

The Board of Commissioners for the County of Wake, North Carolina met in a regular meeting in the Board Room of the Wake County Justice Center, Room 2700, 301 South McDowell Street in Raleigh, North Carolina, the regular place of meeting, at 2:00 p.m. on June 17, 2024. The following Commissioners were:

PRESENT: \_\_\_\_\_

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ABSENT: \_\_\_\_\_

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ALSO PRESENT: \_\_\_\_\_

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The following bond order and resolution of the Board of Commissioners was included on the Consent Agenda<sup>1</sup> for the meeting:

### **ORDER AUTHORIZING \$142,000,000 LIBRARY BONDS**

BE IT ORDERED by the Board of Commissioners for the County of Wake, North Carolina:

1. That, pursuant to The Local Government Bond Act, as amended, the County of Wake, 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 Library Bonds in an aggregate principal amount not exceeding \$142,000,000 for the purpose of providing funds, together with any other available funds, for acquiring, constructing, expanding and renovating library buildings and other library facilities, both fixed and mobile, and the acquisition of related land, rights of way and equipment.
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 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.

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<sup>1</sup> The Consent Agenda is for items that are considered to be routine and may be enacted by one motion. If a Commissioner requests, an item may be removed from the Consent Agenda and considered separately.

**RESOLUTION OF THE COUNTY OF WAKE, NORTH CAROLINA  
ACKNOWLEDGING THE FILING OF CERTAIN DOCUMENTS IN  
CONNECTION WITH THE INTRODUCTION OF A BOND ORDER  
AUTHORIZING GENERAL OBLIGATION BONDS AND CALLING A  
PUBLIC HEARING THEREON AND DECLARING THE COUNTY'S  
OFFICIAL INTENT TO REIMBURSE EXPENDITURES UNDER  
UNITED STATES DEPARTMENT OF TREASURY REGULATIONS**

BE IT RESOLVED, by the Board of Commissioners (the "Board") for the County of Wake, North Carolina (the "County") as follows:

Section 1. Concurrently herewith, the Board has considered and passed on first reading a bond order of the County to issue Library Bonds in an aggregate principal amount not exceeding \$142,000,000.

The Board acknowledges that the Chief Financial Officer has made and filed with the Clerk to the Board, 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. Said sworn statement of debt was included in the agenda package for the meeting at which this resolution is adopted. The Board also acknowledges that the Chief Financial Officer has made and filed with the Clerk to the Board the statement of disclosures which is required by The Local Government Bond Act, as amended, to be filed with the Clerk to the Board at the time the bond order is introduced. Said statement of disclosures was included in the agenda package for the meeting at which this resolution is adopted. The Board hereby directs the Clerk to the Board to file a copy of such disclosure statement with the Local Government Commission and to post such statement on the County's website.

The Board hereby fixes 5:00 p.m. on July 8, 2024, in the Board Room of the Wake County Justice Center, Room 2700, 301 South McDowell Street in Raleigh, 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, as required by The Local Government Bond Act, as amended, and a notice of public hearing once in *The News and Observer* not later than the sixth day before said date.

Section 2. The Board hereby finds, determines and declares the following:

(a) Section 1.150-2 of the Treasury Regulations (the "Regulations") prescribes specific procedures which will be applicable to certain bonds or notes issued by or on behalf of the County including, without limitation, a requirement that the County declare its official intent to reimburse certain expenditures with proceeds of debt to be incurred by the County prior to, or within sixty (60) days of, payment of the expenditures to be reimbursed.

(b) On the date hereof, the Board has passed on first reading a bond order authorizing, subject to the approval of the voters of the County, the issuance of not exceeding \$142,000,000 of bonds of the County for the purpose of providing funds, together with any other available funds, for acquiring, constructing, expanding and renovating library buildings and other library

facilities, both fixed and mobile, and the acquisition of related land, rights of way and equipment (the “Project”).

(c) The County may advance its own funds in order to pay certain capital costs (the “Original Expenditures”) relating to the acquisition, construction, expansion and renovation of the Project to be financed by the bonds and reasonably expects to reimburse itself for the Original Expenditures from the proceeds of the debt to be incurred.

(d) \$142,000,000 is the maximum principal amount of debt expected to be incurred for the purpose of paying the costs of the Project.

(e) This declaration of official intent is made pursuant to Section 1.150-2 of the Treasury Regulations to expressly declare the official intent of the County to reimburse itself from the proceeds of debt to be hereinafter incurred by the County for certain expenditures paid by the County on or after the date which is sixty (60) days prior to the date hereof.

(f) The funds heretofore advanced or to be advanced by the County to pay the Original Expenditures are or will be available only on a temporary basis, and do not consist of funds that were otherwise earmarked or intended to be used by the County to permanently finance the Original Expenditures.

(g) All Original Expenditures to be reimbursed by the County were paid no more than sixty (60) days prior to, or will be paid on or after the date of, this declaration of official intent, except with respect to certain amounts incurred before such 60-day period not exceeding 20% of the issue price of the proceeds of the debt to be hereinafter incurred which are expended for “preliminary expenditures” within the meaning of Section 1.150-2 of the Treasury Regulations (the “Preliminary Expenditures”). The County understands that, except for the Preliminary Expenditures, such reimbursement must occur not later than eighteen (18) months after the later of (a) the date the Original Expenditures were paid and (b) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the Original Expenditures were paid.

Section 3. This resolution shall take effect upon its adoption.

Upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Consent Agenda, which included the foregoing order entitled “ORDER AUTHORIZING \$142,000,000 LIBRARY BONDS” and foregoing resolution entitled “RESOLUTION OF THE COUNTY OF WAKE, NORTH CAROLINA ACKNOWLEDGING THE FILING OF CERTAIN DOCUMENTS IN CONNECTION WITH THE INTRODUCTION OF A BOND ORDER AUTHORIZING GENERAL OBLIGATION BONDS AND CALLING A PUBLIC HEARING THEREON AND DECLARING THE COUNTY’S OFFICIAL INTENT TO REIMBURSE EXPENDITURES UNDER UNITED STATES DEPARTMENT OF TREASURY REGULATIONS” was adopted by the following vote:

Ayes: \_\_\_\_\_

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Noes: \_\_\_\_\_

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I, Yvonne C. Gilyard, Clerk to the Board of Commissioners for the County of Wake, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of the recorded minutes of said Board for said County at a regular meeting held on June 17, 2024, said record having been made in the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the introduction and adoption on introduction of an order authorizing bonds of said County and the calling of a public hearing upon such order, and the adoption of the reimbursement resolution set forth above.

I DO HEREBY FURTHER CERTIFY that proper notice of such meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said County this 17<sup>th</sup> day of June, 2024.

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Clerk to the Board of Commissioners

[SEAL]