

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: 18 March 2009
SUBJECT: HAC Contract Amendment
ATTACHMENT(S): Contract Amendment

SUMMARY OF REQUEST:

Henderson County has an existing contract with the Housing Assistance Corporation (HAC) for the distribution and utilization of HOME funds. In the current 2008 contract, Henderson County allows HAC to retain repayments to use for future HOME activities. This amendment would apply to the 2007 HOME funds contract allowing repayment under that contract to likewise be retained by HAC for future eligible activities.

County staff will be present and prepared if requested to give further information on this matter.

BOARD ACTION REQUESTED:

The Board is asked to approve the Amendment to the 2007 HOME Contract.

If the Board is so inclined, the following motion is suggested:

I move the approval of the amendment to the 2007 HOME funds contract with the Housing Assistance Corporation to allow them to reincorporate repayments into future HOME funds activities.

**AMENDMENT TO THE 2007
EXECUTION OF A HOME INVESTMENT PARTNERSHIPS PROGRAM**

This Amendment made and entered this the ____ of _____, 200_ , by and between **Henderson County**, a body politic and corporate under the laws of the State of North Carolina (hereinafter the "County") and **Housing Assistance Corporation** (hereinafter the "HAC"), a nonprofit organization is a modification of the original Agreement for 2007 HOME funds. This Amendment only modifies the provision regarding the repayment and return on HOME funds as modified below. The remaining clauses in the original agreement remain in effect for the duration of the agreement.

The Agency shall retain all repayment, interest, and other return on the investment of HOME funds. The Agency shall keep these funds in a separate local account for use to fund additional eligible HOME activities in the future.

IN WITNESS WHEREOF, each party has caused this Amendment to be duly executed on the day and year first above written and if corporate, by their duly authorized representative.

On this the ____ day of _____, 200_.

FOR HENDERSON COUNTY:

WILLIAM MOYER, Chairman

[Seal]

ELIZABETH CORN, Clerk to the Board

FOR HOUSING ASSISTANCE CORPORATION:

Patrick Kennedy, CEO
Housing Assistance Corporation

ATTEST:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Notary Public of the County and State aforesaid certify that **ELIZABETH CORN**, personally came before me this day and acknowledged that she is the Clerk for the Henderson County Board of Commissioners, a body politic and corporate, and that by authority duly given and as the act of the corporation the foregoing instrument was signed in its name by the Chairman of the Board of Commissioners and attested by herself as its Clerk.

WITNESS my hand and notarial seal this _____ day of _____, 200__.

Notary Public
Print or type name: _____
My Commission Expires: _____

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Notary Public of the County and State aforesaid certify that **Patrick Kennedy**, personally came before me this day and acknowledged that he is the Chief Executive Officer (CEO) of the **Housing Assistance Corporation**, and that by authority duly given and as the act of the corporation the foregoing instrument was signed in its name by himself as its CEO.

WITNESS my hand and notarial seal this _____ day of _____, 200__.

Notary Public
Print or type name: _____
My Commission Expires: _____

This document has been pre-audited in the manner required by the North Carolina Government Budget and Fiscal Control Act.

J. Carey McLelland, Finance Director

Date: