Community building.
11. Enter said building in an orderly and safe manner.
12. Adhere to a maximum occupancy of premises.
13. No weapons allowed on premises.
14. In an emergency situation, the user shall provide a cellular phone on site during use.
15. User shall contact NCEM (910) 875-4035 or (910) 875-1100 or (910) 875-4443 in case of an emergency. Assume fire is on.

CLEANING PROTOCOLS

After each event, the Community Building must be cleaned and arranged the way it was prior to the event. Community Building cleaning tasks include:

1. Collect all trash and remove it from the property. Do not dispose of solid waste area. DO NOT leave any trash in the building or on outside grounds.
2. Thoroughly clean up any visible horizontal surfaces and chairs.
3. Clean all surfaces throughout the facility, removing fingerprints and smudges from the light switches, doors, etc.
4. Restock supplies all cleaning supplies including kitchen items, bathroom tissue, paper towels, and hand soap.
5. Meticulously clean and sanitize all restrooms. Sweep and mop floors with water only.
6. Completely clean all areas including tables, chairs, counters, sinks, refrigerators interior and exterior, microwaves, etc.
7. Immediately clean all equipment and clean out mop buckets and other cleaning gear. Rinse out all mops and keep buckets.
8. Use table, chairs on tables.
9. Water must NOT be left outside, on the landscape except to dry. Do not leave them unattended. Always clean the exterior ground around the building.
10. Inspect doors and screen facility.

- e. Contract for DSS Consultant
- f. Agreement to receive a 100kw Generator for Emergency Management from DOD Firefighter Property Cooperative Agreement

Motion: Upon motion by Commissioner Wright and second by Commissioner Thomas the Board voted unanimously to approve items a – f on the Consent Agenda

5. Budget Amendment: Charters of Freedom project

**AMENDMENT TO THE HOKI COUNTY BUDGET ORDINANCE
2019/2020
Amendment**

Section 1 of the Hoke County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows.

Increase/Decrease/Amendment:

Special Appropriations		54,656
Total		\$ 54,656

Section 2 of the Hoke County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows.

Increase/Decrease/Revenue:



Fund Balance		54,656
Total		\$ 54,656

This amendment:

- Appropriates \$54,656 to the Charters of Freedom Project with the City of Raeford

Funding Source: General Fund fund balance

Submitted 7-1-2019

Respectfully Submitted by	Approved by
 Assistant Finance Director	 County Manager

Assistant Finance Officer Garvin Ferguson advised the Board that this Budget Amendment, for the Charters of Freedom monument, is necessary because the funds were approved in FY 2019 with the expectation that the project would be complete within the 2019 fiscal year. The project was delayed so the funds now have to be designated in the FY 2020 budget.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Wright the Board voted unanimously to approve the Budget Amendment for the Charters of Freedom project

6. Reappointment of Vice Chairman Harry Southerland to the Sandhills Center Board of Directors

Motion: Upon motion by Commissioner Wright and second by Commissioner Thomas the Board voted unanimously to approve the reappointment of Vice Chairman Harry Southerland to the Sandhills Center Board of Directors

7. Appointment of Voting Delegate to 2019 National Association of Counties Annual Conference

Commissioner Hunt stated that it is tradition for the Board to appoint the sitting Chair as the voting delegate to the Conferences.

Motion: Upon motion by Commissioner Hunt and second by Commissioner Thomas the Board voted unanimously to appoint Chairman James Leach as Hoke County's Voting Delegate to 2019 National Association of Counties Annual Conference

8. Appointment of Voting Delegate to 2019 NC Association of County Commissioners Annual Conference

Motion: Upon motion by Commissioner Wright and second by Commissioner Thomas the Board voted unanimously to appoint Chairman James Leach as Hoke County's Voting Delegate to 2019 NC Association of County Commissioners Annual Conference

9. Federal Certifications & Assurances - HATS Director Nancy Thornton

FY20 Certs and Assurances Cover Memo
FY19 Certifications and Assurances
FY20 Equivalent Service Certification
FY20 Special Section 5333(b) Warranty
FY20 Certifications and Restrictions on Lobbying

HATS Director Nancy Thornton presented the Certifications and Assurances for approval. These documents are required for the County to receive State funds to operate for the year.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Wright the Board voted unanimously to approve the listed Federal Certifications & Assurances.

10. Discussion of Teen Court program with Attorney James Allen

Attorney James Allen advised the Board that, with approval of the Raise the Age legislation, it is expected that more children will be tried as juveniles as opposed to being tried as adult offenders, opening access to the program. Teen Court gives children a second chance and prevent adjudication on their permanent records.

This is the first time in three years that Teen Court has been available in Hoke County.

Vice Chairman Southerland said that he appreciates Mr. Allen bringing Teen Court back to Hoke County. One mistake should not prevent a teen from entering the military or seeking higher education.

Attorney Allen thanked the Board for their support. He particularly thanked the Chairman for his efforts advocating for the program. He said that they will continue to seek funding, because the program is underfunded and they are limited on what they can spend for salaries.

Commissioner Hunt asked Attorney Allen to come back before the Board in six months and update them on the response to the Teen Court program. Mr. Allen said that, once the program is up and running they plan to have an Open House and will invite the Board of Commissioners.

Mr. Allen continued by explaining to the Board that the Teen Court will not only be for offenders, but also serve as a pre-diversion program.

Commissioner Hunt added that the School Resource Officers do an outstanding job working with the teens to give them alternatives to being charged.

11. Manager's Report

Finance Officer E.J. Prevatte gave the report on behalf of Manager Letitia Edens, who was out of town.

The Board will meet on July 18 to select architects to interview for the Parks & Recreation facility project.

Commissioner Hunt said that the Board needs to begin reviewing the applications for the Parks & Recreation Director and Assistant Director positions. Commissioner Hunt would like that applications made available to the Board so that they can review them before meeting on July 18.

Vice Chairman Southerland asked Mr. Jim Davis, who was in attendance, to update the Board on the Re-entry program. Mr. Davis said that they are waiting for the RFPs to be released. Hopefully, the RFPs will be available by the end of the month. The Re-entry council meets on July 23. An agency has expressed interest in being an intermediary agency to operate the program.

12. Closed Session

Motion: Upon motion by Commissioner Thomas and second by Commissioner Hunt the Board voted unanimously to enter closed session pursuant to NC General Statute §143-318.11 to discuss an Economic Development matter.

Motion: Upon motion by Commissioner Wright and second by Commissioner Hunt the Board voted unanimously to return to open session.

Motion: Upon motion by Commissioner Hunt and second by Commissioner Thomas the Board voted unanimously to approve a \$125,000 Revolving Loan to Brad Calloway for a term of 5 years at 0% interest rate.

Motion: Upon motion by Commissioner Thomas and second by Vice Chairman Southerland the Board voted unanimously to add discussion of the DSS Consultant's contract to the agenda.

Commissioner Thomas advised the Board that the DSS Board had voted to extend Ms. Morrow's contract for three months to prepare for the Director to solely manage the department. Chairman Leach said that the FY 2020 budget provided funds for one year. Commissioner Thomas said that, although the funds were provided, the Board of Commissioners approved the contract for six months. The extra three months were added to give Ms. Morrow time to advise the Board on the possibility to locate part of DSS in the new court annex. She will also advise the Manager and DSS Director on getting the maximum reimbursements. Chairman Leach said that three months would not be enough to accomplish these things. Commissioner Thomas said the DSS Board is ready to approve three months.

Jose Coker, representing The Charleston Group, told the Board that Ms. Morrow was told to be present at tonight's meeting, but the contract renewal was on the Consent Agenda, which indicated that there would be no discussion. Commissioner Thomas said that being asked to be present doesn't guarantee the opportunity to speak. He added that what was confusing was that the DSS Board approved three months and the money was in the budget for one year.

Mr. Coker pointed out that there were two contracts.

Commissioner Hunt said that he understood that one contract was for 15 hours per week, but the contract approved on the Consent agenda was for 10 hours per week.

Commissioner Wright said that he thought that Ms. Morrow would be an asset to the Board in planning the new Court Annex. Commissioner Thomas said that Ms. Morrow is contracted to advise DSS because the Court Annex won't be built this year. Commissioner Wright said that the planning should begin soon.

Commissioner Hunt suggested that she remain as DSS Consultant for six months, then consult for the Board for six months on maximizing reimbursements.

13. Recess

Motion: Upon motion by Commissioner Hunt and second by Vice Chairman Southerland the Board voted to recess until Thursday, July 18, 2019 at 9:00 am in the Commissioners Room at the Pratt Building.

The Hoke County Board of Commissioners resumed a meeting recessed on Monday, July 1, 2019 until Thursday, July 18, 2019 at 9:00 am in the Commissioners Room in the Pratt Building.

PRESENT:

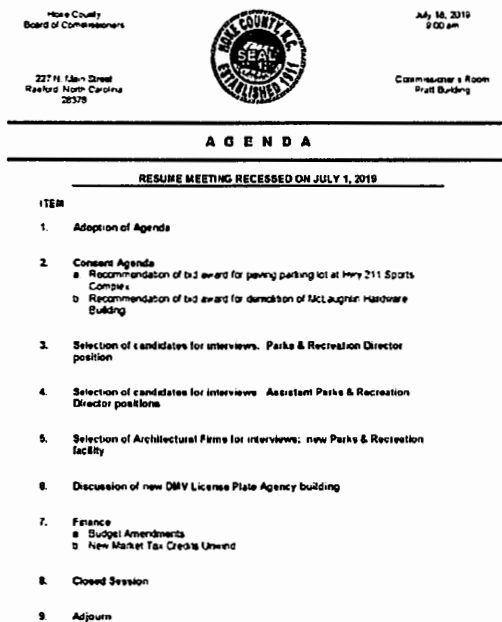
James Leach
 Harry Southerland
 Tony Hunt
 Robert Wright
 Allen Thomas, Jr. (via conference call)

ALSO PRESENT:

Grady Hunt, County Attorney
 Gwen McGougan, Clerk to the Board

Chairman Leach called the meeting to order at 9:00 am. Commissioner Hunt gave the invocation.

1. Adoption of Agenda



Chairman Leach asked if anyone had any changes to the agenda.

County Manager Letitia Edens asked to add the Construction Amendment for the Bobbitt contract for the Wright Building, pending approval of the County Attorney. This was added to the agenda as Item 9.

Motion: Upon motion by Commissioner Wright and second by Vice Chairman Southerland the Board voted unanimously to approve the agenda as amended.

2. Consent Agenda

- a. Recommendation of bid award for paving parking lot at Hwy 211 Sports Complex

County Manager Letitia Edens recommended J & K Construction at their quoted price of \$279,800.

- b. Recommendation of bid award for demolition of the McLaughlin Hardware building

County Manager Letitia Edens recommended Hudson Paving at their quoted price of \$46,857. Hudson Paving submitted the only quote that includes an asbestos survey.

Vice Chairman Southerland asked for confirmation that the vendor will be responsible for material disposal at the landfill. County Attorney Grady Hunt said that the contract has a provision that Hudson Paving would be responsible for all salvage material.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Wright the Board voted unanimously to approve Items a & b on the Consent Agenda.

3. Selection of candidates for interviews: Parks & Recreation Director position

4. Selection of candidates for interviews: Assistant Parks & Recreation Director positions

Commissioner Hunt asked how the candidates were vetted. The advertisement for the Director position called for a Bachelor's degree but one of the applicants on the "qualified" list (meeting the minimum qualifications for the position) only had an Associate's degree. County Manager Letitia Edens replied that the advertisement called for a Bachelor's degree or an equivalent amount of experience in Sports Management or other related field.

County Manager Letitia Edens read aloud the names of the candidates on the Director's qualified list:

Aaron Michael Breasseale	Wendell D. Wells, IV
Brandon G. Harris	Donald Carmichael Lindsay, Jr.
Gary Allan Brigman	Kelley Rosemarie Boykins
LaKendrick Turrell Smith	Maxey Gary Dove, IV
Michael Edwin Sartain, Jr.	Phillip Inas Harper
Sad'a C. Ray	Tanysha Battle
Timothy Scott Clark	Yvonne Galbreath

Commissioner Hunt pointed out that it is important to be consistent when making the selections. The Board agreed to focus on candidates with a Bachelor's degree and experience in recreation or athletics.

The Board selected the following candidates to interview for the Director position:

Timothy Scott Clark	Arnika Brown
Donald Carmichael Lindsay, Jr.	James Justin Womack
LaKendrick Turrell Smith	David Leo Patterson
Wendell D. Wells, IV	Stephen Todd Bowman
Sad'a C. Ray	

The Board selected the following candidates to interview for the Assistant Directors positions:

Luis Francisco Renvill	Vincent Hollingsworth
Matthew David Jackson	Corey E'yon Thompson
Yvonne Galbreath	

Interviews will be held on Tuesday, July 23 and Wednesday, July 24, 2019 beginning at 1:00 pm.

Motion: Upon motion by Commissioner Hunt and second by Vice Chairman Southerland the Board voted unanimously to interview the persons listed above for the Parks & Recreation Director and Assistant Director positions.

5. Selection of Architectural Firms for Interviews: new Parks & Recreation facility

The Board selected the following firms to interview for the Design of the new Parks & Recreation facility:

Neal Smith Engineering
SFL + A Architects
Boomerang Design

Interviews will be held on Thursday, July 25, 2019 beginning at 1:00 pm. Alternate date will be Monday, July 29, 2019 beginning at 1:00 pm.

6. Discussion of new DMV License Plate Agency building

County Manager Letitia Edens presented a map showing the property that the County owns on Hwy 401 Business. Currently located on that parcel is a building housing the Driver's License office and the probation and parole offices, and the old Jaycee Hut, now being used for storage.

This location has been suggested for the new DMV (License plate) office. There is room to place a building there and room to expand the parking lot.

Mrs. Edens and Building Maintenance Director James Tedder have met and discussed placing an altered version of one of the County's new Community Buildings there. The building would be configured for the purpose of operating the DMV office. The Community Buildings are 1,800 sq. ft.; DMV currently occupies a 1,200 sq. ft. building.

Commissioner Thomas suggested that the exterior of the building be brick to match the existing building on the parcel.

Commissioner Wright said that it is very important that the lobby be large enough to accommodate everyone waiting and no customers should have to wait outside.

Mr. Tedder said that he had investigated other DMV offices and they don't use a traditional line. Instead they use seating and call customers by number.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Wright the Board voted unanimously to allow Mrs. Edens and Mr. Tedder to move forward within their limits with the plans for construction of a new DMV building.

Commissioner Wright asked Mr. Tedder to look in to what it would take to cross the small creek that separates the back soccer field from the front of the Hwy. 211 Sports Complex.

7. Finance

a. Budget Amendments

Assistant Finance Director Garvin Ferguson presented the following Budget Amendments:

AMENDMENT TO THE HOKE COUNTY BUDGET ORDINANCE
2019/2020
MULTI-YEAR GRANTS FUND

Section 1. Expenditures of the Hoke County Budget Ordinance pertaining to the Multi-Year Grants Project Funds shall be amended as follows:

Emergency Management Grant Expenditures	30,500
Total	\$ 30,500

Section 2. Revenues of the Hoke County Budget Ordinance pertaining to the Multi-Year Grants Project Funds shall be amended as follows:

Emergency Management Grant Revenues	30,800
Total	\$ 30,800

This amendment:

- Sets up the fiscal 2020 budget for Emergency Management Multi-Year Fund

Funding Source: State Grant Funds
 Submitted: July 18, 2019

Respectfully Submitted by: Garvin Ferguson Assistant Finance Director
 Approved by: _____ County Manager

AMENDMENT TO THE HOKE COUNTY BUDGET ORDINANCE
2019/2020
Amendment

Section 1 of the Hoke County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Expenditures (Decrease):

State Pensions & Benefits	80,000
Health Education	6,000
Health Administration	13,148
Health Education	6,624
Total	\$ (105,872)

Section 2 of the Hoke County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Increases (Increase) Revenues:

Health	80,000
Health	4,880
Health	20,012
Total	\$ (95,112)

This amendment:

- appropriate \$60K to the Safe Routes to Schools Program
Funding Source: State Funds
GR
- appropriate \$4,880 to the Community Overview Program
Funding Source: State Funds
GR
- appropriate \$23,072 (existing) to other funds not spent in fiscal year 2019 relating to Capital Expenditures
Funding Source: State Funds
GR

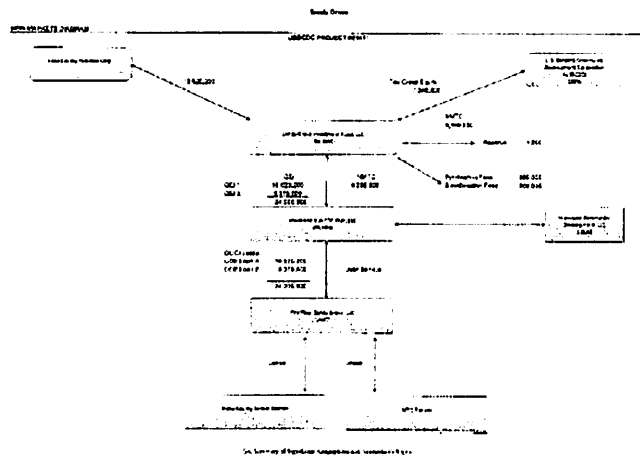
Submitted: 7-18-2019

Respectfully Submitted by: Garvin Ferguson Assistant Finance Director
 Approved by: _____ County Manager

Motion: Upon motion by Commissioner Hunt and second by Commissioner Wright the Board voted unanimously to approve the Budget Amendments for the Health Department and the Multi-Year Grants Fund.

b. New Market Tax Credits Unwind

Assistant Finance Director Garvin Ferguson presented the following diagram showing the initial setup of the Sandy Grove Middle School financing:



Mr. Ferguson explained that, in 2012, the County had Qualified School Construction Bond (QSCB) money that was set to expire. These funds, \$18,710,000, were used toward the construction of Sandy Grove Middle School. Additional funding was through New Market Tax Credits (NMTC) totaling approximately \$7,000,000 with a 7-year term. To facilitate the NMTC transaction the Hoke County Facilities Corp was created. The proceeds of the Bonds were contributed to the Facilities Corp., which in turn loaned the proceeds to Sandy Grove Investment Fund, LLC a single purpose entity owned by US Bancorp Community Development Corporation. These bonds, combined with the proceeds of the Bond, were used to make a loan in the total amount of \$24,000,000. The 7-year term is near expiration.

Bond Counsel Mary Nash Rusher, representing McGuireWoods Consulting, reminded the Board that the terms of the loan provided that, at the end of seven years, Hoke County would own the school.

Ms. Rusher outlined the process:

- On August 8, 2019 the County will pay \$1,000 to US Bancorp Community Development Corporation. Hoke County will then, through the Facilities Corp. own the Sandy Grove Investment Fund.
- The lender, Waveland Sub-CDE, is owned by Sandy Grove Investment Fund, LLC. Waveland will contribute the notes to the Investment Fund. Waveland will then be dissolved. Any fees will be paid by FirstFloor.
- Hoke County will own the Facilities Corp and will be the holder of the two notes.
- FirstFloor will "sell" the school to the County. The County will assume the two notes, which total \$24,000,000. The Investment Fund will cancel those two notes.
- The County owns the school. There is an existing lease between FirstFloor and the School System.
- A new lease will be created. The provisions will establish which party, the County or the Schools, is responsible for running, operating and maintaining the school.

Ms. Rusher presented a resolution that authorizes the Chairman and Vice Chairman to sign documents on behalf of the Facilities Corp.

FirstFloor is giving the County a school with an appraised value of \$27,900,000 and debt of \$24,000,000. The County must acknowledge receipt of the difference between the debt and the value. The County will continue to make debt payments to the bond holder. The bond will mature in 2032.

Chairman Leach asked Mr. Ferguson about the balance of the County's sinking fund. Mr. Ferguson replied that those payments are made and they accumulate and earn interest.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HOKI, NORTH CAROLINA, APPROVING CERTAIN DOCUMENTS RELATING TO THE TRANSFER OF SANDY GROVE MIDDLE SCHOOL TO THE COUNTY AND THE UNWIND OF THE NEW MARKETS TAX CREDIT TRANSACTION AND PROVIDING FOR CERTAIN OTHER MATTERS RELATED THERE TO

LEGISLATIVE INTENT/PURPOSE:

WHEREAS, on June 28, 2012, the Board of Education of Hoke County, North Carolina (the "Board of Education") conveyed to Hoke County (the "County") that certain parcel of real property consisting of approximately 24 acres located at 300 Chason Rd, Lumber Bridge, NC 27551 (the "Site") in connection with the County's financing of the acquisition, construction, and equipping of a new middle school known as Sandy Grove Middle School (the "School"), all for the use of the Board of Education in carrying out its duties as the provider of a public school system in the County;

WHEREAS, the County provided financing for the acquisition, construction and equipping of the School by issuing in \$18,710,000 Taxable Limited Obligation Bonds (Qualified School Construction Bonds), Series 2012 (the "Bonds"), and using the proceeds thereof in a new market tax credit transaction (the "NMTC Transaction");

WHEREAS, to facilitate the NMTC Transaction, the County created the Hoke County Facilities Corp., a nonprofit corporation formed under N.C. Gen. Stat. Chapter 55A (the "Facilities Corp."), as an affiliate of the County as a blended component unit, whose directors are the Chairman and Vice-Chairman of the Board of Commissioners of the County (the "Board of Commissioners"), et alio;

WHEREAS, in the NMTC Transaction, the proceeds of the Bonds were contributed to the Facilities Corp. as the leveraged leader, which in turn loaned the proceeds to Sandy Grove Investment Fund, LLC (the "Investment Fund"), a single purpose entity created and owned by US Bancorp Community Development Corporation, as the tax credit investor (the "NMTC Investor");

WHEREAS, the NMTC Investor invested equity into the Investment Fund, which was combined with the proceeds of the Bonds and used to make a loan in the total amount of \$24,000,000 (the "NMTC Loan") to FirstFloor Sandy Grove, LLC, a North Carolina limited liability company ("FirstFloor") to be used to construct the School on the Site;

WHEREAS, as part of the NMTC Transaction, the County ground leased the Site to FirstFloor, and FirstFloor executed a Leasehold Deed of Trust to secure the NMTC Loan (the "Leasehold Deed of Trust");

WHEREAS, the Bonds were issued under a Trust Agreement dated as of June 1, 2012 (the "Trust Agreement") between the County and Regions Bank, as trustee (the "Trustee"); and

are secured by that certain Deed of Trust, dated as of June 1, 2012, from the County to the deed of trust trustee named therein for the benefit of the Trustee (the "Bond Deed of Trust"), granting a security interest and lien on the Site, together with all buildings, improvements and fixtures located or to be located thereon, all as more fully described in the Bond Deed of Trust;

WHEREAS, upon its completion, the School was leased to the Board of Education pursuant to an Operating Lease dated as of June 1, 2012 (the "Original Lease") between FirstFloor and the Board of Education;

WHEREAS, the seven year tax credit period during which the NMTC Transaction was required to remain in place has expired, and the NMTC Investor has given notice to the County and the Facilities Corp. that it intends to exercise its rights pursuant to a Put and Call Agreement (the "Put Agreement") between the NMTC Investor and the Facilities Corp., pursuant to which the Facilities Corp. is required to purchase the NMTC Investor's membership interest in the Investment Fund for \$1,000 upon the satisfaction of certain conditions (the "NMTC Unwind"), after which the Facilities Corp., through its ownership of the Investment Fund, will be the lender on the NMTC Loan;

WHEREAS in connection with the NMTC Unwind, FirstFloor has provided a Letter of Intent to transfer the Site, including the School located thereon, to the County in return for the County's assumption of the NMTC Loan and certain other considerations described therein, including acknowledgment by the County of a charitable donation by FirstFloor of any value of the School in excess of the principal amount of the NMTC Loan (as shown by appraisal) (the "Letter of Intent");

WHEREAS, upon transfer of the Site and the School to the County, it is anticipated that the Facilities Corp. will forgive the NMTC Loan from the County, cancel the Leasehold Deed of Trust, and then the Original Lease will be terminated;

WHEREAS, the Bonds remain outstanding, and continue to be secured by the Bond Deed of Trust, which encumbers the Site and the School located thereon;

WHEREAS, the County will enter into a new lease with the Board of Education to replace the Original Lease, pursuant to which the Board of Education will continue to operate and maintain the School;

WHEREAS, as part of the NMTC Unwind, the Facilities Corp. will be required to execute certain documents described below, and the Board of Commissioners, which controls the Facilities Corp., desires in and through the Facilities Corp. to execute and deliver such documents;

WHEREAS, there have been described on the Board of Commissioners the forms of the following documents (collectively, the "Instruments"), copies of which have been made available to the Board of Commissioners, which the Board of Commissioners proposes to authorize the County or the Facilities Corp., as applicable, to enter into and deliver to effect the NMTC Unwind and related transactions: (1) the Letter of Intent; (2) a Membership Interest Purchase Agreement dated on or about August 8, 2019 among the Facilities Corp., the Investment Fund, the NMTC Investor and its sole member; (3) Membership Interest Assignment from the NMTC Investor to

the Facilities Corp.; and (4) a Lease Agreement dated on or about August 8, 2019 between the County and the Board of Education; and

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

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF HOKI COUNTY IN A MEETING DULY ASSEMBLED:

Section 1. Authorization of the NMTC Unwind. The Board of Commissioners hereby approves the NMTC Unwind, and authorizes the County and the Facilities Corp. to take such action as may be required to effect the NMTC Unwind, authorizes the Finance Director of the County to transfer funds to the Facilities Corp. sufficient for the Facilities Corp. to pay the purchase price of \$1,000 and expenses of the transaction as may be required pursuant to the Put Agreement, authorizes the County to accept the transfer of the School to the County pursuant to the LOI, and authorizes the County to enter into the Lease Agreement with the Board of Education.

Section 2. Authorization to Execute the Instruments. The form and content of each of the Instruments is in all respects authorized, approved and confirmed, and the Chairman and the Vice Chairman of the Board of Commissioners, the Clerk to the Board of Commissioners and the County Manager and their respective designees are hereby authorized, empowered and directed to execute and deliver each of the Instruments to which the County is a party, including necessary counterparts, in substantially the form and content presented 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 the County's approval of any and all changes, modifications, additions or deletions from the form and content of each of the Instruments presented to the Board of Commissioners, and that from and after the execution and delivery of the Instruments, the Chairman and the Vice Chairman of the Board of Commissioners, the County Clerk, the County Manager and the Finance Director of the County are 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 Instruments and to effect the NMTC Unwind.

Section 3. Authorization for Facilities Corp. to Execute the Instruments. The form and content of each of the Instruments to which the Facilities Corp. is a party is in all respects authorized, approved and confirmed, and the Chairman and the Vice Chairman of the Board of Commissioners, as the directors and officers of the Facilities Corp., are hereby authorized, empowered and directed to execute and deliver each of the Instruments to which the Facilities Corp. is a party, including necessary counterparts, in substantially the form and content presented 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 the Facilities Corp.'s approval of any and all changes, modifications, additions or deletions therein from the form and content of each of the Instruments presented to the Board of Commissioners, and that from and after the execution and delivery of the Instruments, the Chairman and the Vice Chairman of the Board of Commissioners, as the directors and officers of the Facilities Corp., are 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 Instruments and to effect the NMTC Unwind.

Section 4. Approvals and Actions Relating to NMTC Unwind, New Markets Tax Credits. As part of the Development Agreement heretofore submitted, the County has determined that the best method for providing the Project is to allow the proceeds of the Series 2012 Bonds to be used in conjunction with New Markets Tax Credits. To assist in the accomplishment of that process, the County has heretofore authorized the creation of the Hoke County Facilities Corp. as a nonprofit corporation to participate in the New Markets Tax Credits transactions. The County recognizes that the New Markets Tax Credits transactions may require other documents and actions to be taken to implement the plan of finance. The Chairman and Vice-Chairman of the Board of Commissioners, the County Manager and the Finance Director are hereby authorized and directed to take such action and enter into such agreements as the deem necessary or appropriate to facilitate the New Markets Tax Credits transactions. To that end and upon the review and approval of the County Attorney, the Chairman and the Vice-Chairman of the Board of Commissioners, the County Manager and the Finance Director are hereby directed to do all such things and enter into all such agreements as are necessary or desirable to implement the intent of the Board of Commissioners stated herein.

Section 5. Severability. If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 6. Repealer. All motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 7. Effective Date. This Resolution is effective on the date of its adoption.

The foregoing resolution of the Board of Commissioners of Hoke County was adopted at a meeting of the Board of Commissioners duly called and held on July 18, 2019

[Signature]
Clerk to the Board of Commissioners

RESOLUTION APPROVING THE FORM AND SUBSTANCE AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS AND INSTRUMENTS IN CONNECTION WITH THE ISSUANCE OF A NEW MEMBERSHIP TAX CREDIT TRANSACTIONS FAVORABLY ENTERED INTO TO FINANCE THE CONSTRUCTION, FURNISHING AND EQUIPPING OF SANDY GROVE MIDDLE SCHOOL.

WHEREAS, the Hoke County Facilities Corp. (the "Corporation") is a nonprofit corporation created by Hoke County (the "County") as an affiliate of the County and a bonded component unit, under N.C. Gen. Stat. Chapter 35A, whose directors are the Chairman and Vice-Chairman of the Board of Commissioners of the County (the "Board of Commissioners"), ex officio;

WHEREAS, on June 28, 2012, the Board of Education of Hoke County, North Carolina (the "Board of Education") conveyed to Hoke County (the "County") that certain parcel of real property consisting of approximately 34 acres located at 300 Chatham Rd, Lumber Bridge, NC 28557 (the "Site") in connection with the County's financing of the acquisition, construction, and equipping of a new middle school known as Sandy Grove Middle School (the "School"), all for the use of the Board of Education in carrying out its duties as the provider of a public school system in the County;

WHEREAS, the County provided financing for the acquisition, construction and equipping of the School by issuing its \$18,700,000 Taxable Limited Obligation Bonds (Qualified School Construction Bonds), Series 2012 (the "Bonds"), and using the proceeds thereof in a new market tax credit transaction (the "NMTC Transaction");

WHEREAS, in the NMTC Transaction, the proceeds of the Bonds were contributed to the Corporation as the Investor Lender, which in turn loaned the proceeds to Sandy Grove Investments Fund, LLC (the "Investment Fund"), a single purpose entity created and owned by US Bancorp Community Development Corporation, as the tax credit investor (the "NMTC Investor");

WHEREAS, the NMTC Investor invested equity into the Investment Fund, which was combined with the proceeds of the Bonds and used to make a loan in the total amount of \$24,000,000 (the "NMTC Loan") to FirstFloor Sandy Grove, LLC, a North Carolina limited liability company ("FirstFloor") to be used to construct the School on the Site;

WHEREAS, as part of the NMTC Transaction, the County granted the Site to FirstFloor, and FirstFloor executed a Leasehold Deed of Trust to secure the NMTC Loan (the "Leasehold Deed of Trust");

WHEREAS, the Bonds were issued under a Trust Agreement dated as of June 1, 2012 (the "Trust Agreement") between the County and Regions Bank, as trustee (the "Trustee"), and are secured by the certain Deed of Trust, dated as of June 1, 2012, from the County to the deed of trust trustee named therein for the benefit of the Trustee (the "Deed of Trust"), granting a security interest and lien on the Site, together with all buildings, improvements and fixtures located or to be located thereon, all as more fully described in the Deed of Trust;

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

NOW, THEREFORE, BE IT RESOLVED BY THE UNDERSIGNED CONSTITUTING THE BOARD OF DIRECTORS OF HOKE COUNTY FACILITIES CORP., AS FOLLOWS:

Section 1. *Authorization and Consent.* All actions of the Corporation in effectuating the NMTC Unwind, both past, present and future, are hereby approved, ratified and authorized.

Section 2. *Amendment to Articles.* The Articles of Amendment are hereby approved, and the officers of the Corporation are hereby directed to execute such Articles of Amendment and to file them with the Secretary of State of North Carolina.

Section 3. *Approval of and Authority to Execute and Deliver Instruments.* The form and content of each of the Instruments are hereby in all respects authorized, approved and confirmed, and the President or Vice President and the Secretary of the Corporation are hereby authorized, empowered and directed, individually and collectively, to execute and deliver each of the Instruments, including necessary counterparts, in substantially the forms and content presented to this meeting, 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 the Corporation's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Instruments presented at this meeting, and that from and after the execution and delivery of the Instruments, the President or Vice President and the Secretary of the Corporation are hereby authorized, empowered and directed, individually and collectively, 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 Instruments as executed.

Section 4. *General Authorization.* The President or Vice President and the Secretary of the Corporation are hereby authorized to execute and deliver, individually and collectively, for and on behalf of the Corporation any and all additional certificates, documents, opinions or other papers and perform all other acts, including, without limitation, the filing of any other documents as may be required by the documents contemplated above or as they may deem necessary or appropriate in order to implement and carry out the stated and purposes of this Resolution, the NMTC Unwind, and the Instruments.

Section 5. *Severability.* If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

WHEREAS, upon its completion, the School was leased to the Board of Education pursuant to an Operating Lease dated as of June 1, 2012 (the "Original Lease") between FirstFloor and the Board of Education;

WHEREAS, the seven year tax credit period during which the NMTC Transaction was required to remain in place has ended, and the NMTC Investor has given notice to the County and the Corporation that it intends to exercise its rights pursuant to a Put and Call Agreement (the "Put Agreement") between the NMTC Investor and the Corporation, pursuant to which the Corporation is required to purchase the NMTC Investor's membership interest in the Investment Fund for \$1,000 upon the satisfaction of certain conditions (the "NMTC Unwind"), after which the Corporation, through its ownership of the Investment Fund, will be the lender on the NMTC Loan.

WHEREAS, in connection with the NMTC Unwind, FirstFloor has provided a Letter of Intent to transfer the Site, including the School located thereon, to the County in return for the County's assumption of the NMTC Loan and certain other consideration described therein, including acknowledgment by the County of a charitable donation by FirstFloor of any value of the School in excess of the principal amount of the NMTC Loan (as shown by appraisal) (the "Letter of Intent").

WHEREAS, upon terms for the Site and the School to the County, it is anticipated that the Corporation will forgive the NMTC Loan from the County, cancel the Leasehold Deed of Trust, and then the Original Lease will be terminated;

WHEREAS, the Deed of Trust remains outstanding, and continues to be secured by the Unwind Deed of Trust, which encumbers the Site and the School located thereon;

WHEREAS, as part of the NMTC Unwind, the Corporation will be required to execute certain documents described below, and the Board of Commissioners, has, by resolution adopted on July 18, 2019, authorized and directed the Corporation to execute and deliver such documents and has agreed to transfer funds to the Corporation sufficient for the Corporation to pay the purchase price of \$1,000 and expenses of the transaction as may be required pursuant to the Put Agreement;

WHEREAS, there have been described to the directors of the Corporation the forms of the following documents (collectively, the "Instruments"), copies of which have been made available to them, which the Board of Commissioners has authorized the Corporation to execute and deliver to effect the NMTC Unwind and related transactions: (1) a Membership Interest Purchase Agreement dated on or about August 8, 2019 among the Corporation, the Investment Fund, the NMTC Investor and its sole member; and (2) Membership Interest Assignment from the NMTC Investor to the Corporation;

WHEREAS, the Board of Directors has agreed to revise its Articles of Incorporation to clarify that in the event of the dissolution of the Corporation, any assets of the Corporation shall be transferred first to the County or to another governmental entity (or an affiliate thereof) that carries out a similar function (the "Articles of Amendment");

WHEREAS, the Board of Directors of the Corporation (the "Board") determines and finds that it is advisable and in the best interest of the Corporation to execute and deliver the Instruments;

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

THIS ACTION IS EFFECTIVE as of the 18th day of July, 2019.

[Signature]
President
[Signature]
Secretary

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Motion: Upon motion by Commissioner Wright and second by Commissioner Hunt the Board voted unanimously to approve the following Resolutions:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HOKE, NORTH CAROLINA, APPROVING CERTAIN DOCUMENTS RELATING TO THE TRANSFER OF SANDY GROVE MIDDLE SCHOOL TO THE COUNTY AND THE UNWIND OF THE NEW MARKETS TAX CREDIT TRANSACTION AND PROVIDING FOR CERTAIN OTHER MATTERS RELATED THERETO

and the

RESOLUTION APROVING THE FORM AND SUBSTANCE AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS AND INSTRUMENTS IN CONNECTION WITH THE UNWIND OF A NEW MARKETS TAX CREDIT TRANSACTION PREVIOUSLY ENTERED INTO TO FINANCE THE CONSTRUCTION, FURNISHING AND EQUIPPING OF SANDY GROVE MIDDLE SCHOOL.

County Attorney Grady Hunt told the Board that the only thing left to do is execute a lease between the County and the Schools. Ms. Rusher can send a draft.

Ms. Rusher continued by advising the Board to seek the most efficient way to transfer the maintenance and utility contracts that now belong to FirstFloor to make sure that the County receives the maximum advantage of any energy funds that may come back.

Ms. Rusher suggested that the contracts be split, with the Schools paying the maintenance contract and the County paying the utility contract.

County Manager Letitia Edens asked the Board to add Terrell Carpenter to the list of persons being interviewed for the Parks & Recreation Director position.

Motion: Upon motion by Commissioner Hunt and second by Vice Chairman Southerland the Board voted unanimously to add Terrell Carpenter to the list of persons being interviewed for the Parks & Recreation Director Position.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Wright the Board voted unanimously to recess the meeting until Tuesday, July 23, 2019 at 1:00 pm in the Commissioners Room in the Pratt Building.

The Hoke County Board of Commissioners resumed a meeting recessed on Thursday, July 18, 2019 until Tuesday, July 23, 2019 in the Commissioners Room in the Pratt Building.

PRESENT:

Chairman James Leach
Vice Chairman Harry Southerland
Commissioner Tony Hunt
Commissioner Robert Wright
Commissioner Allen Thomas, Jr.

ALSO PRESENT:

County Manager Letitia Edens
Clerk to the Board Gwen McGougan

ABSENT:

none

Chairman Leach convened the meeting at 1:00 pm.

Motion: Upon motion by Commissioner Wright and second by Commissioner Hunt the Board voted unanimously to enter Closed Session pursuant to NC General Statute §143-318.11 (a) (6) to discuss a personnel issue.

Motion: Upon motion by Commissioner Hunt and second by Vice Chairman Southerland the Board voted unanimously to return to Open Session.

Motion: Upon motion by Commissioner Hunt and second by Commissioner Thomas the Board voted unanimously to recess the meeting until Wednesday, July 24, 2019 at 1:00 pm in the Commissioners Room in the Pratt Building.

The Hoke County Board of Commissioners resumed a meeting recessed on Tuesday, July 23, 2019 until Wednesday, July 24, 2019 in the Commissioners Room in the Pratt Building.

PRESENT:

Chairman James Leach
 Vice Chairman Harry Southerland
 Commissioner Tony Hunt
 Commissioner Robert Wright
 Commissioner Allen Thomas, Jr.

ALSO PRESENT:

County Manager Letitia Edens
 Clerk to the Board Gwen McGougan

ABSENT:

none

Chairman Leach convened the meeting at 1:30 pm.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Hunt the Board voted unanimously to enter Closed Session pursuant to NC General Statute §143-318.11 (a) (6) to discuss a personnel issue.

Motion: Upon motion by Commissioner Hunt and second by Commissioner Wright the Board voted unanimously to return to Open Session.

The Board discussed the merits of the candidates interviewed and ultimately agreed to offer Ms. Sad'a Ray the position of Parks & Recreation Director.

Motion: Upon motion by Commissioner Wright and second by Vice Chairman Southerland the Board voted unanimously to offer the Parks & Recreation Director position to Ms. Sad'a Ray.

The Board discussed the merits of the candidates interviewed for the positions of Assistant Parks & Recreation Director. After some discussion, the Board agreed to offer the Assistant Parks & Recreation Director positions to Mr. LaKendrick Smith and Mr. Luis Renvill.

Motion: Upon motion by Commissioner Wright and second by Vice Chairman Southerland the Board voted unanimously to offer the Parks & Recreation Director positions to Mr. LaKendrick Smith and Mr. Luis Renvill.

Motion: Upon motion by Commissioner Wright and second by Commissioner Hunt the Board voted unanimously to recess the meeting until Monday, July 29, 2019 at 1:00 pm in the Commissioners Room in the Pratt Building.

The Hoke County Board of Commissioners resumed a meeting recessed on Wednesday, July 24, 2019 until Monday, July 29, 2019 in the Commissioners Room in the Pratt Building.

PRESENT:

Chairman James Leach
 Vice Chairman Harry Southerland
 Commissioner Tony Hunt (via conf call)
 Commissioner Robert Wright
 Commissioner Allen Thomas, Jr.


ALSO PRESENT:

County Manager Letitia Edens
 County Attorney Grady Hunt
 Clerk to the Board Gwen McGougan

ABSENT:

none

Chairman Leach convened the meeting at 1:00 pm.

<p>Hoke County Board of Commissioners</p> <p>227 1/2 Main Street Roxboro, North Carolina 28775</p>		<p>July 29, 2019 1:00 pm</p> <p>Commissioner's Room Pratt Building</p>
<p>A G E N D A</p>		
<p>RESUME MEETING RECESSED ON JULY 24, 2019</p>		
<p>Item 1 INTERVIEWS FOR PARKS & RECREATION FACILITY ARCHITECT:</p>		
1:00 pm	Neal Smith Engineering	
1:45 pm	SFLBA Architects	
2:15 pm	Boomerang Design	
2:45 pm	CPL Architecture	
<p>Item 2 Closed Session</p>		
<p>Item 3 Adjourn</p>		
<p><small>Please add consideration of contract with Hoke County Partnership for Children & Families for Mobile Pre-School Classrooms Unit (Give the Bus)</small></p>		

Item 1. Interviews for Parks & Recreation Facility Architect:

The following firms were interviewed:

- 1:00 Neal Smith Engineering
- 1:45 SFL+A Architects
- 2:15 Boomerang Design
- 2:45 CPL Architecture

Representatives from each of the four firms did presentations for the Board. These presentations included PowerPoints and photos of past projects.

Motion: Upon motion by Commissioner Thomas and second by Commissioner Wright the Board voted unanimously to add the contract for the mobile unit used by Partnership for Children to the Agenda.

Motion: Upon motion by Commissioner Thomas and second by Vice Chairman Southerland the Board voted unanimously to approve the contract for the mobile unit used by Partnership for Children.

Motion: Upon motion by Commissioner Thomas and second by Vice Chairman Southerland the Board voted unanimously to approve the contract for DSS Consultant Becky Morrow for one year; three months at DSS and nine months assisting County Manager in investigating possible funding for the new Court Annex and overseeing DSS Operations to make sure they remain in compliance.

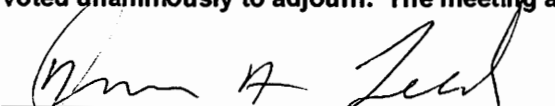
Motion: Upon motion by Commissioner Wright and second by Commissioner Thomas the Board voted unanimously to enter Closed Session pursuant to NC General Statute §143-318.11 (a) (6) to discuss a personnel issue.

Motion: Upon motion by Vice Chairman Southerland and second by Commissioner Thomas the Board voted unanimously to return to Open Session.

The Board discussed the architect interviews.

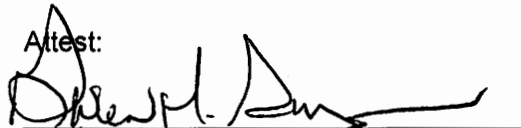
Motion: Upon motion by Commissioner Wright and second by Vice Chairman Southerland the Board voted unanimously to hire Neal Smith Engineering to design the new Parks & Recreation facility.

Motion: Upon motion by Commissioner Thomas and second by Commissioner Wright the Board voted unanimously to adjourn. The meeting adjourned at 3:40 pm.



 James A. Leach, Chairman

Attest:



 Gwen McGougan, Clerk to the Board