

ADOPTED

FEB 27 2018

Gaston County Board
of Commissioners

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GASTON COUNTY

COMMISSIONER'S COURT

NORTH CAROLINA

FEBRUARY 13, 2018

The Gaston County Board of Commissioners (BOC) met in Special Session on February 13, 2018, immediately following its Work Session at 7:18 pm, in The Harley B. Gaston, Jr. Public Forum, Gaston County Courthouse.

Chairman Chad Brown presided with Commissioners Tom Keigher, Vice-Chairman; Allen R. Fraley, Don Grant, Bob Hovis, Tracy L. Philbeck and Ronnie Worley in attendance.

Others present included Earl Mathers, County Manager; Charles L. Moore, County Attorney; and Donna S. Buff, Clerk to the Board.

Upon request of Chairman Brown, Commissioner Philbeck led those assembled in the Invocation and Commissioner Hovis led in the Pledge of Allegiance during the preceding Work Session.

2018-021 Board of Commissioners - County Attorney - Order Authorizing \$250,000,000 School Bonds

Commissioner Hovis introduced a motion to approve for the purposes of discussion. Commissioner Keigher provided the second.

Chairman Brown asked the County Attorney to provide a brief overview.

The County Attorney stated this is to adopt an order authorizing \$250 million in school bonds.

Hearing no further discussion, Chairman Brown called for the motion and action was taken as set forth herewith and therein as follows:

A special meeting of the Board of Commissioners for the County of Gaston, North Carolina, was held in the Harley B. Gaston, Jr. Public Forum on the second floor of the Gaston County Courthouse located at 325 Dr. Martin Luther King, Jr. Way, in Gastonia, North Carolina, the regular place of meeting, at 6:00P.M., on February 13, 2018.

Present: Chairman Chad Brown, presiding, and Commissioners Tom Keigher, Allen R. Fraley, Don Grant, Bob Hovis, Tracy L. Philbeck and Ronnie Worley.

Absent: None

Also present: Tonya C. Frye, Finance Director, and Donna S. Buff, Clerk to the Board of Commissioners.

* * * * *

Commissioner Brown introduced the following order authorizing bonds which was read:

ORDER AUTHORIZING \$250,000,000 SCHOOL BONDS

WHEREAS, The Gaston County Board of Education has certified to the Board of Commissioners for the County of Gaston, North Carolina, a resolution passed by said Board of Education on January 20, 2018 showing that adequate school facilities are not now available in the Gaston County Schools Administrative Unit to comply with the requirements of Section 2 of Article IX of the Constitution of North Carolina for the maintenance of schools at least nine months in every year and that it is necessary, in

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order to maintain such term as required by said Section 2 of Article IX of the Constitution, to provide additional school facilities in said Unit by erecting additional school buildings and other school plant facilities, enlarging, reconstructing, renovating and replacing existing school buildings and other school plant facilities and acquiring any necessary land, furnishings, equipment and appurtenant facilities therefor, the estimated cost of which is at least \$250,000,000;

WHEREAS, said resolution requests said Board of Commissioners to take all necessary steps, by the issuance of bonds or otherwise, in order that funds may be provided for such school facilities; and

WHEREAS, said Board of Commissioners has carefully examined the facts and has determined and does hereby find as a fact that the statements made in said resolution are true and that it has become the duty of said Board of Commissioners, acting as an administrative agent of the State of North Carolina in providing a State system of public schools, to order the issuance of bonds of the County of Gaston so that the school facilities mentioned in said resolution and in paragraph 1 of this order may be provided in order to maintain the school term in the County of Gaston as required by Section 2 of Article IX of the Constitution; now, therefore, BE IT ORDERED by the Board of Commissioners for the County of Gaston:

1. That, pursuant to The Local Government Bond Act, as amended, and in order to maintain the school term in the County of Gaston as required by Section 2 of Article IX of the Constitution, the County of Gaston, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said County may now or hereafter have power or authority to contract, and in evidence thereof to issue School Bonds in an aggregate principal amount not exceeding \$250,000,000 for the purpose of providing funds, with any other available funds, for erecting additional school buildings and other school plant facilities, enlarging, reconstructing, renovating and replacing existing school buildings and other school plant facilities and acquiring any necessary land, furnishings, equipment and appurtenant facilities therefor, in order to provide additional school facilities in said County.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said County has been filed with the Clerk to the Board of Commissioners for said County and is open to public inspection.

4. That this order shall take effect when approved by the voters of said County at a referendum as provided in said Act.

The Board of Commissioners thereupon designated the Finance Director of the County (the "Finance Director") as the officer whose duty it shall be to make and file with the Clerk to the Board of Commissioners the sworn statement of debt of the County which is required by The Local Government Bond Act, as amended, to be filed after the bond order has been introduced and before the public hearing thereon.

Thereupon the Finance Director filed with the Clerk to the Board of Commissioners, in the presence of the Board of Commissioners, the sworn statement of debt as so required.

The Board of Commissioners thereupon designated the Finance Director as the officer whose duty it shall be to make and file with the Clerk to the Board of Commissioners and the Local Government Commission of North Carolina the statement estimating the total amount of interest that will be paid on the bonds authorized by said order, if issued, which is required by The Local Government Bond Act, as amended, to be filed with the Clerk to the Board of Commissioners at the time said order is introduced and with the Local Government Commission of North Carolina.

Thereupon the Finance Director filed with the Clerk to the Board of Commissioners, in the presence of the Board of Commissioners, the statement estimating the total amount of interest that will be paid on said bonds as so required.

Thereupon the order entitled: "ORDER AUTHORIZING \$250,000,000 SCHOOL BONDS" was passed on first reading.

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On motion duly made, seconded and unanimously carried, the Board of Commissioners fixed 6:00 P.M. on February 27, 2018, in the Harley B. Gaston, Jr. Public Forum on the second floor of the Gaston County Courthouse located at 325 Dr. Martin Luther King, Jr. Way, in Gastonia, North Carolina, as the hour, day and place for the public hearing upon the foregoing order and directed the Clerk to the Board of Commissioners to publish said order, together with the appended statement as required by The Local Government Bond Act, as amended, once in The Gaston Gazette not later than the sixth day before said date.

* * * * *

I, Donna S. Buff, Clerk to the Board of Commissioners for the County of Gaston, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a special meeting held on February 13, 2018 as relates in any way to the matters described therein and that said proceedings are recorded in Minute Book No. ____ of the minutes of said Board, beginning on page ____ and ending on page ____.

I HEREBY FURTHER CERTIFY that notice of said meeting was duly given in accordance with G.S. § 143-318.12.

WITNESS my hand and the corporate seal of said County, this 13th day of February 2018.

Clerk to the Board of Commissioners

Adjournment

Chairman Brown called for a motion to adjourn the meeting.

Upon unanimous consent, the BOC adjourned the Special Meeting of February 13, 2018 at 7:19 pm.

(All aforementioned documents are on file with the Clerk to the Board.)

Chad Brown, Chairman
Gaston County Board of Commissioners

Donna S. Buff
Clerk to the Board

SEAL