

RESOLUTIONS – 2016

***Following the List of 2016 Resolutions in Chronological Order,
Each Resolution Can Be Viewed in its Entirety***

- 16-01-01 Honoring the Dedicated Service of Elmer R. Midgett (Jan 04, 2016)
- 16-01-02 Request to add Poteskeet Development Cul-De-Sacs in Duck, NC to NCDOT's Secondary Road System (Jan 19, 2016)
- 16-02-03 Asking the Albemarle Rural Planning Organization (RPO) to delay consideration of tolling ferry routes (Feb 01, 2016)
- 16-02-04 Calling for Federal Assistance to Help Buxton, North Carolina (Feb 11, 2016)
- 16-02-05 Authorizing Negotiation of an Installment Financing Contract (Feb 15, 2016)
- 16-03-06 Authorizing Installment Financing Contract for Vehicle and Equipment Financing (Mar 07, 2016)
- 16-03-07 Approving Installment Financing Contract with the Dare County Public Facilities Corporation and Related Matters (Mar 07, 2016)
- 16-04-08 Supporting Town of Nags Head Request to Appoint Review Officers for Local Plat Compliance (Apr 04, 2016)
- 16-04-09 Honoring Dare County's Law Enforcement Community (Apr 18, 2016)
- 16-04-10 Authorizing the Negotiation of an Amendment to an Installment Purchase Contract (Apr 18, 2016)
- 16-04-11 Urging the North Carolina Department of Administration to Quickly Move Forward with Acquiring Properties at Oregon Inlet (Apr 18, 2016)
- 16-05-12 Approving an amendment to the Installment Purchase Contract with the Dare County Public Facilities Corporation (May 02, 2016)
- 16-05-13 Approving an amendment to the Installment Financing Contract with the Dare County Public Facilities Corporation (May 16, 2016)
- 16-05-14 Opposing HB 1122 that would limit marine net fishing (May 16, 2016)
- 16-06-15 Supporting the legalization of syringe exchange programs in North Carolina (June 06, 2016)
- 16-06-16 Creating a County Service District for the Buxton beach nourishment project (June 06, 2016)

- 16-06-17 Postponing Dare County's property revaluation from January 1, 2018 to January 1, 2021 (June 06, 2016)
- 16-06-18 Authorizing conveyance of surplus personal property (2008 Ford E-450) to the Outer Banks SPCA (June 06, 2016)
- 16-06-19 Opposing House Bill 1030 Section 16.8 pertaining to Jennette's Pier (June 06, 2016)
- 16-06-20 Supporting Hatteras Island Pathway and application for NCDOT planning study (June 20, 2016)
- 16-06-21 Supporting the NC Watermen United position on the 2016 Legislature Budget provisions on fisheries issues (June 20, 2016)
- 16-07-22 Reimbursement Resolution for FY2016-2017 Vehicle and Equipment Financing (July 18, 2016)
- 16-07-23 Opposing Dominion North Carolina Power rate increase (July 18, 2016)
- 16-07-24 Supporting Terminal Groins and Jetties (July 18, 2016)
- 16-09-25 Directing the application for approval of Utilities System Revenue Refunding Bonds (Sep 6, 2016)
- 16-09-26 Approving Sole Source Purchase for HVAC chiller at the Justice Center (Sep 26, 2016)
- 16-09-27 Bond Order authorizing issuance of Utilities Systems Revenue Refunding Bonds (Sep 26, 2016)
- 16-09-28 Request to add Light House Road in the Hatteras Colony South Subdivision to NCDOT's Secondary Road System (Sep 26, 2016)
- 16-10-29 Declaring intent to close a portion of the unimproved extension of Amadas Street (Oct 3, 2016)
- 16-10-30 Requesting traffic control assistance from the North Carolina Highway Patrol (Oct 3, 2016)
- 16-10-31 Authorizing an Other Post Employment Benefits (OPEB) Trust Fund and related Trust Agreement (Oct 17, 2016)
- 16-10-32 Authorizing Transportation Department Application for NCDOT 5310 Program Grant (Oct 17, 2016)
- 16-10-33 Authorizing Transportation Department Application for NCDOT 5311 Program Grant (Oct 17, 2016)
- 16-10-34 Reimbursement Resolution – Fiscal Year 2016-2017 Capital Improvements Plan (CIP) Project Financing (Oct 17, 2016)

- 16-10-35 Authorizing conveyance of surplus personal property (14 ft Carolina Skiff & Yamaha Motor & Trailer) to Stumpy Point Volunteer Fire Dept (Oct 17, 2016)
- 16-11-36 Calling for improved health care for Veterans (Nov 07, 2016)
- 16-11-37 Request to add Third Street in the Salvo Beach Subdivision to NCDOT's Secondary Road system (Nov 07, 2016)
- 16-11-38 Designation of Applicant's Agent for obtaining financial assistance for Disaster relief (Nov 07, 2016)
- 16-12-39 Requesting the North Carolina Aquatic Weed Control Program conduct an Aquatic invasive removal project in Dare County (Dec 05, 2016)
- 16-12-40 Removing and appointing Review Officers for the Dare County Land Records Department (Dec 05, 2016)
- 16-12-41 Authorizing selling the old EMS helicopter as surplus property (Dec 05, 2016)
- 16-12-42 Authorizing the Transportation Department to file for NCDOT grants for the years 2018-2022 (Dec 19, 2016)
- 16-12-43 Requesting State financial assistance for permitting of Hatteras Inlet navigational channels (Dec 19, 2016)

FOLLOWING ARE THE 2016 RESOLUTIONS

The **most recently adopted** item **appears first** in sequence

Scroll down to view all 2016 Resolutions


16-12-43

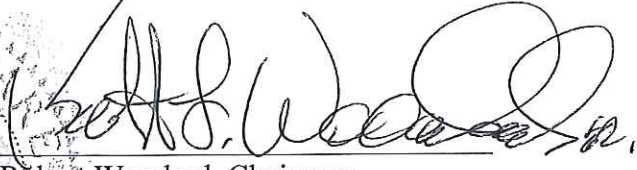
WHEREAS, the Dare County Board of Commissioners desires to sponsor the permitting of the Hatteras Inlet Navigational Channels to provide safe and reliable navigational access for watermen, which represents their highway to work that provides jobs and contributes to the local economy.

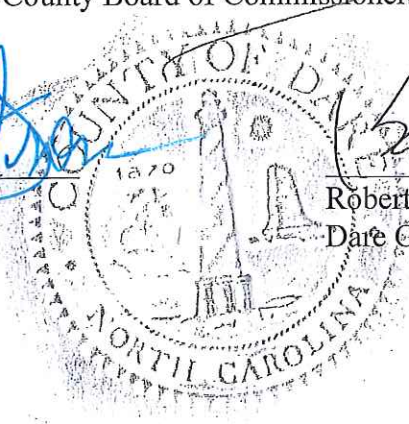
NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Board requests the State of North Carolina to provide financial assistance to the County of Dare for permitting of Hatteras Inlet Navigational Channels in the amount of \$37,016.00 which represents a 2 to 1 match of project construction cost, whichever is the lesser amount;
- 2) The Board assumes full obligation for payment of the balance of project costs;
- 3) The Board will obtain all necessary State and Federal permits;
- 4) The Board will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments;
- 5) The Board will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) The Board will obtain suitable spoil disposal areas as needed and all other easements or rights-of-way that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) The Board will assure that the project is open for use by the public on an equal basis with no restrictions;
- 8) The Board will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;

Adopted by the Dare County Board of Commissioners this 19th day of December, 2016.


Gary Lee Gross
Clerk to the Board


Robert Woodard, Chairman
Dare County Board of Commissioners



5311 DESIGNEE CERTIFICATION FORM

Resolution No. 16-12-42

Resolution authorizing the filing of applications with the North Carolina Department of Transportation—Public Transportation Division for grant years FY2018 – FY2022, for federal transportation assistance authorized by 49 U.S.C. 5311, United States Code, other federal statutes administered by the Federal Transit Administration or state statutes administered by the State of North Carolina.

WHEREAS, the State of North Carolina has been delegated authority to award federal financial assistance for a transportation project;

WHEREAS, the grant or cooperative agreement for federal financial assistance will impose certain obligations upon the applicant, and may require the applicant to provide the local share of the project cost;

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, BE IT RESOLVED BY Dare County Board of Commissioners

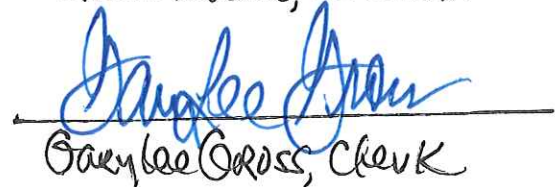
1. That the Dare County Board of Commissioners Chairman is authorized to execute and file an application for federal assistance on behalf of Dare County with the State of North Carolina for federal assistance authorized by 49 U.S.C. Chapter 5311 United States Code, other federal statutes or state statutes authorizing a project administered by the Federal Transit Administration.
2. That the Dare County Board of Commissioners Chairman is authorized to execute and file with its applications the annual certifications and assurances and other documents the State of North Carolina requires before awarding a federal assistance grant or cooperative agreement.
3. That the Dare County Board of Commissioners Chairman is authorized to execute grant and cooperative agreements with the State of North Carolina on behalf of Dare County.

This the 19th Day of December, 2016





Robert Woodward, Chairman

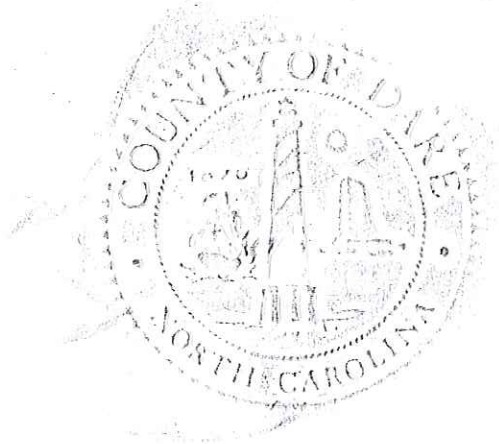


Gayle Cross, Clerk

5311 DESIGNEE CERTIFICATION FORM

The undersigned duly qualified Dare County Board of Commissioners CLERK acting on behalf of the Dare County, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Dare County Board of Commissioners held on 12-19-2016

[If the Applicant has an official seal, impress here.]



Amber Ann

(Signature of Recording Officer)

CLERK TO THE BOARD

(Title of Recording Officer)

12-19-16

(Date)



#16-12-40

**RESOLUTION
REMOVING AND APPOINTING REVIEW OFFICERS**

WHEREAS, an Act to improve the procedures for recording maps and plats under Article 2 of North Carolina General Statute Chapter 47 "Probate and Registration," was ratified the 8th day of July, 1997 by the North Carolina General Assembly and Statute 47-30.2 was created at that time; and

WHEREAS, G.S. 47-30.2 requires the Board of Commissioners of each County to designate by name one or more persons who are experienced in mapping or land records management as a Review Officer for that County. A Review Officer shall, if reasonably feasible, be certified as a property mapper pursuant to G.S. 147-54.4. The Review Officer is to review each map or plat before it is submitted to the Register of Deeds for recording to ensure it complies with all statutory requirements for recordation; and

WHEREAS, a resolution designating a Review Officer shall be recorded in the County registry and indexed on the grantor index in the name of Review Officer.

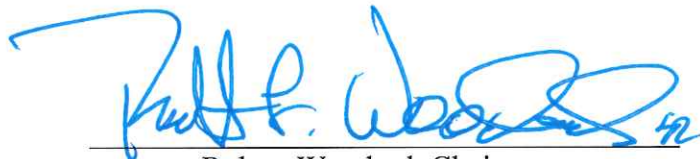
THEREFORE, BE IT RESOLVED the Dare County Board of Commissioners hereby appoints Jaime Deringer, or her designee, to replace prior Review Officer, Laurie A. Beacham, who is no longer employed by the Dare County Land Records Department.

BE IT FURTHER RESOLVED, that a copy of this resolution designating the local Review Officer be recorded in the Dare County Register of Deeds and indexed in the name of the Review Officers.

This 5th day of December 2016

DARE COUNTY BOARD OF COMMISSIONERS





Robert Woodard, Chairman

Attest:



Gary Lee Gross, Clerk to the Board

Dare County Resolution # 16-12-39 : Aquatic Weed Control

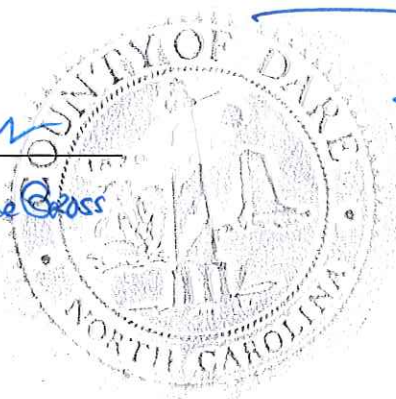
WHEREAS, the Dare County Board of Commissioners desire assistance from the North Carolina Division of Water Resources to control invasive aquatic weeds that impair waterways, divert water flow causing erosion and increase flooding.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Board requests that the North Carolina Aquatic Weed Control Program conduct the Dare County Aquatic Invasive Removal Project in the County of Dare.
- 2) The Board assumes full obligation for payment of *fifty* percent of costs associated with the Dare County Aquatic Invasive Removal Project.
- 3) The Board will assist the North Carolina Department of Environmental Quality (NCDEQ) in quantifying this aquatic weed control project.
- 4) The Board will not do anything to impede access to the waters that are included in this aquatic weed control project.
- 5) The Board will hold the State harmless from any damages that may result from the implementation of said project.
- 6) The Board will be responsible for notifying all landowners whose property is adjacent to the body of water in which the project is located and for sponsoring any public information meetings that may be needed.
- 7) The Board will notify the public of any temporary restrictions on use of the body of water as required by the specific method of treatment used.

Adopted by the Dare County Board of Commissioners this 5th day of December 20 16.


Clerk to the Board Gary Lee Grass




Chairman, Board of Commissioners
Robert Woodward

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
 North Carolina Division of Emergency Management

#16-11-38

Organization Name (hereafter named Organization) County of Dare NC Disaster Number: FEMA - 4285-DR-NC
 Applicant's State (Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate): Department of Justice
 Applicant's Fiscal Year (FY) Start Month: July Day: 1
 Applicant's Federal Employer's Identification Number 56 - 6000293
 Applicant's Federal Information Processing Standards (FIPS) Number NC - 37 - 055

PRIMARY AGENT	SECONDARY AGENT
Agent's Name <u>David Clawson</u>	Agent's Name <u>Sandy West</u>
Organization <u>Dare County Finance</u>	Organization <u>Dare County</u>
Official Position <u>Finance Director</u>	Official Position <u>Risk Manager</u>
Mailing Address <u>P.O. Box 1000</u>	Mailing Address <u>P.O. Box 1000</u>
City, State, Zip <u>Manteo NC 27954</u>	City, State, Zip <u>Manteo NC</u>
Daytime Telephone <u>(252) 475-5731</u>	Daytime Telephone <u>(252) 475-5784</u>
Facsimile Number <u>(252) 475-5818</u>	Facsimile Number <u>(252) 475-5818</u>
Pager or Cellular Number <u>(252) 305-5860</u>	Pager or Cellular Number <u>(252) 473-7535</u>

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this 7th day of November, 2016

GOVERNING BODY <u>COUNTY OF DARE</u>	CERTIFYING OFFICIAL
Name and Title <u>Chairman Robert Woodard, Vice-Chairman Wally Freeman</u>	Name <u>Gary Lee Gross</u>
Name and Title <u>Commissioners - Warren Juge, Jack Shea,</u>	Official Position <u>Clerk to the Board</u>
Name and Title <u>Adrian Burns, Beverly Brewell, Marguerite Laughlitt</u>	Daytime Telephone <u>252-475-5700</u>

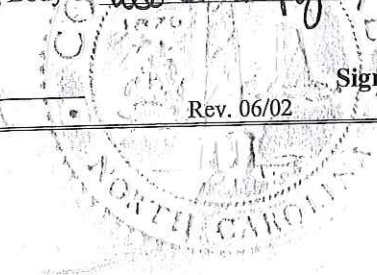
CERTIFICATION

I, Gary Lee Gross, (Name) duly appointed and Clerk to the Board (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of the County of Dare, NC (Organization) on the 7th day of November, 2016.

Date: 11-7-16

Rev. 06/02

Signature: Gary Lee Gross



North Carolina Department of Transportation
Division of Highways
Request for Addition to State Maintained Secondary Road System

#16-1137

North Carolina

County of Dare

Road Description Third Street, Salvo Beach No. 2 Subdivision, Salvo, NC

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Dare requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Dare that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Dare at a meeting on the 7th day of November, 20 16.

WITNESS my hand and official seal this the 7th day of November, 20 16.

Official Seal

 Clerk, Board of Commissioners
County of Dare

PLEASE NOTE:

Forward direct with request to the Division Engineer, Division of Highways



16-11-36

Resolution Calling For Improved Health Care For Veterans

WHEREAS, whenever the United States military has ever been called upon to send forces into harms way, the sons and daughters of Dare County North Carolina have proudly answered the call; and

WHEREAS, in return for their dedicated service, the United States of America has promised our troops quality health care for honorably discharged Veterans past, present, and future; and

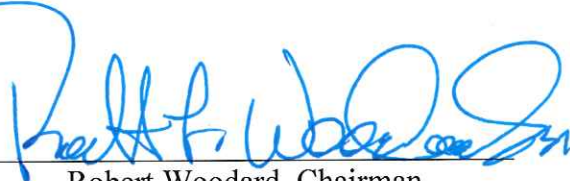
WHEREAS, the Dare County Veterans Advisory Council works closely with local Veterans to assist them in obtaining access to the benefits they have rightly earned in defense of our great nation; and

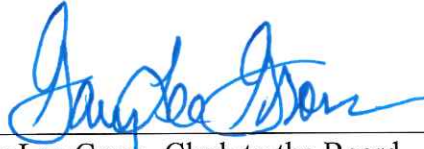
WHEREAS, the Dare County Veterans Advisory Council has voiced concern to the Dare County Board of Commissioners that despite repeated promises from the U.S. Department of Veterans Affairs, the health care that is being provided to eligible Veterans continues to be of poor quality and below the standard of care that our Veterans rightly deserve.

NOW, THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners calls upon the Governor of North Carolina and our elected representatives in Raleigh and Washington, D.C. to take firm measures to correct the appalling conditions that exist within the U.S. Department of Veterans Affairs as it pertains to Veterans medical health support as a matter of vital importance not only for the 4400 Veterans in Dare County, but for all Veterans throughout North Carolina.

This the 7th day of November, 2016




Robert Woodard, Chairman

Attest: 
Gary Lee Gross, Clerk to the Board

**RESOLUTION AUTHORIZING THE CONVEYANCE OF PROPERTY
PURSUANT TO G.S. 160A-279**

WHEREAS, the County of Dare owns certain items of personal property located at 1018 Driftwood Drive, Manteo, North Carolina 27954, that have become surplus for its current needs; and

WHEREAS, North Carolina General Statute 160A-279 authorizes a county to convey, with or without consideration, personal property by private sale to a nonprofit corporation, if the county is authorized by law to appropriate money to the corporation;

NOW, THEREFORE BE IT RESOLVED, by the Dare County Board of Commissioners that:

1. Dustin Peele, Dare County Purchasing Agent, is hereby authorized to convey, without consideration, to Stumpy Point Volunteer Fire Department, the following items of surplus personal property:

2002 14 Foot Carolina Skiff J14 Hull ID # EKHJ6107J102
NC Wildlife Registration # NC0035WT

2002 Yamaha 9.9 hp Motor, Serial # 309501

2002 14 Foot Galvanized Steel Trailer

2. Said person is further authorized and directed to execute any documents, transfer title, and perform all necessary functions associated with this conveyance.
3. Said person shall publish a notice summarizing the contents of this resolution, and the property may be conveyed at any time after 10 days after publication of the notice.


This the 17TH day of October, 2016.

COUNTY OF DARE, NORTH CAROLINA


Robert Woodard, Chairman

[SEAL]




Gary Gross, Clerk to the Board

Resolution No. 16-10-34

**REIMBURSEMENT RESOLUTION – FISCAL YEAR 2016-2017 CAPITAL
IMPROVEMENTS PLAN PROJECT FINANCING**

WHEREAS, the County Manager and the Finance Officer have described to the Board of Commissioners the desirability of adopting a resolution, as provided under federal tax law, to facilitate the County's use of financing proceeds to restore County funds when the County makes capital expenditures prior to closing on a bond issue or other financing;

BE IT HEREBY RESOLVED by the Board of Commissioners of the County of Dare, North Carolina as follows:

Section 1. The project is the financing of the acquisition of vehicles and equipment as identified in the fiscal year 2016-2017 Capital Improvements Plan.

Section 2. The project is to be financed. The currently expected type of financing (which is subject to change) is an installment purchase contract. The currently expected maximum amount to be contracted for the project is \$1,253,400.

Section 3. The County presently intends, and reasonably expects, to reimburse itself for the original expenditures incurred and paid by the County from the Capital Projects Fund on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the financing proceeds.

Section 4. This Resolution shall become effective immediately upon the date of its adoption.

Adopted this 17th day of October, 2016.

[SEAL]

Chairman, Board of County Commissioners

Robert WOODARD

COUNTY OF DARE, NORTH CAROLINA

Clerk to the Board

Gary Lee Gross

COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

16-10-33

Section 5311 FY 2018 RESOLUTION

Applicant seeking permission to apply for Community Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by (Board Member's Name) _____ and seconded by (Board Member's Name or N/A, if not required) _____ for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, (Legal Name of Applicant) Dare County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project, prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the (Authorized Official's Title)* _____ of (Name of Applicant's Governing Body) Dare County Board of Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

I (Certifying Official's Name)* Gary Lee Gross (Certifying Official's Title) Clerk to the Board do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the (Name of Applicant's Governing Board) Dare County Board of Commissioners duly held on the 17th day of October, 2016.

[Signature]
Signature of Certifying Official
Gary Lee Gross

October 17, 2016
DATE

[Signature]
CHAIRMAN, Robert Woodard

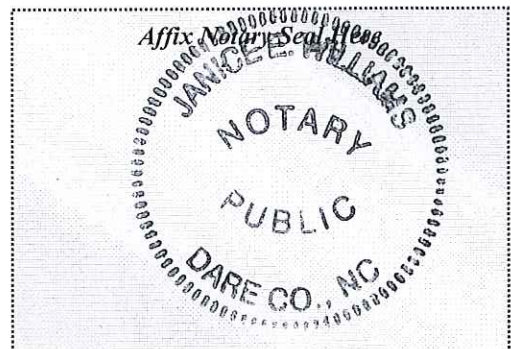
*Note that the authorized official, certifying official, and notary public should be three separate individuals.

Seal Subscribed and sworn to me (date) 10/17/16

Janice E. Williams
Notary Public *

Janice E Williams
Manteo NC
Printed Name and Address

My commission expires (date) 11-27-18



PUBLIC TRANSPORTATION 5310 PROGRAM RESOLUTION

16-10-32

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Status and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for public transportation projects; and

WHEREAS, the purpose of the Section 5310 program is to enhance mobility for seniors and individuals with disabilities throughout the country, by removing barriers to transportation services and expanding the transportation mobility options available. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all area.

WHEREAS, NCDOT has been designated as the State agency with principle authority and responsibility for administering the Section 5310 Program for small urbanized and rural areas; and

WHEREAS, (Legal Name of Applicant) Dare County hereby assures and certifies that it will comply with the federal and state statutes, regulations, executive orders, and all small administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S.C.

NOW, THEREFORE, be it resolved that the (Authorized Official's Title)* Board Chairman of (Name of Applicant's Governing Body) Dare County Board of Commissioners is hereby authorized to submit a grant for federal and state funding, provide the required local match, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide public transportation services.

I (Certifying Official's Name)* GARY LEE GROSS (Certifying Official's Title) Clerk to the Board do hereby certify that the above is true and correct copy of an excerpt from the minutes of a meeting of the (Name of Applicant's Governing Board) Dare County Board of Commissioners duly held on the 17th day of October, 2016.

Gary Lee Gross
Signature of Certifying Official

October 17, 2016
Date

Robert Woodard
CHAIRMAN, Robert Woodard

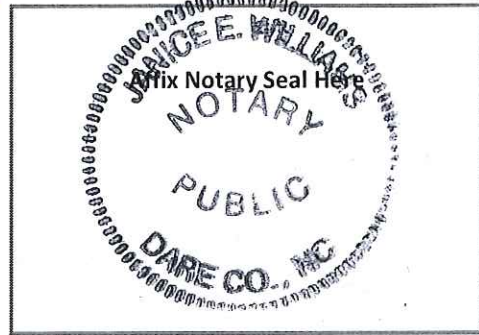
*Note that the authorized official, certifying official, and notary public should be three separate individuals.

Seal Subscribed and sworn to me (date) 10/17/16

Notary Public Signature Janice E. Williams

Janice Williams, Manteo NC
Printed Name and Address

My commission expires (date) 11-27-18



EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

16-10-31

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on October 17, 2016 at 5:00 p.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina, Chairman Robert L. Woodard presiding.

The following members were present: Chairman Woodard, Vice-Chairman Overman, Commissioner Judge, Commissioner Shea, Commissioner Burrus, Commissioner Boswell, Commissioner Umphlett

The following members were absent: None

Commissioner Umphlett moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING AN
OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND
AND RELATED TRUST AGREEMENT; APPOINTMENT OF
TRUSTEE FOR AND A CONTRIBUTION TO OPEB TRUST FUND.**

WHEREAS, the County of Dare, North Carolina (the "*County*") is a party to a Memorandum of Agreement for the Provision of Health Insurance for Qualified Retirees of Albemarle Mental Health and Tideland Mental Health, dated July 1, 2007, to provide certain benefits for eligible retirees of those former organizations that constitute what are known as other post-employment benefits (the "*OPEB obligation*");

WHEREAS, the counties which are parties to the above Memorandum of Agreement are Camden, Chowan, Currituck, Dare, Hyde, Martin, Pasquotank, Perquimans, Tyrrell and Washington (the "*Counties*");

WHEREAS, in furtherance of the Counties funding of the OPEB obligation, the Counties wish to participate in an investment trust fund set up by the North Carolina State Treasurer's office, the NC Long Term Non-Pension Program (the "*NC NPP Trust Fund*") in which the Counties will deposit funds currently held by Martin County for the OPEB obligation;

WHEREAS, the Counties desire to create a trust fund (the "*OPEB Trust Fund*") into which Martin County will transfer the money that has been on deposit at Martin County;

WHEREAS, such deposits into the OPEB Trust Fund will be irrevocable, not subject to the claims of creditors and may only be withdrawn by the administering County to provide other post-employment benefits to individuals who are former employees or beneficiaries of former employees covered by the Memorandum of Agreement and who are entitled to other post-employment benefits payable by the former Albemarle Mental Health and Tideland Mental Health;

WHEREAS, Martin County will continue to serve as the administrating county; and

NOW THEREFORE, THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA DOES RESOLVE AS FOLLOWS:

Section 1. ***Creation of OPEB Trust Fund; Execution of Trust Agreement.*** The County Manager and the Finance Director of the County are each hereby authorized and directed to take such action as may be necessary to create an Other Post-Employment Benefits Trust Fund into which the money on deposit at Martin County will be transferred. The County Manager and the Finance Director of the County are each hereby authorized, empowered, and directed to execute and deliver a Trust Agreement substantially in the form attached hereto, but with such changes, modifications, additions or deletions as to them seem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein. The County Manager and the Finance Director of the County are each also hereby authorized to take any other actions deemed necessary or appropriate to consummate the transactions provided for in the Trust Agreement and to take all such other actions as they may deem necessary or appropriate to give effect to the Trust Agreement.

Section 2. ***Transfer from Martin County to NC NPP Trust Fund.*** The County Manager and the Finance Director of the County are each hereby authorized and directed to cause the money on deposit at Martin County to fund the Counties OPEB obligation to be transferred to the NC NPP Trust Fund.

Section 3. ***Appointment of Trustees.*** The Board of Commissioners hereby appoints the County Manager to serve as Dare County's trustee of the OPEB Trust Fund and grants the authority necessary to perform all duties and obligations thereof.

Section 4. ***Other Actions.*** That all actions heretofore taken by the County Manager and the Finance Director of the County acting on behalf of the County with respect to the creation of the OPEB Trust Fund are hereby ratified, adopted, approved and confirmed in all respects. The County Manager and the Finance Director of the County are authorized to execute and deliver for and on behalf of the County any and all documents or other papers and perform all other acts as they may deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 5. ***Effective Date.*** This Resolution is effective on the date of its adoption.

On motion of Commissioner Umphlett, seconded by Commissioner Burrus and Commissioner Shea, the foregoing resolution titled **"A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING AN OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND AND RELATED TRUST AGREEMENT; APPOINTMENT OF TRUSTEE FOR AND A CONTRIBUTION TO OPEB TRUST FUND** was duly adopted by the following vote:

AYES: 7 UNANIMOUS VOTES

NAYS: NONE

PASSED, ADOPTED AND APPROVED this 17th day of October, 2016.

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

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina, *DO HEREBY CERTIFY*, as follows:

1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on October 17, 2016, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.


2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 17th day of October, 2016.

(SEAL)





GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina



16-10-30

RESOLUTION

REQUESTING SUMMER TRAFFIC CONTROL FROM THE NC HIGHWAY PATROL

WHEREAS, an important part of the tourism dollars that are generated for the State of North Carolina derive from visitation to the Outer Banks that occurs on weekends from Memorial Day to Labor Day; and

WHEREAS, weekend visitation during the summer season creates congestion and traffic problems that cause gridlock conditions at the intersection of Highway 158 and NC 12 in front of the Aycock Brown Welcome Center in Kitty Hawk; and

WHEREAS, the conditions that exist during summer weekends pose a serious threat to public safety not only at the Welcome Center intersection, but extend for miles in each direction, which results in backups and gridlock that stretch out through much of Currituck County on Highway 158 and to Corolla on NC 12; and

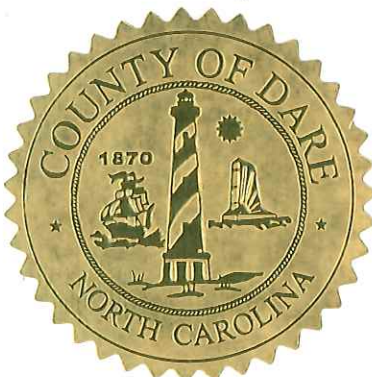
WHEREAS, the weekend gridlock that occurs at the Highway 158 and NC 12 intersection not only causes extreme backups and delays for motorists in both Dare and Currituck counties, it impedes emergency access for ambulances and other public safety vehicles; and

WHEREAS, during the summer of 2016, law enforcement agencies collaborated to assist with traffic control at the intersection of Highway 158 and NC 12 which included the North Carolina Highway Patrol on two weekends. This joint effort resulted in dramatically improved conditions and reduced the gridlock that has endangered the visitor experience and jeopardized public safety; and

WHEREAS, the Dare County Board of Commissioners believes that the presence of law enforcement at the intersection of Highway 158 and NC 12 during summer weekends has proven to be successful and should be continued; and

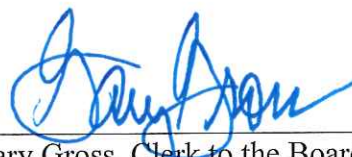
WHEREAS, Dare County and its municipalities are not able to continually provide the total law enforcement resources that are required to provide weekend traffic control during summer weekends at the Welcome Center intersection without seriously jeopardizing our ability to respond to other emergencies that occur in our communities during the peak visitation season.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners respectfully requests that the North Carolina Highway Patrol provide traffic control assistance during summer weekends at the intersection of Highway 158 and NC 12 and use its professional and highly trained personnel to assist the many motorists traveling to the Outer Banks of North Carolina as a matter of public safety and to help preserve the tourism revenue stream that is in the best economic interest of North Carolina. This the 3rd day of October, 2016.




Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board

RESOLUTION

16-10-29

A RESOLUTION BY THE DARE COUNTY BOARD OF COMMISSIONERS DECLARING ITS INTENT TO PERMANENTLY CLOSE A PORTION OF THE UNIMPROVED EXTENSION OF THE DARE COUNTY PUBLIC ROAD KNOWN AS AMADAS STREET, FORMERLY KNOWN AS VIRGINIA AVENUE.

WHEREAS, the unimproved extension of Amadas Street is located in Dare County, and

WHEREAS, the unimproved extension of Amadas Street is a public road, and

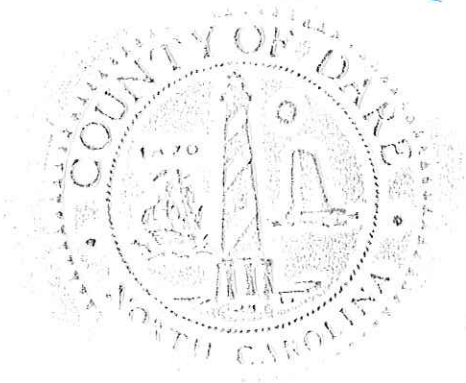
WHEREAS, the unimproved extension of Amadas Street was formerly known as Virginia Avenue, and

WHEREAS, the unimproved extension of Amadas Street is depicted as Virginia Avenue on the plat of Roanoke Park in Map Book 1, Page 199 in the Dare County Public Registry, and

WHEREAS, the Dare County Board of Commissioners declares its intent to permanently close a portion of the unimproved extension of the Dare County public road known as Amadas Street, formerly known as Virginia Avenue, between N. George Howe St. and Francis Drake St. on Roanoke Island, North Carolina..

NOW, THEREFORE, BE IT RESOLVED the Dare County Board of Commissioners declares its intent to permanently close the unimproved extension of the Dare County public road known as Amadas Street, formerly known as Virginia Avenue, between N. George Howe St. and Francis Drake St. on Roanoke Island, North Carolina and in accordance with North Carolina General Statute § 153A-241 a public hearing on the question shall be held at 5:30 p.m. on the 21st day of November 2016.

ADOPTED the 3rd day of October, 2016 by the Dare County Board of Commissioners.



A large, stylized blue ink signature of Robert Woodard, written over a horizontal line.

Robert Woodard, Chairman

Attest:

A blue ink signature of Gary Gross, written over a horizontal line.

Gary Gross, Clerk to the Board

16-09-28

North Carolina Department of Transportation
Division of Highways
Request for Addition to State Maintained Secondary Road System

North Carolina

County of Dare

Road Description Light House Road, Hatteras Colony South Subdivision,
Hatteras, NC

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Dare requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Dare that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Dare at a meeting on the 26th day of Sept., 2016.

WITNESS my hand and official seal this the 26th day of Sept., 2016.

Official Seal



Gary Lee Gross
Clerk, Board of Commissioners

County of Dare

PLEASE NOTE:

Forward direct with request to the Division Engineer, Division of Highways

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS # 16-09-27

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on September 26, 2016 at 5:00 p.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: Chairman Woodard, Vice-Chairman Overman
Commissioner Judge, Commissioner Shea
Commissioner Umphlett, Commissioner Boswell

The following members were absent: Commissioner Burrus

Commissioner Judge moved that the following bond order, copies of which having been made available to the Board of Commissioners, be adopted:

**BOND ORDER AUTHORIZING THE ISSUANCE OF UTILITIES SYSTEMS
REVENUE REFUNDING BONDS OF THE COUNTY OF DARE, NORTH
CAROLINA**

WHEREAS, the County of Dare, North Carolina (the "*County*") is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 *et seq.*, as amended (the "*Act*"), to issue, subject to the approval of the Local Government Commission of North Carolina (the "*LGC*"), at one time or from time to time revenue bonds and revenue refunding bonds of the County for the purposes as specified in the Act; and

WHEREAS, the County has determined to issue its Utilities System Revenue Refunding Bonds, Series 2016 (the "*2016 Bonds*") in an aggregate principal amount not to exceed \$31,115,000 to provide funds, together with other available funds, to (1) refund all or a portion of the County's outstanding Utilities Systems Revenue Refunding Bonds, Series 2009 maturing on or after December 1, 2020 (the "*Refunded 2009 Bonds*") in order to achieve debt service savings, (2) refund all or a portion of the County's outstanding Utilities Systems Revenue Bonds, Series 2011 maturing on or after February 1, 2022 (the "*Refunded 2011 Bonds*") and together with the Refunded 2009 Bonds, the "*Refunded Bonds*") in order to achieve debt service savings and (3) pay costs of issuance of the 2016 Bonds; and

WHEREAS, the County, subject to the approval of the Commission, will issue the 2016 Bonds under (1) an Amended and Restated General Trust Indenture dated as of September 1, 2009 (the "*General Indenture*"), between the County and The Bank of New York Mellon Trust Company, N.A., as trustee (the "*Trustee*"), and (2) Series Indenture, Number 3 dated as of November 1, 2016 (the "*Third Series Indenture*") between the County and the Trustee; and

WHEREAS, the County and the LGC have arranged for the sale of the 2016 Bonds to Piper Jaffray & Co. and PNC Bank National Association (the "*Underwriters*"), under the terms of a Bond Purchase Agreement to be dated on or about October 25, 2016 (the "*Purchase Agreement*"); and

WHEREAS, an application has been filed with the LGC requesting approval of the 2016 Bonds as required by the Act, and the Secretary of the LGC has notified the Board of Commissioners (the "*Board*") that the application has been received by the LGC; and

WHEREAS, copies of the forms of the following documents relating to the transactions described above have been filed with the County:

1. the Third Series Indenture;
2. the Purchase Agreement;
3. an Escrow Agreement to be dated as of November 1, 2016 (the "*Escrow Agreement*") between the County and The Bank of New York Mellon Trust Company, N.A., as escrow agent, related to the Refunded Bonds; and
4. the Preliminary Official Statement (the "*Preliminary Official Statement*") related to the 2016 Bonds.

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

Section 1. In order to raise the money required to refund the Refunded Bonds and to pay the costs of issuance of the 2016 Bonds, in addition to any funds which may be made available for such purpose from any other source, the 2016 Bonds are hereby authorized and shall be issued pursuant to the Act.

Section 2. The aggregate principal amount of the 2016 Bonds authorized by this order shall not exceed \$31,115,000. The 2016 Bonds hereby authorized shall be special obligations of the County, secured by and paid solely from the proceeds thereof or from revenues, income, receipts and other money received or accrued by or on behalf of the County from or in connection with the operation of the County's Utilities Systems (as defined in the General Indenture).

Section 3. The issuance of the 2016 Bonds by the County, in substantially the form to be set forth in the Third Series Indenture, be and the same hereby is in all respects approved and confirmed. The form and content of the 2016 Bonds and the provisions of the Third Series Indenture with respect to the 2016 Bonds shall be approved and confirmed in a resolution of the Board.

The principal of, premium, if any, and interest on the 2016 Bonds shall not be payable from the general funds of the County, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture. Neither the credit nor the taxing power of the State of North Carolina or the County are pledged for the payment of the principal of, premium, if any, or interest on the 2016 Bonds, and no holder of the 2016 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the County or the forfeiture of any of its property in connection with any default thereon.

Section 4. That the form and content of the Third Series Indenture and the Escrow Agreement and the exhibits thereto be and the same hereby are in all respects approved and confirmed, and the Chairman of the Board, the County Manager, the Finance Director and Clerk to the Board, or their respective designees, individually or collectively (the "*Authorized Officers*"), be and they hereby are authorized, empowered and directed to execute and deliver the Third Series Indenture and the Escrow Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Third Series Indenture and the Escrow Agreement, the Authorized Officers are hereby authorized, empowered and directed to do all such acts and things and to

PPAB 3386155v2

execute all such documents as may be necessary to carry out and comply with the provisions of the General Indenture, the Third Series Indenture and the Escrow Agreement as executed. The Trustee is hereby appointed as Registrar and Paying Agent thereunder. The form and content of the 2016 Bonds set forth in the Third Series Indenture be and the same hereby are in all respects approved and confirmed, and the provisions of the General Indenture and the Third Series Indenture with respect to the 2016 Bonds (including without limitation the maturity dates and rates of interest to be inserted in the Third Series Indenture) be and the same hereby are approved and confirmed and are incorporated herein by reference. The proceeds from the sale of the 2016 Bonds are to be deposited in accordance with the Third Series Indenture.

Section 5. The 2016 Bonds are to be sold to the Underwriters under the terms of the Purchase Agreement. The form and content of the Purchase Agreement is in all respect approved and confirmed, and the Authorized Officers are hereby authorized, empowered and directed to execute and deliver the Purchase Agreement for and on behalf of the County, including necessary counterparts, in substantially the form and content presented to the County, but with such changes, modifications, additions or deletions therein as shall to him or her seem necessary, desirable or appropriate, his or her execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Purchase Agreement, the Authorized Officers 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 Purchase Agreement as executed.

Section 6. The form, terms and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the use of it by the Underwriters, in connection with the sale of the 2016 Bonds is hereby in all respects authorized, approved and confirmed. The use of the final Official Statement to be dated the date of the Purchase Agreement (the "*Official Statement*"), in substantially the form of the Preliminary Official Statement, by the Underwriter in connection with the sale of the 2016 Bonds is hereby in all respects authorized, approved and confirmed.

Section 7. The County Manager or the Finance Director is hereby authorized to execute a no-arbitrage certificate in order to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

Section 8. No stipulation, obligation or agreement herein contained or contained in the 2016 Bonds, the General Indenture, the Series Indenture, the Purchase Agreement, the Escrow Agreement or any other instrument related to the issuance of the 2016 Bonds shall be deemed to be a stipulation, obligation or agreement of any officer, agent or employee of the County in his or her individual capacity, and no such officer, agent or employee shall be personally liable on the 2016 Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

Section 9. The Authorized Officers are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by this Resolution, the General Indenture, the Series Indenture, the Escrow Agreement and the Purchase Agreement (collectively, the "*Instruments*"), except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of the specific provisions of the Instruments, any agreement to which the County is bound, any rule or regulation of the County or any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 10. All acts and doings of the Authorized Officers that are in conformity with the purposes and intent of this Resolution and in the furtherance of the issuance of the 2016 Bonds and the

execution, delivery and performance of the Instruments shall be, and the same hereby are, in all respects authorized, approved and confirmed.

Section 11. If any one or more of the agreements or provisions herein contained is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or for any reason whatsoever is held invalid, then such covenants, agreements or provisions are null and void and are to be deemed separable from the remaining agreements and provisions and in no way affect the validity of any of the other agreements and provisions hereof or of the 2016 Bonds authorized hereunder.

Section 12. All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 13. This Bond Order is effective immediately on its adoption and pursuant to §159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the Board other than the procedures set out in the Act.

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

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina,
DO HEREBY CERTIFY, as follows:

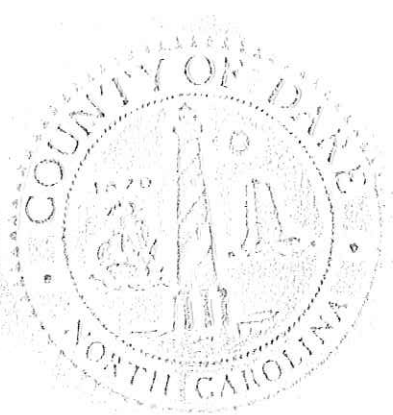
1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on September 26, 2016, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.


2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 26th day of September, 2016.

(SEAL)





GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina

**RESOLUTION AUTHORIZING THE USE OF A SOLE SOURCE PURCHASE
PURSUANT TO G.S. 143-129(e)(6)**

WHEREAS, the County of Dare desires to purchase a replacement chiller for the Dare County Justice Center; and

WHEREAS, the purchase of a replacement chiller is critical for the daily operation of the Dare County Justice Center; and

WHEREAS, North Carolina General Statute 143-129(e)(6) authorizes a unit of local government to purchase from a sole source when a product is needed and standardization or compatibility is the overriding consideration; and

WHEREAS, the Dare County Buildings and Grounds Department has caused an evaluation of the existing building systems to be performed and has determined that the acquisition from Johnson Controls of two new York air cooled scroll condensing units and a new York air handling unit, to be designed to the existing building's specifications and to the building's existing heating and air conditioning HVAC control system, originally installed by and subsequently maintained by Johnson Controls, is needed in order to replace the existing water cooled Mammoth Unit.

WHEREAS, the overriding consideration in obtaining a York unit specified and designed by Johnson Controls is integration with the building's existing Johnson Control's Metasys (HVAC control) System, which will preclude the replacement of the control system.

NOW, THEREFORE BE IT RESOLVED, by the Dare County Board of Commissioners that:

1. The County of Dare is authorized to enter into a contract in the amount of \$935,614 with Johnson Controls for the sole source design, purchase, installation and integration with the existing control system of two York air cooled scroll condensing units and a York air handling unit, for the Dare County Justice Center.
2. The County Manager is authorized to execute the agreement with York and is directed to take all steps necessary to place the chiller on order before July 19th.
3. This Resolution shall be effective upon its adoption.

This the 26th day of September, 2016.

COUNTY OF DARE, NORTH CAROLINA

Robert Woodard

Robert Woodard, Chairman

[SEAL]



Gary Gross

Gary Gross, Clerk to the Board

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

#16-09-25

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on September 6, 2016 at 9:00 a.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: Chairman Woodard, Vice-Chairman Overman
Commissioners: Judge, Shea, Burrus, Boswell, Umphlett

The following members were absent: None

Commissioner Judge moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF UTILITIES SYSTEMS REVENUE REFUNDING BONDS AND CERTAIN RELATED MATTERS

WHEREAS, the County has previously issued (1) \$13,190,000 aggregate principal amount of its Utilities Systems Revenue Refunding Bonds, Series 2009 (the "2009 Bonds") in order to currently refund its Utilities Systems Revenue Bonds, Series 1998A and Utilities Systems Revenue Refunding Bonds, Series 1998B, the proceeds of which were used to finance and refinance the costs of extensions, additions and capital improvements to, or the acquisition, renewal or replacement of capital assets of, or purchasing and installing new equipment for, or the drilling of new wells for the County's utilities systems (the "2009 Projects") and (2) \$24,200,000 aggregate principal amount of its Utilities Systems Revenue Bonds, Series 2011 (the "2011 Bonds") in order to finance the costs of extensions, additions and capital improvements to, or the acquisition, renewal or replacement of capital assets of, or purchasing and installing new equipment for the County's utilities systems (the "2011 Projects," and together with the 2009 Projects, the "Projects"); and

WHEREAS, the Board has been advised by the Finance Director that the County can achieve debt service savings by refinancing a portion of the 2009 Bonds and a portion of the 2011 Bonds;

WHEREAS, the Board is considering the issuance of not to exceed \$31,115,000 County of Dare, North Carolina Utilities Systems Revenue Refunding Bonds, Series 2016 (the "Bonds") in order to refinance a portion of the 2009 Projects and the 2010 Projects by refunding a portion of the 2009 Bonds (the "Refunded 2009 Bonds"), refunding a portion of the 2010 Bonds (the "Refunded 2010 Bonds") and paying the costs of issuing the Bonds; and

WHEREAS, the Board wishes to (1) retain Parker Poe Adams & Bernstein LLP, as bond counsel; (2) retain Piper Jaffray & Co., as managing underwriter of the Bonds (the "Underwriter"), (3) retain DEC Associates, Inc., as financial advisor to the County, and (4) retain The Bank of New York Mellon Trust Company, N.A., as trustee and escrow agent for the Bonds (collectively, the "Financing Team"); and

WHEREAS, the Board desires that the Finance Director of the County file with the Local Government Commission of North Carolina (the "*Commission*") an application for its approval of the Bonds, on a form prescribed by the Commission, and (1) request in such application that the Commission approve (a) the negotiation of the sale of the Bonds to the Underwriter and (b) the County's use of the Financing Team and (2) state in such application such facts and to attach thereto such exhibits in regard to the Bonds and to the County and its financial condition as may be required by the Commission, and to take all other action necessary to the issuance of the Bonds; and

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

Section 1. That the Bonds are to be issued by the County for the purpose of providing funds to refinance the Refunded 2009 Bonds and the Refunded 2010 Bonds and to pay the costs of issuing the Bonds, all to be set out fully in the County's application to the Commission.

Section 2. That the Financing Team is hereby retained and approved, and the Finance Director is hereby authorized and directed to retain or approve other members of the Financing Team, including co-managing underwriters and a verification agent, that may be necessary to carry out the intentions of the Board set forth in this Resolution.

Section 3. That the Finance Director of the County, with advice from the County Manager and bond counsel, is hereby authorized, directed and designated to file an application with the Commission for its approval of the issuance of the Bonds.

Section 4. That the Board finds and determines, and asks the Commission to find and determine, from the County's application and supporting documentation the following:

- (a) that the issuance of the Bonds is necessary or expedient;
- (b) that the not to exceed stated principal amount of the Bonds will be sufficient but is not excessive, when added to other moneys available to the County's utilities systems, for refinancing the Projects;
- (c) that the refinancing of the Projects is feasible;
- (d) that the County's debt management procedure and policies are excellent; and
- (e) that the Bonds can be marketed at a reasonable interest cost to the County.

Section 5. That the Chairman of the Board, the County Manager and the Finance Director are hereby authorized to do any and all other things necessary to complete the steps necessary for the issuance of the Bonds.

Section 6. That the Board requests that the Commission sell the Bonds through negotiation to the Underwriter on such terms as may be agreed on but at a true interest cost not exceeding 4.00%.

Section 7. That this Resolution is effective on the date of its adoption.

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

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina,
DO HEREBY CERTIFY, as follows:

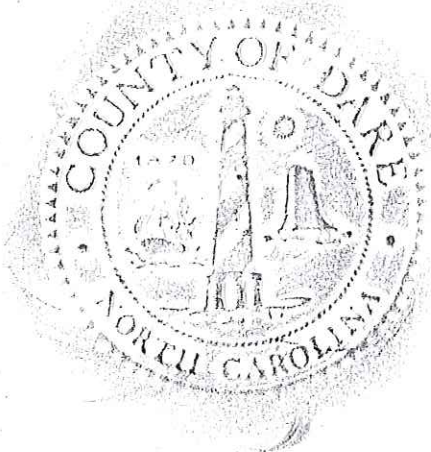
1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on September 6, 2016, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.


2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 6th day of September, 2016.

(SEAL)





GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina



#16-07-24

RESOLUTION

SUPPORTING TERMINAL GROINS AND JETTIES

WHEREAS, the State of North Carolina has 320 miles of coastline and 19 inlets that are both a public trust and a significant economic resource; and

WHEREAS, shifting inlets have resulted in enormous losses of public beach access, property, business, and infrastructure, costing counties and cities all along North Carolina's coast tens of millions of dollars in reconstruction cost and lost tax revenue; and

WHEREAS, every coastal state in the U.S. except North Carolina and Oregon allow for some manner of protection from the problem of shifting inlets; and

WHEREAS, a terminal groin, also known as a terminal structure, is a structure that is built on one side of an inlet shoreline to prevent movement of sand into the inlet or on an isolated segment of shoreline where it will not interrupt the natural movement of sand along the shoreline; and

WHEREAS, inlets in North Carolina at Fort Macon and Pea Island are already successfully protected by terminal structures; and

WHEREAS, jetties and breakwaters also act as sediment traps as sand moves along the shoreline; and

WHEREAS, jetties are typically perpendicular to the shoreline and are constructed of rock material and these structures are generally longer than groins and designed to protect navigational channels (at inlets); and

WHEREAS, the U.S. Army Corps of Engineers made recommendations that led Congress to authorize dual rock jetties at Oregon Inlet in 1970; and

WHEREAS, Masonboro Inlet until the 1960s, was maintained by dredging; however, shoaling started to occur; and

WHEREAS, a temporary relief jetty was developed on the north side to provide navigation channel that could be centered and a south side jetty was developed to gain control of the inlet; and

WHEREAS, currently the inlet provides a reliable channel for recreational and commercial fishing boats; and

WHEREAS, it is reasonable to allow the Coastal Resources Commission to authorize construction of a terminal structure by variance or by rule making if the Commission finds that the criteria for issuance of a variance are met or adopts rules allowing construction;

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners supports protecting the shorelines of North Carolina with terminal groin and jetty projects and asks our state and federal representatives to support the construction of terminal groin and jetty projects along the entire coast of North Carolina.



A large, stylized handwritten signature in blue ink, which appears to read "Robert Woodard", is written over a horizontal line.

Robert Woodard, Chairman

Attest: 

A handwritten signature in blue ink, which appears to read "Gary Gross", is written over a horizontal line.

Gary Gross, Clerk to the Board



16-07-23

RESOLUTION
OPPOSING THE RATE INCREASE REQUESTED
BY DOMINION NORTH CAROLINA POWER

WHEREAS, electrical service is one of the basic necessities of life required by all residents and businesses and is essential in building and sustaining a healthy, safe, and productive community; and

WHEREAS, Dominion North Carolina Power seeks a rate increase that would generate over 51 million dollars annually; and

WHEREAS, the proposed rate increase now before the State Utilities Commission would result in an average monthly increase of \$18.15 for Dare County residents using 1,000 kilowatt-hours; and

WHEREAS, the rate increase sought by Dominion North Carolina Power would have a dramatic impact on residential utility customers raising the average monthly bill by over 17 percent, which far exceeds the cost of living index; and

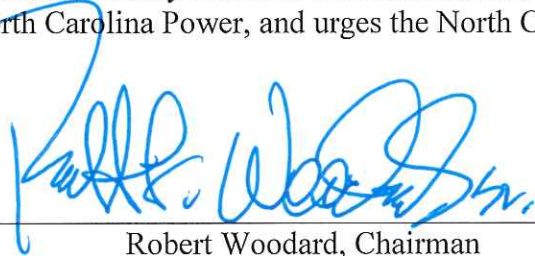
WHEREAS, not only would the proposed rate increase harm Dare County families, but it would also cause protracted economic hardship for the small business owners that are the backbone of Dare County's economy; and

WHEREAS, the proposed electrical rate increase sought by Dominion North Carolina Power would worsen economic conditions and place an undue financial burden on the people of Dare County.


NOW, THEREFORE, BE IT RESOLVED that the Dare County Board of Commissioners strongly opposes the rate increase requested by Dominion North Carolina Power, and urges the North Carolina Utilities Commission to deny the request.

This the 18th day of July, 2016




Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board

Resolution No. 16-07-22

REIMBURSEMENT RESOLUTION – FISCAL YEAR 2016-2017 VEHICLE AND EQUIPMENT FINANCING PROJECT

WHEREAS, the County Manager and the Finance Officer have described to the Board of Commissioners the desirability of adopting a resolution, as provided under federal tax law, to facilitate the County's use of financing proceeds to restore County funds when the County makes capital expenditures prior to closing on a bond issue or other financing;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Dare, 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 County reasonably expects to execute and deliver the obligations to finance all or a portion of the costs of the project and the maximum principal amount of obligations expected to be executed and delivered by County to pay for all or a portion of the costs of the project is \$1,398,792.

Section 2. **Compliance with Regulations.** The County adopts this resolution as a declaration of official intent 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 Director of the County 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 project 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 execution and delivery of the obligations.

Section 4. **Effective Date.** This resolution shall become effective immediately upon the date of its adoption.

Adopted this 18th day of July, 2016.


Chairman, Board of County Commissioners

[SEAL]

COUNTY OF DARE, NORTH CAROLINA


Clerk to the Board



16-06-21

**RESOLUTION IN SUPPORT OF THE NC WATERMEN UNITED
POSITION ON THE 2016 NORTH CAROLINA LEGISLATURE
BUDGET PROVISIONS ON FISHERIES ISSUES**

WHEREAS, there has been much controversy at the NC Marine Fisheries Commission meetings and in the NC General Assembly when discussing fishery issues; and

WHEREAS, many stakeholders and legislators are looking optimistically to the future for the management of North Carolina's fisheries with the appointment of a new Director at the NC Division of Marine Fisheries; and

WHEREAS, there is willingness by both commercial and recreational fishermen and their advocates to continue to lessen the negative attitudes about fisheries management; and

WHEREAS, the North Carolina Watermen United represents all three Sectors of fishermen – commercial harvesters, charter/headboat owner-operators and recreational fishermen and works to "Protect the Freedom to Fish" for all.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners supports the position of the North Carolina Watermen United Board of Directors in unanimously supporting the efforts as written in the NCGA Legislative Budget that would encourage the NC Marine Fisheries Commission to work for the betterment of all owners of public trust resources, including fishermen and consumers.

BE IT FURTHER RESOLVED, that the Dare County Board of Commissioners specifically supports the language in House Bill 1030, Sixth Edition:


Section 14.16(a), page 113 – requires a supermajority (5 of the 7 members) of the MFC to take an action.

Section 14.16(b), page 114 – reduces the size of the Marine Fisheries Commission by eliminating the two at-large appointments. The MFC would be comprised of 3 commercial seats, 3 recreational seats and 1 scientist.


Section 14.17, page 114 – clarifies and defines the authority granted to the NC Marine Fisheries (MFC) in the development of a temporary supplement to an existing Fishery Management Plan (FMP). In essence, the MFC would be required to follow the management strategies contained in the original FMP or subsequent amendments to the plan. Therefore, the MFC would be required to go through a stakeholder process that includes public hearings, economic analyses and the rulemaking process as defined by the Administrative Procedure Act (APA) in GS 150B – prior to enacting any changes to the FMP. Currently, the supplemental process, by comparison, is exempt from the APA and can be implemented within 48-hours of a vote.

Adopted this 20th day of June, 2016




Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board

16-06-20

RESOLUTION SUPPORTING THE HATTERAS ISLAND PATHWAY
AND APPLICATION FOR NCDOT PLANNING STUDY

WHEREAS, multi-use paths for bicycle and pedestrian use are important infrastructure components in communities and serve as alternative transportation routes, offer recreational opportunities for residents and visitors, and add to the overall health, wellness and quality of life of neighborhoods, and

WHEREAS, NC 12 on Hatteras Island is part of the Outer Banks National Scenic Byway that connects the historical coastal villages of Hatteras and Ocracoke Islands and Down East Carteret County, and

WHEREAS, Dare County in conjunction with the Outer Banks Scenic Byway Committee has been working diligently over the past decade to construct pathways along NC 12 on Hatteras Island in unincorporated Dare County, and

WHEREAS, the Hatteras Island pathway is identified in the 2015 Dare County Comprehensive Transportation Plan approved by Dare County and the NC Board of Transportation and is also included in the 2015 Albemarle Regional Bicycle Plan as part of the Outer Banks network, and

WHEREAS, the overall conceptual plan for the Hatteras Island pathway was endorsed by the Dare County Board of Commissioners on August 7, 2006 and again on July 6, 2007; endorsed by the Dare County Tourism Board on November 15, 2007, and

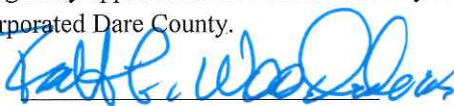
WHEREAS, the Hatteras Island pathway, once completed, will provide multi-modal access within the seven historical villages on Hatteras Island serving the year-round residents of Hatteras Island and the thousands of annual visitors to the Outer Banks, and

WHEREAS, there are portions of the pathway that remain unconstructed in Buxton village and Frisco village and a planning study is needed to identify design alignment alternatives and to address other impacts associated with the construction of these portions of the Hatteras Island pathway, and

WHEREAS, the NC Department of Transportation is soliciting projects of interest for planning studies for large scale bicycle and pedestrian infrastructure projects including multi-use paths and the Hatteras Island pathway is a strong candidate for such a planning study;

NOW THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners respectfully submits a planning study application for consideration by NCDOT for portions of the Hatteras Island pathway in unincorporated Dare County.

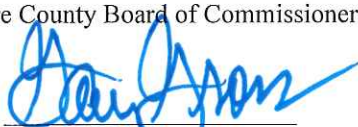
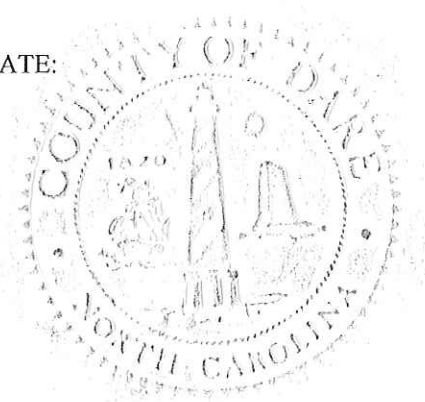
BY:



DATE:

Robert L. Woodard, Chairman
Dare County Board of Commissioners

ATTEST:


Gary Gross
Clerk to the Board



16-06-19

RESOLUTION OPPOSING HOUSE BILL 1030 SECTION 16.8

WHEREAS, Jennette's Pier is a unique, public, educational and research fishing pier located at Whalebone Junction in Dare County, North Carolina; and

WHEREAS, Jennette's Pier is a major tourism attraction on the Outer Banks of North Carolina that has experienced continued growth with over 189,538 visitors during 2015 and over 750,000 visitors who depend upon the Pier for beach access; and

WHEREAS, Jennette's Pier provides a unique educational experience in its programs and camps, which during 2015 attracted 1,962 people and among those who visit the Pier are North Carolina school groups on educational class field trips, which numbered over 5,773 students in 2015; and

WHEREAS, important research and work is being done by Jennette's Pier on alternative power, water reclaiming techniques, and stormwater retention and the Pier has received acclaim for its conservation efforts and has been featured on UNC-TV's premier outdoor series, the Carolina Outdoor Journal; and

WHEREAS, Dare County contributed \$700,000 to the initial purchase of the Pier and has a vested interest in the continued success of the Pier; and

WHEREAS, Jennette's Pier contributes significantly to the local economy and to the businesses around its location at Whalebone Junction; and

WHEREAS, Jennette's Pier receives no State appropriations for its operation, and operates totally off the revenue it generates; and

WHEREAS, the continued success and operation of Jennette's Pier is vitally dependent upon having an on-site Director at the facility in order to closely manage, monitor and guide the diverse range of programs and services that are offered by this multifaceted facility; and

WHEREAS, House Bill 1030 Section 16.8 Roanoke Island Attractions Staffing would eliminate the director position at Jennette's Pier, which will jeopardize the continued success of this educational and research facility that provides a vital service to the people of North Carolina.


NOW THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners opposes Section 16.8, and seeks its complete and entire removal from House Bill 1030.

This the 6th day of June 2016




Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board

**RESOLUTION AUTHORIZING THE CONVEYANCE OF PROPERTY
PURSUANT TO G.S. 160A-279**

WHEREAS, the County of Dare owns certain items of personal property that are utilized by the Outer Banks SPCA for the purpose of animal control within the County;

WHEREAS, North Carolina General Statute 160A-279 authorizes a county to convey, with or without consideration, personal property by private sale to a nonprofit corporation, if the county is authorized by law to appropriate money to the corporation;

NOW, THEREFORE BE IT RESOLVED, by the Dare County Board of Commissioners that:

1. Dustin Peele, Dare County Purchasing Agent, is hereby authorized to convey, without consideration, to Outer Banks SPCA, the following items of surplus personal property:

2008 FORD E-450, VIN #1FT2S34L78DA60645

2. Said person is further authorized and directed to execute any documents, transfer title, and perform all necessary functions associated with this conveyance.
3. Said person shall publish a notice summarizing the contents of this resolution, and the property may be conveyed at any time after 10 days after publication of the notice.


This the 6TH day of June, 2016.

COUNTY OF DARE, NORTH CAROLINA


Robert Woodard, Chairman

[SEAL]




Gary Gross, Clerk to the Board

16-06-17

**RESOLUTION OF THE DARE COUNTY BOARD OF COMMISSIONERS
TO POSTPONE DARE COUNTY'S PROPERTY REVALUATION
FROM JANUARY 1, 2018 TO JANUARY 1, 2021**

WHEREAS, the Dare County Board of Commissioners advanced its scheduled octennial revaluation of all real property in Dare County to January 1, 2010, and implemented subsequent revaluations on a five year cycle by Resolution adopted October 16, 2006; and

WHEREAS, G.S. 105-286 (a) (2) provides that any county desiring to conduct a revaluation of real property earlier than required by this subsection (a) may do so upon adoption by the Board of County Commissioners of a resolution so providing; and

WHEREAS, Dare County postponed its scheduled revaluation of real property from January 1, 2010 to an effective date of January 1, 2011 by Resolution adopted September 21, 2009; and

WHEREAS, Dare County postponed its scheduled revaluation of real property from January 1, 2011 to an effective date of January 1, 2013 by Resolution adopted April 19, 2010; and

WHEREAS, Dare County desires to further postpone its scheduled revaluation of real property from January 1, 2018 to an effective date of January 1, 2021, and to continue on its five year cycle subsequent to 2021; and

WHEREAS, the reappraisal work will be conducted by the staff of the Dare County Assessor's Office as part of its program of work each year;

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners does hereby postpone its scheduled revaluation of all real property in Dare County until January 1, 2021, and will continue subsequent revaluations on a five year cycle; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded promptly by the Clerk to the Board to the Department of Revenue as required by G.S. 105-286.

ADOPTED, this 6th day of June 2016.



ATTEST:

Clerk to the Board

Robert Woodard, Chairman

Board of County Commissioners



16-06-16

**A RESOLUTION CREATING A COUNTY SERVICE DISTRICT
FOR THE BUXTON BEACH NOURISHMENT PROJECT**

WHEREAS, the General Assembly of North Carolina under the provisions of NCGS 153A-301 has authorized the creation of County Service Districts in order to finance, provide, or maintain for the district beach erosion control and flood and hurricane protection works; and

WHEREAS, for many years Highway 12 at the north end of Buxton, North Carolina has been in peril during weather events and exposing properties that are highlighted in red on the attached map to continued dangers and damage from ocean erosion, over wash and flooding; and

WHEREAS, the prevention of Highway 12 closures and the prevention of continued damage to properties demonstrate the needs for providing in the district a beach erosion control and flood and hurricane protection works project; and

WHEREAS, the Dare County Board of Commissioners finds that there is a demonstrable need for providing in the district a project designed to provide beach erosion control and flood and hurricane protection works as authorized by NCGS 153A-301; and

WHEREAS, it is impossible or impracticable to provide those services on a countywide basis and it is economically feasible to provide the proposed services in the district without unreasonably or burdensome annual tax levies and that there is a demonstrable demand for the proposed services by persons residing in the district; and

WHEREAS, a public hearing was held after the required notice was published and sent to all property owners in the proposed Service District as prescribed by NCGS 153A-302; and

WHEREAS, the Dare County Board of Commissioners desires to create a Service District for the properties that are highlighted in red on the attached map of the Service District.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners hereby creates a County Service District as shown in the area highlighted in red on the attached map of the Service District, effective on the 1st day of July, 2016.

Adopted this the 6th day of June, 2016.

Dare County Board of Commissioners



By:

Robert Woodard, Chairman

ATTEST:

Gary Gross, Clerk to the Board

Exhibit A
COUNTY SERVICE DISTRICT
Properties Highlighted in Red

16-06-15

RESOLUTION

IN SUPPORT OF LEGALIZING SYRINGE EXCHANGE PROGRAMS IN NORTH
CAROLINA

WHEREAS, syringe exchange programs are currently prohibited in North Carolina;

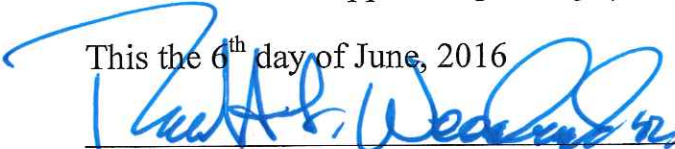
WHEREAS, syringe exchange programs are one of the most effective public health interventions to decrease the transmission of blood-borne diseases;

WHEREAS, studies show that syringe exchange programs decrease drug use by connecting individuals to treatment and other important needs such as housing food assistance and career development programs; and

WHEREAS, there are potential grave outcomes when Bio-hazardous materials are not disposed of in a safe manner and drug abuse goes undiagnosed and untreated.

NOW, THEREFORE, BE IT RESOLVED that the Dare County Board of Commissioners supports legalizing syringe exchange programs in North Carolina.

This the 6th day of June, 2016


Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board





16-05-14

**A RESOLUTION OPPOSING NORTH CAROLINA HB 1122
THAT WOULD LIMIT MARINE NET FISHING**

WHEREAS, House Bill 1122 has been introduced in the North Carolina legislature to put a referendum on the ballot in the 2016 general election that would limit marine net fishing purportedly to protect saltwater finfish, shellfish, and other marine animals from unnecessary killing, overfishing, and waste; and

WHEREAS, net fishing has been a vibrant and successful part of North Carolina's heritage and culture for all of its recorded history and represents a means by which commercial fishermen create jobs, provide for their families, and contribute to the economic well-being of North Carolina's coastal communities; and

WHEREAS, commercial net fishing is a vital part of the economic engine that responsibly harvests fresh, healthy seafood from North Carolina's coastal waters for distribution to American tables; and

WHEREAS, existing state and federal regulations provide ample provisions for the monitoring and regulation of commercial net fishing activity with serious penalties and sanctions for rule violations, which have proven to be effective in preventing unnecessary killing, overfishing, and waste; and

WHEREAS, there is no peer reviewed science to support an arbitrary ban on commercial net fishing, which would have an immediate and long lasting devastating impact on North Carolina's fishermen, many of whom have no other means to earn a living; and

WHEREAS, with the 2016 general election less than six months away, North Carolina's commercial fishermen will not have adequate time before the proposed referendum to properly educate the public about the sustainability of net fishing and the way it benefits North Carolina's economy.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners hereby opposes HB 1122 and any other measure that would arbitrarily impair the livelihood of North Carolina's hard working commercial net fishermen.

BE IT FURTHER RESOLVED, that the Dare County Board of Commissioners urges all coastal communities to support North Carolina's working watermen and adopt similar resolutions in opposition of HB 1122.

Adopted this the 16th day of May, 2016.

Dare County Board of Commissioners

Robert Woodard, Chairman

ATTEST:

Gary Gross, Clerk to the Board

16-05-13

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on May 16, 2016 at 5:00 p.m. at the Fessenden Center, 46830 Highway 12, Buxton, North Carolina. Chairman Robert Woodard presiding.

The following members were present: Chairman Woodard, Vice-Chairman Overman,
Commissioner Judge, Commissioner Burrus,
Commissioner Boswell, Commissioner Umphlett

The following members were absent: Commissioner Shea

* * * * *

Commissioner Burrus moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, APPROVING AN AMENDMENT TO THE INSTALLMENT FINANCING CONTRACT WITH THE DARE COUNTY PUBLIC FACILITIES CORPORATION AND RELATED MATTERS

WHEREAS, the County of Dare, North Carolina (the "*County*") is a validly existing political subdivision of the State of North Carolina, 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 financing contracts to finance 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 County has previously executed and delivered an Installment Financing Contract dated as of June 1, 2016 (the "*Master Contract*"), between the Dare County Public Facilities Corporation (the "*Corporation*") and the County, to finance the costs of constructing, equipping and furnishing a consolidated regional emergency 911 call center for Dare, Tyrell and Hyde Counties and an emergency operations center for Dare County, in the County (the "*RECC/EOC Project*") and to refinance a portion of the costs of (1) acquiring, constructing, equipping and furnishing a County Administrative Building, (2) acquiring certain real property in Kitty Hawk to be used for parks and recreation and the construction of improvements thereon and (3) constructing, equipping and furnishing a satellite County office facility on Hatteras Island;

WHEREAS, the Board of Commissioners of the County of Dare, North Carolina (the "*Board of Commissioners*"), has determined that it is in the best interest of the County to enter into an amendment to the Master Contract (the "*Contract Amendment*" and together with the Master Contract, the

"Contract") with the Corporation in order to finance the costs of beach nourishment in the Towns of Kill Devil Hills, Kitty Hawk and Duck (collectively, the "Town Projects");

WHEREAS, in order to secure its obligations under the Contract, the County has granted a Deed of Trust, Security Agreement and Fixture Filing dated as of June 1, 2016 (the "Deed of Trust") on the real property on which the RECC/EOC Project is located (the "Mortgaged Property");

WHEREAS, in order to assist the County with undertaking the plan of finance described above related to the Contract Amendment, the Corporation will execute and deliver not to exceed \$11,000,000 aggregate principal amount of a Limited Obligation Bond Evidencing Proportionate Undivided Interests in Rights to Receive Certain Revenues Pursuant to the Contract (the "Bond") that will be purchased by PNC Bank (the "Purchaser") under the terms of an Indenture of Trust dated as of June 1, 2016 between the Corporation and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee"), as supplemented and amended by Supplemental Indenture, Number 1 dated as of June 15, 2016, between the Corporation and the Trustee;

WHEREAS, the Board conducted a public hearing on March 7, 2016 to receive public comment on, among other things, the proposed Contract and the financing of the Town Projects;

WHEREAS, the County has filed an application to the LGC for approval of the Contract Amendment;

WHEREAS, there has been described to the Board the Contract Amendment, copies of which have been made available to the Board, which the County proposes to approve, enter into and deliver to effectuate the proposed installment purchase financing;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, as follows:

Section 1. Ratification of Action. That all actions of the County Manager, the Finance Director, the Clerk to the Board and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Contract Amendment.

Section 2. Authorization to Execute the Contract Amendment. That the County approves the financing of the Town Projects in accordance with the terms of the Contract Amendment, which will be a valid, legal and binding obligation of the County in accordance with its terms. The form and content of the Contract Amendment shall be and the same hereby are in all respects authorized, approved and confirmed, and the County Manager, the Finance Director and the Clerk to the Board and their respective designees, individually or collectively, shall be and they hereby are authorized, empowered and directed to execute and deliver the Contract Amendment, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all changes, modifications, additions or deletions therein from the form and content of the Contract Amendment presented to the Board, and that from and after the execution and delivery of the Contract Amendment, the County Manager, the Finance Director and the Clerk to the Board, individually or collectively, 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 Contract Amendment as executed.

Section 3. County Representatives. That the County Manager and Finance Director of the County are hereby designated as the County's Representatives to act on behalf of the County in connection with the transaction contemplated by the Contract Amendment, and the County's Representatives are authorized to proceed with the Town Projects and to seek opinions of law from such attorneys for all documents contemplated hereby as required by law. The County's Representatives and/or designee or designees are in all respects authorized on behalf of the County to supply to the Purchaser all information pertaining to the County and the transaction contemplated by the Contract Amendment. The County Manager, the Clerk to the Board and the Finance Director of the County or their respective designees are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by this Resolution.

Section 4. Severability. That if any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 5. Repealer. That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 6. Effective Date. That this Resolution shall become effective on the date of its adoption.

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

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina,
DO HEREBY CERTIFY, as follows:

1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on May 16, 2016, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 16th day of May, 2016.

(SEAL)



GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina

#16-05-12

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on May 2, 2016 at 9:00 a.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: Chairman Woodard, Vice-Chairman Overman, Commissioner Judge, Commissioner Shea, Commissioner Burrus, Commissioner Boswell, Commissioner Umphlett

The following members were absent: None

* * * * *

Vice-Chairman Overman moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, APPROVING AN AMENDMENT TO THE INSTALLMENT PURCHASE CONTRACT WITH THE DARE COUNTY PUBLIC FACILITIES CORPORATION AND RELATED MATTERS

WHEREAS, the County of Dare, North Carolina (the "*County*") is a validly existing political subdivision of the State of North Carolina, 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 purchase contracts to finance 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 County has previously executed and delivered an Installment Purchase Contract dated as of December 1, 2005 (the "*2005 Contract*"), between the Dare County Public Facilities Corporation (the "*Corporation*") and the County, the proceeds of which were used to finance the construction, renovation, improvement, equipping and furnishing of various school facilities in the County (the "*2005 Projects*"), and has previously entered into Amendment Number One to the Installment Purchase Contract dated as of February 1, 2013 (the "*First Contract Amendment*") with the Corporation to refinance the 2005 Projects;

WHEREAS, the Board of Commissioners of the County of Dare, North Carolina (the "*Board of Commissioners*"), has determined that it is in the best interest of the County to enter into another amendment to the 2005 Contract (the "*Second Contract Amendment*" and together with the 2005 Contract and the First Contract Amendment, the "*Contract*") with the Corporation in order to finance the costs of beach nourishment for the purpose of beach erosion control and flood and hurricane protection

works in Buxton and the acquisition and installation of an HVAC chiller at Hatteras Secondary School (collectively, the "2016 Projects") and entering into the Second Contract Amendment;

WHEREAS, in order to secure its obligations under the Contract, the County has granted a Deed of Trust and Security Agreement dated as of December 1, 2005 (the "*Deed of Trust*") on the real property on which certain of the 2005 Projects are located (the "*Mortgaged Property*");

WHEREAS, in order to assist the County with undertaking the plan of finance described above related to the Second Contract Amendment, the Corporation will execute and deliver not to exceed \$27,000,000 aggregate principal amount of a Limited Obligation Bond Evidencing Proportionate Undivided Interests in Rights to Receive Certain Revenues Pursuant to the Contract (the "*Bond*") that will be purchased by Yadkin Bank under the terms of an Indenture of Trust dated as of December 1, 2005 between the Corporation and The Bank of New York Mellon Trust Company, N.A., as trustee (the "*Trustee*"), as supplemented and amended by Supplemental Indenture, Number 1 dated as of February 1, 2013 and Supplemental Indenture, Number 2 dated as of June 1, 2016, each between the Corporation and the Trustee;

WHEREAS, the Board conducted a public hearing on April 18, 2016 to receive public comment on the proposed Second Contract Amendment and the financing of the 2016 Projects;

WHEREAS, the County has filed an application to the LGC for approval of the Second Contract Amendment;

WHEREAS, there has been described to the Board the Second Contract Amendment, copies of which have been made available to the Board, which the County proposes to approve, enter into and deliver to effectuate the proposed installment purchase financing;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, as follows:

Section 1. Ratification of Action. That all actions of the County Manager, the Finance Director, the Clerk to the Board and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Second Contract Amendment.

Section 2. Authorization to Execute the Second Contract Amendment. That the County approves the financing of the 2016 Projects in accordance with the terms of the Second Contract Amendment, which will be a valid, legal and binding obligation of the County in accordance with its terms. The form and content of the Second Contract Amendment shall be and the same hereby are in all respects authorized, approved and confirmed, and the County Manager, the Finance Director and the Clerk to the Board and their respective designees, individually or collectively, shall be and they hereby are authorized, empowered and directed to execute and deliver the Second Contract Amendment, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all changes, modifications, additions or deletions therein from the form and content of the Second Contract Amendment presented to the Board, and that from and after the execution and delivery of the Second Contract Amendment, the County Manager, the Finance Director and the Clerk to the Board, individually or collectively, 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 Second Contract Amendment as executed.

Section 3. County Representatives. That the County Manager and Finance Director of the County are hereby designated as the County's Representatives to act on behalf of the County in connection with the transaction contemplated by the Second Contract Amendment, and the County's Representatives are authorized to proceed with the 2016 Projects and to seek opinions of law from such attorneys for all documents contemplated hereby as required by law. The County's Representatives and/or designee or designees are in all respects authorized on behalf of the County to supply all information pertaining to the County as purchaser under the Contract and the transaction contemplated by the Second Contract Amendment. The County Manager, the Clerk to the Board and the Finance Director of the County or their respective designees are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by this Resolution.

Section 4. Severability. That if any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 5. Repealer. That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 6. Effective Date. That this Resolution shall become effective on the date of its adoption.

STATE OF NORTH CAROLINA

COUNTY OF DARE

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SS:

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina,
DO HEREBY CERTIFY, as follows:

1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on May 2, 2016, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 2nd day of May, 2016.

(SEAL)



GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina



#16-04-11

RESOLUTION
URGING THE NORTH CAROLINA DEPARTMENT OF ADMINISTRATION
TO QUICKLY MOVE FORWARD WITH ACQUIRING PROPERTIES AT OREGON INLET

WHEREAS, Oregon Inlet is a vital waterway that provides access to harbors of safety for commercial and recreational vessels on the North Carolina coast and represents an economic engine that creates jobs and generates tax revenue for the State of North Carolina; and

WHEREAS, Oregon Inlet over time has accreted and is in need of a long term solution to stabilize the inlet to its authorized depth and width thereby providing safe, reliable, and predictable navigational access; and

WHEREAS, the federal government has previously not been willing to allow jetties or other stabilizing structures that would provide a desperately needed long term solution for sand management at Oregon Inlet; and

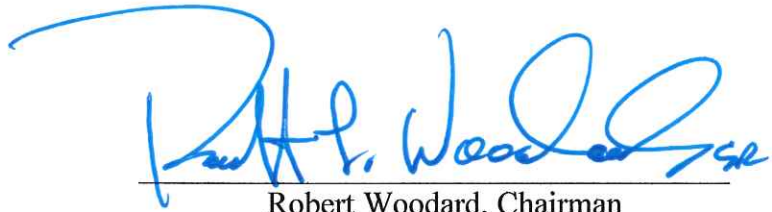
WHEREAS, at the present time, dredging is the only approach permitted for the navigation channel work, which has rarely been successful due to the lack of federal funds over the last decade; and

WHEREAS, this has led the Dare County Board of Commissioners to partner with the State of North Carolina to provide state and local dredging funds in an effort to avoid a complete shutdown of this vital transportation corridor as a stop gap measure until a long term solution to stabilize Oregon Inlet can be achieved.


NOW, THEREFORE, BE IT RESOLVED that the Dare County Board of Commissioners in the interest of preserving public safety and safeguarding the economic impact that is generated by Oregon Inlet, implores the Department of Administration to move expeditiously to complete the legal research that is needed regarding the title and ownership of the properties north and south of the inlet and assess the feasibility of various alternatives to address sand management and navigational issues at Oregon Inlet.

This the 18th day of April, 2016




Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board

#16-04-10

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on April 18, 2016 at 5:00 p.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: Chairman Woodard, Vice-Chairman Overman
Commissioners Judge, Shea, Boswell, and Umphlett

The following members were absent: Commissioner Burrus

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Commissioner Judge moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

WHEREAS, the County of Dare, North Carolina (the "*County*") is a validly existing political subdivision of the State of North Carolina (the "*State*"), existing as such under and by virtue of the Constitution, statutes and laws of 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 purchase contracts in order to finance 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 County has previously executed and delivered an Installment Purchase Contract dated as of December 1, 2005 (the "*2005 Contract*"), between the Dare County Public Facilities Corporation (the "*Corporation*") and the County, the proceeds of which were used to finance the construction, renovation, improvement, equipping and furnishing of various school facilities in the County (the "*Projects*");

WHEREAS, the County has previously entered into Amendment Number One to the Installment Purchase Contract dated as of February 1, 2013 (the "*First Contract Amendment*") with the Corporation to refinance the Projects;

WHEREAS, the Board of Commissioners of the County of Dare, North Carolina (the "*Board of Commissioners*"), hereby determines that it is in the best interest of the County to enter into another amendment to the 2005 Contract (the "*Second Contract Amendment*" and together with the 2005 Contract and the First Contract Amendment, the "*Contract*") with the Corporation in order to finance the costs of (1) beach nourishment for the purpose of beach erosion control and flood and hurricane protection works in Buxton and (2) the acquisition and installation of an HVAC chiller at Hatteras Secondary School (the "*Projects*");

WHEREAS, in order to secure its obligations under the Contract, the County has granted a Deed of Trust and Security Agreement dated as of December 1, 2005 (the "*Deed of Trust*") on the real property on which Kitty Hawk Elementary School, Hatteras Secondary School and Manteo High School are located (the "*Mortgaged Property*");

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 Second Contract Amendment is necessary and expedient for the County by virtue of the findings presented herein; and

WHEREAS, the County hereby determines that the Second Contract Amendment 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; and

WHEREAS, the County hereby determines that the estimated cost of financing the Projects is an amount not to exceed \$27,000,000.00 and that such cost of the Projects exceed 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; and

WHEREAS, although the cost of financing the Projects pursuant to the Second Contract Amendment 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 Second Contract Amendment 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; and

WHEREAS, the County has determined and hereby determines that the estimated cost of financing the Projects pursuant to the Second Contract Amendment 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; and

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

WHEREAS, Parker Poe Adams & Bernstein LLP, as bond counsel ("*Bond Counsel*"), will render an opinion to the effect that entering into the Second Contract Amendment 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 Second Contract Amendment, 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 moneys due under the Second Contract Amendment;

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;

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 North Carolina Local Government Commission (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies; and

WHEREAS, a public hearing on the Second Contract Amendment after publication of a notice with respect to such public hearing will be held on April 18, 2016 and approval of the LGC with respect to entering the Second Contract Amendment must be received;

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

Section 1. *Authorization to Negotiate Amendment.* That the County Manager or the Finance Director, with advice from the County Attorney and Bond Counsel, are hereby authorized and directed to proceed and negotiate on behalf of the County for the financing of the Projects under the Second Contract Amendment for a principal amount not to exceed \$27,000,000 under the Second Contract Amendment to be entered into in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina.

Section 2. *Application to LGC.* That the Finance Director or his designee is hereby directed to file with the LGC an application for its approval of the Second Contract Amendment 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. *Direction to Retain Professionals.* That the Finance Director is hereby authorized and directed to retain the assistance of Parker Poe Adams & Bernstein LLP, as bond counsel; DEC Associates, Inc., as financial advisor; Piper Jaffray & Co., as placement agent or managing underwriter; and The Bank of New York Mellon Trust Company, N.A., Jacksonville, Florida, as trustee. The Finance Director is hereby authorized to retain such other professionals as he deems necessary in his judgment to carry out the transaction contemplated in this Resolution.

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

Section 5. *Effective Date.* That this Resolution is effective on the date of its adoption.

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

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina,
DO HEREBY CERTIFY, as follows:

1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on April 18, 2016, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 18th day of April, 2016.

(SEAL)



A handwritten signature in blue ink, reading "Gary L. Gross", is written over a horizontal line.

GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina



16-04-09

**RESOLUTION
HONORING DARE COUNTY'S LAW ENFORCEMENT COMMUNITY**

WHEREAS, for the second consecutive year the people of Dare County will gather to unite in support of the men and women who serve in the law enforcement agencies that protect our community; and

WHEREAS, Dare County's residents and visitors benefit from the noble and heroic efforts of the dedicated men and women who have committed themselves to protecting lives, defending liberties and securing public safety; and

WHEREAS, Dare County is fortunate to have a highly skilled and well trained local law enforcement community that works cooperatively with each other throughout many agencies and jurisdictions to provide the highest level of public service; and

WHEREAS, the men and women of Dare County's law enforcement community risk their lives and make countless personal sacrifices, endure long hours, and continually face dangerous and stressful situations that demand split second decisions; and

WHEREAS, in contrast to other parts of the nation that have demonstrated a disregard for law enforcement officers, the people of Dare County are united in their support of the men and women who each day put their lives in jeopardy to keep our neighborhoods safe; and

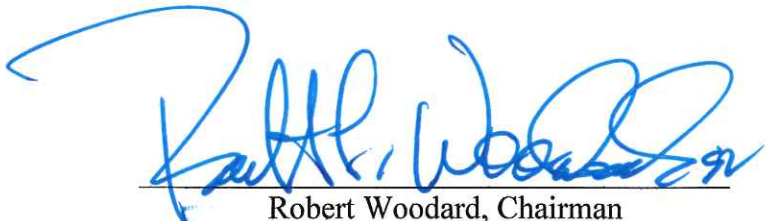
WHEREAS, because of the caring, courteous, and professional manner in which Dare County's law enforcement community performs their sworn duty, they have earned the deep and abiding respect of its citizens, civic associations, business owners, and elected leaders.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners on behalf of a grateful community, declares its heartfelt appreciation for the dedicated men and women who bravely serve as law enforcement officers.


BE IT FURTHER RESOLVED, that the Dare County Board of Commissioners encourages all citizens to participate in the Law Enforcement Appreciation Day ceremony on Saturday, April 23, 2016 when Dare County will once again honor the day-to-day heroism of its law enforcement officers.

This the 18th day of April, 2016




Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board



#16-04-08

**RESOLUTION
APPOINTING REVIEW OFFICERS**

WHEREAS, S.L. 1997-309 (S875) makes a number of significant changes in the procedures for recording maps and plats; and

WHEREAS, the main purpose of the law is to transfer the responsibility for reviewing plats to determine whether they meet recording requirements from the Register of Deeds to a Review Officer; and

WHEREAS, the new GS47-30.2 requires the Board of County Commissioners in each County, by resolution, to appoint a person to serve as Review Officer to review each plat before it is recorded and certify that it meets the statutory requirements for recording; and

WHEREAS, GS47-30.2 allows for local municipalities to request their respective County governments to be allowed to appoint local Review Officers to review local plats for compliance to GS47-30.2; and

WHEREAS, it is the desire of Dare County, and Town of Nags Head Board of Commissioners to ensure an expeditious review of all maps and plats as required by GS47-30.2 before they are presented to the Register of Deeds for recording.

NOW THEREFORE BE IT RESOLVED, that the Dare County Board of Commissioners in support of the request from the Town of Nags Head appoints Andy Garman, Dep. Town Manager and Kelly Wyatt, Dep. Planning Director/Zoning Administrator, of the Nags Head Planning and Development Department to perform all responsibilities as required for Review Officer for the Town of Nags Head under the appropriate North Carolina General Statutes, and shall from this date forward, be the only Town of Nags Head officials authorized to certify maps and plats pursuant to GS47-30.2.

BE IT FURTHER RESOLVED that a copy of this Resolution designating the local Review Officers be recorded in the Dare County Register of Deeds Office and indexed in the name of the Review Officer.

This the 4th day of April, 2016

Dare County Board of Commissioners

Robert Woodard, Chairman

Attest:

Gary Gross, Clerk to the Board



EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

#16-03-07

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on March 7, 2016 at 9:00 a.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: Chairman Woodard, Vice-Chairman Overman,
Commissioners Judge, Shea, Burrus, Boswell, Umphlett

The following members were absent: None

* * * * *

Commissioner Umphlett and Commissioner Judge moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT WITH THE DARE COUNTY PUBLIC FACILITIES CORPORATION AND RELATED MATTERS

WHEREAS, the County of Dare, North Carolina (the "*County*") is a validly existing political subdivision of the State of North Carolina, 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 purchase contracts to finance 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*") has previously determined that it is in the best interest of the County to finance the costs of constructing, equipping and furnishing a consolidated regional emergency 911 call center for Dare, Tyrell and Hyde Counties and an emergency operations center for Dare County, in the County (the "*RECC/EOC Project*");

WHEREAS, the County has previously financed the costs of (1) acquiring, constructing, equipping and furnishing a County Administrative Building, (2) acquiring certain real property in Kitty Hawk to be used for parks and recreation and the construction of improvements thereon and (3) constructing, equipping and furnishing a satellite County office facility on Hatteras Island (the "*2007 Projects*") pursuant to an installment purchase contract and may have the opportunity to refinance the 2007 Projects for debt service savings by providing for the refunding of a portion of the outstanding Certificates of Participation, Series 2007 (the "*2007 Certificates*") related to the 2007 Projects;

WHEREAS, the Board has determined that it is in the best interest of the County (a) to enter into an Installment Financing Contract (the "*Contract*") with the Dare County Public Facilities Corporation, a North Carolina nonprofit corporation (the "*Corporation*"), in order (1) to finance the costs of the RECC/EOC Project, (2) to refinance the costs of the 2007 Projects by refunding all or a portion of the 2007 Certificates and (3) to pay the costs related to the execution and delivery of the Contract and (b) to provide, in connection with the Contract, as grantor, a Deed of Trust, Security Agreement and Fixture Filing (the "*Deed of Trust*") related to the County's fee simple interest in the site of the RECC/EOC Projects and the improvements thereon to secure the County's obligations under the Contract (the "*Mortgaged Property*");

WHEREAS, in order to assist the County in the financing described above, the Corporation will execute and deliver Limited Obligation Bonds Evidencing Proportionate Undivided Interests in Rights to Receive Certain Revenues Pursuant to the Contract (the "*Bonds*") in one or more series;

WHEREAS, in connection with the sale of the Bonds by the Corporation to Piper Jaffray & Co. (the "*Underwriter*"), the County desires to make certain representations and warranties to the Underwriter in the form of the County's Letter of Representations to the Underwriter (the "*Letter of Representations*");

WHEREAS, there has been described to the Board the following documents (collectively, the "*Instruments*"), copies of which have been made available to the Board, which the County proposes to approve, enter into and deliver, as applicable, to effectuate the proposed installment purchase financing:

- (1) the form of the Contract;
- (2) the form of the Deed of Trust;
- (3) the form of the Escrow Agreement (the "*Escrow Agreement*") between the County and The Bank of New York Mellon Trust Company, N.A., as escrow agent, related to the refunding of the 2007 Certificates; and
- (4) the form of the Letter of Representations;

WHEREAS, to make an offering and sale of the Bonds, there will be prepared a Preliminary Official Statement (the "*Preliminary Official Statement*"), a draft thereof having been presented to the Board, and a final Official Statement (the "*Final Official Statement*" and, collectively with the Preliminary Official Statement, the "*Official Statement*") with respect to the Bonds, which Official Statement will contain certain information regarding the County;

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

WHEREAS, the Board conducted a public hearing on March 7, 2016 to receive public comment on the proposed Contract;

WHEREAS, the County has filed an application to the LGC for approval of the Contract;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, as follows:

Section 1. Ratification of Action. That all actions of the County Manager, the Finance Director, the Clerk to the Board and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. Authorization of the County's Information in the Official Statement. That the information with respect to the County contained in the Preliminary Official Statement and the Final Official Statement is in all respects authorized, approved and confirmed and the use of the Preliminary Official Statement and the Final Official Statement by the Underwriter in connection with the offering and sale of the Bonds is hereby in all respects authorized, approved and confirmed.

Section 3. Authorization to Execute the Contract. That the County approves the financing of the RECC/EOC Project and refinancing of the 2007 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 form and content of the Contract shall be and the same hereby are in all respects authorized, approved and confirmed, and the County Manager, the Finance Director and the Clerk to the Board and their respective designees, individually or collectively, shall be and they hereby are authorized, empowered and directed to execute and deliver the Contract, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all changes, modifications, additions or deletions therein from the form and content of the Contract presented to the Board, and that from and after the execution and delivery of the Contract, the County Manager, the Finance Director and the Clerk to the Board, individually or collectively, 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 Contract as executed.

Section 4. Deed of Trust. That the form and content of the Deed of Trust shall be and the same hereby are in all respects authorized, approved and confirmed, and the County Manager, the Finance Director and the Clerk to the Board and their respective designees, individually or collectively, shall be and they hereby are authorized, empowered and directed to execute and deliver the Deed of Trust, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all changes, modifications, additions or deletions therein from the form and content of the Deed of Trust presented to the Board, and that from and after the execution and delivery of the Deed of Trust, the County Manager, the Finance Director and the Clerk to the Board, individually or collectively, 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 Deed of Trust as executed.

Section 5. Authorization to Execute the Escrow Agreement. That the Escrow Agreement will be a valid, legal and binding obligation of the County in accordance with its terms. The form and content of the Escrow Agreement shall be and the same hereby is in all respects authorized, approved and confirmed, and the County Manager, the Finance Director and the Clerk to the Board and their respective designees, individually or collectively, shall be and they hereby are authorized, empowered and directed to execute and deliver the Escrow Agreement, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, its execution thereof to constitute conclusive evidence of their approval of any and all changes, modifications, additions or deletions therein from the form and content of the Escrow Agreement presented to the Board, and that from and after the execution and delivery of the Escrow Agreement, the County Manager, the Finance Director and the Clerk to the

Board, individually or collectively, 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 Escrow Agreement as executed.

Section 6. Letter of Representations. That the form and content of the Letter of Representations shall be and the same hereby is in all respects approved and confirmed, and the County Manager, the Finance Director and their respective designees, individually or collectively, be and they hereby are authorized, empowered and directed to execute and deliver the Letter of Representations for and on behalf of the County, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to him seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of his approval of any and all changes, modifications, additions or deletions therein from the form and content of the Letter of Representations presented to the Board, and that from and after the execution and delivery of the Letters of Representations, the County Manager and the Finance Director, individually or collectively, 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 Letters of Representation as executed.

Section 7. County Representatives. That the County Manager and Finance Director of the County, individually or collectively, are hereby designated as the County's Representatives to act on behalf of the County in connection with the transaction contemplated by the Instruments and the Preliminary Official Statement, and the County's Representatives are authorized to proceed with the transactions contemplated by the Instruments and to seek opinions as to matters of law from the County Attorney, which the County Attorney is hereby 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 County's Representatives and/or designee or designees are in all respects authorized on behalf of the County to supply all information pertaining to the County as purchaser under the Contract for use in the Preliminary Official Statement and the transaction contemplated by the Instruments and the Preliminary Official Statement. The County Manager, the Clerk to the Board and the Finance Director of the County or their respective designees, individually or collectively, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by the Instruments or the Preliminary Official Statement or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution, including the post-issuance on-going administration thereof.

Section 8. Severability. That if any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 9. Repealer. That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 10. Effective Date. That this Resolution shall become effective on the date of its adoption.

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

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina,
DO HEREBY CERTIFY, as follows:

1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on March 7, 2016, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 7th day of March, 2016.

(SEAL)



A handwritten signature in blue ink, appearing to read 'Gary L. Gross', written over a horizontal line.

GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$1,361,569 WITH US BANCORP GOVERNMENT LEASING AND FINANCE INC TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT FOR USE BY THE COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

#16-03-06

BE IT RESOLVED by the governing body for the County of Dare, North Carolina (the "Unit"):

Section 1. The governing body of the Unit does hereby find and determine:

- a) The County of Dare proposes the acquisition of certain equipment, which may include fixtures as more fully described in the hereinafter mentioned Contract (collectively, the "Equipment");
- b) After consideration, the governing body of the Unit has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;
- c) Pursuant to Section 160A-20, the Unit is authorized to finance the acquisition of personal property, including fixtures, by installment contracts that create a security interest in the property financed to secure repayment of the financing; and
- d) US Bancorp Government Leasing and Finance Inc (USBGLF) has proposed that USBGLF enter into an Installment Financing Contract with the Unit to finance the Equipment pursuant to which USBGLF will lend the Unit the amount of \$1,361,569 (the "Contract") and a related Escrow Agreement between the Unit and USBGLF (the "Escrow Agreement").

Section 2. The governing body of the Unit hereby authorizes and directs the County Manager and Finance Director to execute, acknowledge and deliver the Contract and Escrow Agreement on behalf of the Unit in such form and substance as the person executing and delivering such instruments on behalf of the Unit shall find acceptable. The Clerk is hereby authorized to affix the official seal of the County of Dare to the Contract and the Escrow Agreement and attest the same.

Section 3. The proper officers of the Unit are authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract and the Escrow Agreement.

Section 4. Notwithstanding any provision of the Contract or the Escrow Agreement, no deficiency judgment may be rendered against the Unit in any action for breach of a contractual

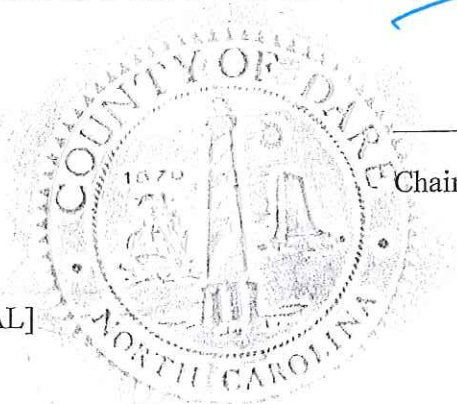
obligation under the Contract or the Escrow Agreement and the taxing power of the Unit is not and may not be pledged directly or indirectly to secure any moneys due under the Contract, the security provided under the Contract being the sole security for USBGLF in such instance.

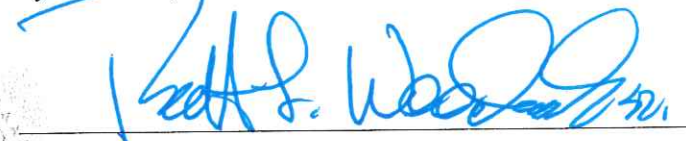
Section 5. The Unit covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") as required so that interest on the Unit's obligations under the Contract will not be included in the gross income of USBGLF.

Section 6. The Unit hereby represents that it does not reasonably expect that it, all subordinate entities thereof and all entities issuing obligations on behalf of the Unit, will issue in the aggregate not more than \$10,000,000 of tax-exempt obligations, including the Contract during calendar year 2016. In addition, the Unit hereby designates the Contract and its obligations under the Contract as a "bank qualified tax-exempt obligation" for the purposes of the Code.

Section 7. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 7th day of March, 2016.

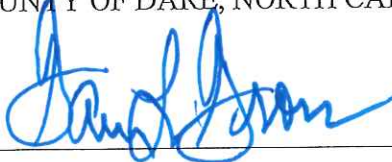
A circular seal for the County of Dare, North Carolina. The outer ring contains the text "COUNTY OF DARE" at the top and "NORTH CAROLINA" at the bottom. Inside the ring, there is a central emblem featuring a lighthouse and a ship. The year "1870" is inscribed within the seal.

A handwritten signature in blue ink, appearing to read "Ed S. Wood", written over a horizontal line.

Chairman, Board of County Commissioners

[SEAL]

COUNTY OF DARE, NORTH CAROLINA

A handwritten signature in blue ink, appearing to read "David J. [unclear]", written over a horizontal line.

Clerk to the Board

EXTRACTS FROM MINUTES OF THE BOARD OF COMMISSIONERS

16-02-05

A regular meeting of the Board of Commissioners of the County of Dare, North Carolina, was duly held on February 15, 2016 at 5:00 p.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina. Chairman Robert Woodard presiding.

The following members were present: Chairman Woodard, Vice-Chairman Overman, Commissioners: Judge, Shea, Burrus, and Boswell.

The following members were absent: Commissioner Umphlett

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Commissioner Judge moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DARE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

WHEREAS, the County of Dare, North Carolina (the "*County*") is a validly existing political subdivision, 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 purchase contracts in order to finance 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*"), determines that it is in the best interest of the County to finance the costs of constructing, equipping and furnishing a consolidated regional emergency 911 call center for Dare, Tyrrell and Hyde Counties and an emergency operations center for Dare County, in the County (the "*RECC/EOC Project*");

WHEREAS, the County has previously financed the costs of (1) acquiring, constructing, equipping and furnishing a County Administrative Building, (2) acquiring certain real property in Kitty Hawk to be used for parks and recreation and the construction of improvements thereon and (3) constructing, equipping and furnishing a satellite County office facility on Hatteras Island (the "*2007 Projects*") pursuant to an installment purchase contract and may have the opportunity to refinance the

2007 Projects for debt service savings by providing for the refunding of a portion of the outstanding Certificates of Participation, Series 2007 related to the 2007 Projects;

WHEREAS, the Board determines that it is in the best interest of the County to enter into (a) an installment financing contract (the "*Contract*") with the Dare County Public Facilities Corporation, a North Carolina nonprofit corporation (the "*Corporation*"), in order (1) to pay the costs of the RECC/EOC Project, (2) refinance a portion of the 2007 Projects and (3) to pay the costs of the execution and delivery of the Contract and (b) a deed of trust, security agreement and fixture filing (the "*Deed of Trust*") related to the County's fee simple interest in as much of the site of the RECC/EOC Project and the improvements thereon;

WHEREAS, the Board determines that it may want to do a future financing under the Contract to finance the costs of beach nourishment in the Towns of Kill Devil Hills, Kitty Hawk and Duck (the "*Town Beach Nourishment Projects*") and collectively with the RECC/EOC Project, the "*New Projects*";

WHEREAS, the County hereby determines that the New Projects and the 2007 Projects (collectively, the "*Projects*") are essential to the County's proper, efficient and economic operation and to the general health and welfare of its citizens; that the financing and refinancing of the Projects will permit the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and the Deed of Trust are 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 New Projects and refinance the 2007 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 hereby determines that the estimated cost of financing of the RECC/EOC Project and refinancing the 2007 Projects is an amount not to exceed \$13,000,000 and that the estimated cost of financing of the Town Beach Nourishment Projects is approximately \$15,000,000 and that such cost of financing and refinancing 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 and refinancing the Projects pursuant to the Contract is expected to exceed the cost of financing and refinancing the Projects pursuant to a bond financing for the same undertaking, the County hereby determines that the cost of financing and refinancing the Projects pursuant to the Contract and the 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 the Projects; and (3) revenues produced by the Projects are insufficient to permit a revenue bond financing;

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

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

WHEREAS, Parker Poe Adams & Bernstein LLP, as bond 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 moneys 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;

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 North Carolina Local Government Commission (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 must be held and approval of the LGC with respect to entering the Contract must be received; and

WHEREAS, the County hereby determines that all findings, conclusions and determinations of the County in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the Contract and the Deed of Trust and the financing and refinancing of the Projects.

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

Section 1. ***Authorization to Negotiate Contract.*** That the Finance Director, with advice from the County Attorney and Bond Counsel, are hereby authorized and directed to proceed and negotiate on behalf of the County the Contract for a principal amount not to exceed \$13,000,000 for the financing of the RECC/EOC Project and refinancing of the 2007 Projects, to be entered into 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, the Deed of Trust conveying a lien and interest in the site of the RECC/EOC Project and the improvements thereon.

Section 2. ***Application to LGC.*** That the Finance Director 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. ***Public Hearing.*** That a public hearing (the "*Public Hearing*") shall be conducted by the Board on March 7, 2016 at or about 10:00 a.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina, concerning the Contract, the Deed of Trust and the proposed financing and refinancing of the Projects.

Section 4. ***Notice of Public Hearing.*** That the Clerk to the Board is hereby directed to cause a notice of the Public Hearing, in the form attached hereto as Exhibit A, to be published once in a qualified newspaper of general circulation within the County no fewer than 10 days prior to the Public Hearing.

Section 5. ***Direction to Retain Professionals.*** That the Finance Director is hereby authorized and directed to retain the assistance of Parker Poe Adams & Bernstein LLP, as bond counsel; DEC Associates, Inc., as financial advisor; Piper Jaffray & Co., as managing underwriter; and The Bank of New York Mellon Trust Company, N.A., Jacksonville, Florida, as trustee. The Finance Director is hereby authorized to engage other professionals as may be necessary to consummate the transactions contemplated by this Resolution.

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

Section 7. ***Effective Date.*** That this Resolution is effective on the date of its adoption.

EXHIBIT A
NOTICE OF PUBLIC HEARING

At its February 15, 2016 meeting, the Board of Commissioners (the "*Board*") of the County of Dare, North Carolina (the "*County*") adopted a resolution which:

1. Authorized the County to proceed with the negotiation of an installment financing contract (the "*Contract*"), in a principal amount not to exceed \$13,000,000 to (A) finance the costs of (1) constructing, equipping and furnishing a consolidated regional emergency 911 call center for Dare, Tyrrell and Hyde Counties and an emergency operations center for Dare County, in the County (the "*RECC/EOC Project*"), and (2) the execution and delivery of the Contract and (B) refinance the County's installment payment obligations related to a portion of Certificates of Participation, Series 2007, the proceeds of which were used the costs (1) acquiring, constructing, equipping and furnishing a County Administrative Building, (2) acquiring certain real property in Kitty Hawk to be used for parks and recreation and the construction of improvements thereon and (3) constructing, equipping and furnishing a satellite County office facility on Hatteras Island (the "*2007 Projects*");
2. Identified that the County may determine in the future to finance under the Contract, in a principal amount of approximately \$15,000,000, the costs of beach nourishment in the Towns of Kill Devil Hills, Kitty Hawk and Duck (the "*Town Beach Nourishment Projects*" and collectively with the RECC/EOC Project and the 2007 Projects, the "*Projects*");
3. Authorized the County to proceed to provide, in order to secure the County's obligations under the Contract, as grantor, a deed of trust, security agreement and fixture filing (the "*Deed of Trust*") under which the County's fee simple interest in the site of the RECC/EOC Project and the improvements thereon (the "*Mortgaged Property*") will be mortgaged by the County to create a lien thereon.

The RECC/EOC Project will be located in Manteo adjacent to the Dare County Regional Airport. The Town Beach Nourishment Projects will be located on the oceanfront coast line in the Towns of Kill Devil Hills, Kitty Hawk and Duck. The 2007 Projects are located as follows: County Administration Building at 954 Marshall Collins Drive, Manteo, parks and recreation project at 906 West Kitty Hawk Road, Kitty Hawk and satellite County office facility at 50347 Highway 12, Frisco.

On payment by the County of all installment payments due under the Contract, the Deed of Trust and any lien created thereunder will terminate and the County's title to the Mortgaged Property will be unencumbered.

NOTICE IS HEREBY GIVEN, pursuant to Sections 160A-20 of the General Statutes of North Carolina, that on March 7, 2016 at or about 10:00 a.m. in the County Board of Commissioners' Meeting Room, 954 Marshall C. Collins Drive, Manteo, North Carolina, a public hearing will be conducted concerning the approval of the execution and delivery of the Contract and the Deed of Trust and the County's financing and refinancing of the Projects. All interested parties are invited to present comments at the public hearing regarding the execution and delivery of the Contract and the Projects to be financed and refinanced thereby.

/s/ GARY L. GROSS

Clerk to the Board of Commissioners
County of Dare, North Carolina

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

I, Gary L. Gross, Clerk to the Board of Commissioners of the County of Dare, North Carolina,
DO HEREBY CERTIFY, as follows:

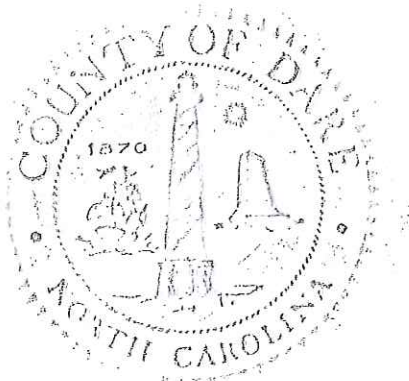
1. A regular meeting of the Board of Commissioners of the County of Dare, a political subdivision of the State of North Carolina, was duly held on February 15, 2016, proper notice of such meeting having been given as required by North Carolina statute, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of said Board of Commissioners.

2. I have compared the attached extract with said minutes so recorded and said extract is a true copy of said minutes and of the whole thereof insofar as said minutes relate to matters referred to in said extract.

3. Said minutes correctly state the time when said meeting was convened and the place where such meeting was held and the members of said Board who attended said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of said County, this 15th day of February, 2016.

(SEAL)



GARY L. GROSS
Clerk to the Board of Commissioners
County of Dare, North Carolina



16-02-04

A RESOLUTION CALLING FOR FEDERAL ASSISTANCE TO HELP BUXTON, NORTH CAROLINA

WHEREAS, the Outer Banks of North Carolina suffered storm activity February 7-8, 2016 that has worsened conditions on NC Highway 12 in Buxton, North Carolina causing oceanside flooding and overwash that has once again closed the only road on and off Hatteras Island; and

WHEREAS, the latest storm is another episode in a long series of tragic weather events that has caused devastating damage to the Buxton area and poses a serious ongoing risk to public safety by cutting off citizen access to hospitals and medical care as well as jeopardizing access to schools, and employment opportunities; and

WHEREAS, the dire conditions that exist in Buxton, North Carolina have been the subject of numerous public meetings before the Dare County Board of Commissioners; and

WHEREAS, Dare County officials have been working vigorously with state and federal agencies in an effort to stabilize NC Highway 12 and provide a safe and reliable transportation corridor for our residents and to serve the needs of the Cape Hatteras National Seashore that depends on NC Highway 12 to provide sole access to the National Seashore for its millions of annual visitors; and

WHEREAS, as an urgent matter of public safety and to preserve the region's tourism economy, which is vitally dependent on NC Highway 12, the Dare County Board of Commissioners has taken proactive steps to fund and provide needed infrastructure for Buxton and storm impacted areas of Dare County; and

WHEREAS, the funds needed to fortify and sustain NC Highway 12 exceed the resources that are available at the local level and Dare County needs immediate help in order to protect and sustain essential services; and

WHEREAS, with conditions deteriorating at an alarming rate with each storm, immediate action is needed in order to safeguard public safety and preserve the local economy.

NOW, THEREFORE BE IT RESOLVED, that the Dare County Board of Commissioners hereby asks the Governor of the State of North Carolina to help Dare County obtain federal financial assistance to help stabilize NC Highway 12 and to provide much needed federal relief for Buxton and storm stricken areas of Dare County.

This the 11th day of February, 2016.



Robert Woodard, Chairman

Attest:

Gary Gross, Clerk to the Board



#16-02-03

RESOLUTION REQUESTING THE ALBEMARLE RPO TO DELAY CONSIDERATION OF TOLLING FERRY ROUTES

WHEREAS, the North Carolina General Assembly adopted the Strategic Transportation Investment (STI) law in 2013; and

WHEREAS, the STI law, also established a method for prioritizing transportation projects, the Strategic Mobility Formula, which is a new way of allocating available revenues based on data-drive scoring and local input; and

WHEREAS, the Strategic Mobility Formula funds projects in three categories: Statewide, Mobility, Regional Impacts and Division Needs; and

WHEREAS, the Strategic Mobility Formula dictates that new and replacement ferry vessels and ferry support vessels can only be considered under the Division Needs category; and

WHEREAS, the Albemarle Rural Planning Organization (RPO) is within the North Carolina Department of Transportation (NCDOT) Division One and NCDOT Division One hosts more North Carolina ferry routes and vessels than any other Division along the coast; and

WHEREAS, the North Carolina Ferry Division has determined the costs of ferry vessel replacements for Division One to be \$5,000,000.00; and

WHEREAS, NCDOT Division One is scheduled to receive roughly \$33,000,000.00 in the Division Needs Category, per year in Strategic Transportation Investment funding to fund Highway, Bicycle and Pedestrian, Aviation, and Ferry projects within its fourteen County region; and

WHEREAS, inclusion of new and replacement ferry vessels and ferry support vessels in the Division Needs category will place an undue financial burden on all NCDOT Division One transportation projects.

NOW, THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners requests that the Albemarle Rural Planning Organization refrain from considering tolling ferry routes until the 2016 session of the North Carolina General Assembly has an opportunity to explore and consider alternate funding sources for new and replacement ferry vessels and ferry support vessels.

BE IT FURTHER RESOLVED that the Dare County Board of Commissioners requests that all the members of the Albemarle Rural Planning Organization support this endeavor.

Adopted this 1st day of February 2016.



Robert Woodard, Chairman

Gary Gross, Clerk to the Board

Attest:

16-01-02

North Carolina Department of Transportation
Division of Highways
Request for Addition to State Maintained Secondary Road System

North Carolina

County of Dare

Road Description The following 8 cul-de-sac Courts in the Poteskeet Development - Winauk
Uppowoc, Algonkian, Wiroans, Arrowhead, Raklock, Cherokee, Mantoac

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Dare requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Dare that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Dare at a meeting on the 19th day of January, 2016.

WITNESS my hand and official seal this the 19th day of January, 2016.

Official Seal



Gary Gross (Gary Gross)
Clerk, Board of Commissioners
County of Dare

PLEASE NOTE:

Forward direct with request to the Division Engineer, Division of Highways



16-01-01

**A RESOLUTION
HONORING THE DEDICATED SERVICE OF ELMER R. MIDGETT**

WHEREAS, the County of Dare, on the Outer Banks of North Carolina, has developed into a premier tourism destination that attracts millions of people each year to enjoy the area's many cultural, historical, and recreational opportunities; and

WHEREAS, Dare County is well known as a resort area where residential, business, and industrial development has cautiously been done in a deliberate and methodical manner in order to provide not only an attractive destination for its many visitors, but a vibrant and thriving community for its residents and business owners; and

WHEREAS, the balanced growth and development that has transformed Dare County into one of the premier places to visit, live, work, or raise a family has happened under the careful eye and insightful leadership of Dare County's Planning Board Chairman, Elmer Midgett; and

WHEREAS, Dare County proudly recognizes the extraordinary talent, commitment, and vision of Elmer Midgett who has been on the Planning Board since 1975 and served as its Chairman since 1982; and

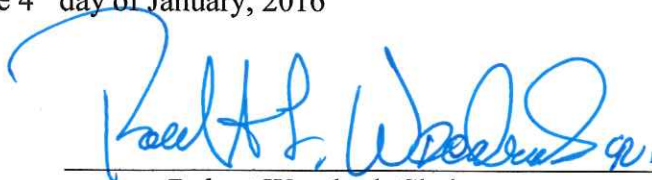
WHEREAS, Elmer Midgett is a treasured native son who graduated from Manteo High School and distinguished himself as United States Marine Corps officer serving in Vietnam before returning to Dare County where he became a respected business owner; and

WHEREAS, Elmer Midgett's commitment and passion for the Dare County Planning Board is second only to the dedication and love he has for his devoted wife Gail, daughters Whitney and Leigh Ann and their husbands, and his three grandsons; and

WHEREAS, as he concludes his tenure on the Dare County Planning Board, a grateful community will always remember and respect Elmer Midgett as a Chairman who ran a tight ship in the best Marine Corps tradition and courageously led the Dare County Planning Board over three decades of growth and development.

NOW THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners hereby proudly salutes Elmer Midgett – a dedicated public servant, a leadership role model, and a loving husband and devoted family man.

This the 4th day of January, 2016


Robert Woodard, Chairman

Attest:


Gary Gross, Clerk to the Board

