

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: June 6, 2011

SUBJECT: New Ambulance Financing

PRESENTER: J. Carey McLelland, Finance Director

ATTACHMENTS: Summary of Financing Interest Rates Received
BB&T Governmental Finance Proposal
Resolution Approving Financing Terms

SUMMARY OF REQUEST:

A request was made and approved by the Commissioners at the regularly scheduled May 2, 2011 Board meeting to purchase two (2) new ambulances to replace two being leased and due to expire at the end of the current fiscal year. The purchase of the new ambulances is to be financed through a bank installment financing contract at a fixed interest rate with annual payments over a 4-year term.

Staff requested proposals from financial institutions to finance the purchase of the two (2) new ambulances at a total cost not to exceed \$244,460. Attached for the Board's review are the results of the financing proposals that were received from five (5) financial institutions.

BB&T Governmental Finance has been certified as the lowest responsive proposal to finance the new ambulances over a 4-year term at a tax-exempt interest rate of 1.79 percent. The first annual payment of \$63,874.15 will be due in June 2012 and is included in the proposed Emergency Medical Services budget for FY2012.

BOARD ACTION REQUESTED:

Staff requests that the Board consider approving the financing proposal received from BB&T Governmental Finance and authorize the Chairman and Staff to execute the required financing documents to close this transaction and purchase the ambulances. No formal approval by the Local Government Commission or a public hearing is required to enter into an installment purchase financing contract for vehicles.

Suggested Motion:

I move that the Board of Commissioners approve the attached resolution accepting the proposal from BB&T Governmental Finance to finance the new ambulances and authorizing the Chairman and Staff to execute and deliver the required financing documents.

HENDERSON COUNTY
FINANCING FOR (2) NEW EMS AMBULANCES
\$244,460
Summary of Financing Interest Rates Received

<u>Financial Institution:</u>	<u>Tax-Exempt Fixed Interest Rate</u>
BB&T	1.79%
TD Bank/Carolina First	1.97%
SunTrust	2.06%
First Citizens	2.08%
RBC Bank	2.21%

May 19, 2011

Governmental Finance
 5130 Parkway Plaza Blvd.
 Charlotte, NC 28217
 (704) 954-1700
 Fax (704) 954-1799

J. Carey McLelland
 Finance Director
 Henderson County
 Historic Courthouse Annex
 113 North Main Street
 Hendersonville, North Carolina 28792

Dear Mr. McLelland:

Branch Banking and Trust Company ("BB&T") is pleased to offer this proposal for the financing requested by the Henderson County, North Carolina ("County").

- (1) **Project:** Two (2) New 2010 Chevrolet G4500 Ambulances
- (2) **Amount To Be Financed:** \$ 244,460.00
- (3) **Interest Rates, Financing Terms and Corresponding Payments:**

<u>Term</u>	<u>Rate</u>
48 months	1.79%

Payments shall be level annually in arrears, as requested. See the attached amortization schedule(s) for information on payments.

The financing proceeds shall be deposited on behalf of the County in a project fund account as needed with Branch Banking & Trust. Earnings on the project fund shall accrue to the benefit of the County for use on Project costs or interest payments.

The interest rate stated above is valid for a closing not later than 45 days after today. A convenient date and time shall be mutually agreed upon for closing. Closing is contingent upon completing documentation acceptable to BB&T and upon the condition of the equipment acceptable to BB&T. BB&T shall provide a list of required documentation for closing should we be the successful proposer. Additionally, we shall review your most recent financial statements before funding this transaction.

All applicable taxes, permits, costs of counsel for the County and any other costs shall be the County's responsibility and separately payable by the County. The financing documents shall allow prepayment of the principal balance in whole on an anniversary payment date with a 1% prepayment premium.

The stated interest rate assumes that the County expects to borrow less than \$10,000,000 in calendar year 2011 and that the County shall comply with IRS Code Sections 141, 148, 149(e) and

Section 265(b)(3). BB&T reserves the right to terminate its interest in this bid or to negotiate a mutually acceptable rate if the financing is not a qualified tax-exempt financing.

(4) Financing Documents:

BB&T and its counsel shall prepare all documentation for the County. We shall provide a sample of those documents to you should BB&T be the successful proposer. This financing shall be secured by a first lien security interest in all personal property acquired with proceeds.

* * * * *

BB&T appreciates the opportunity to provide this financing proposal and requests to be notified within ten days of this proposal should BB&T be the successful proposer.

BB&T shall have the right to cancel this offer by notifying the County of its election to do so (whether or not this offer has previously been accepted by the County) if at any time prior to the closing there is a material adverse change in the County's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the County or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to BB&T. We reserve the right to negotiate and/or terminate our interest in this transaction should we be the successful proposer.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to BB&T.

Please call me at (704) 954-1700 with your questions and comments. We look forward to hearing from you.

Sincerely,

BRANCH BANKING AND TRUST COMPANY



F. Louis Loyd III/BAS
Senior Vice President

Enclosure

Henderson County, NC
Two New 2010 Chevrolet G4500 Ambulances

Compound Period : Annual

Nominal Annual Rate : 1.790 %

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

Date	Payment	Interest	Principal	Balance
Loan 05/19/2011				244,460.00
2011 Totals	0.00	0.00	0.00	
1 05/19/2012	63,874.15	4,375.83	59,498.32	184,961.68
2012 Totals	63,874.15	4,375.83	59,498.32	
2 05/19/2013	63,874.15	3,310.81	60,563.34	124,398.34
2013 Totals	63,874.15	3,310.81	60,563.34	
3 05/19/2014	63,874.15	2,226.73	61,647.42	62,750.92
2014 Totals	63,874.15	2,226.73	61,647.42	
4 05/19/2015	63,874.15	1,123.23	62,750.92	0.00
2015 Totals	63,874.15	1,123.23	62,750.92	
Grand Totals	255,496.60	11,036.60	244,460.00	

RESOLUTION APPROVING FINANCING TERMS

WHEREAS, the County of Henderson, North Carolina (the "*County*") has previously determined to undertake a project for two new 2010 Chevrolet G4500 ambulances (the "*Project*"), and the Finance Director has now presented a proposal for the financing of such Project.

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

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated May 19, 2011. The amount financed shall not exceed \$244,460.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.79%, and the financing term shall not exceed four (4) years.

2. All financing contracts and all related documents for the closing for the financing ("the Financing Documents") shall be consistent with the foregoing terms. The Chairman and Staff of the County are hereby authorized and directed to execute and deliver the Financing Documents, and take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by the Chairman or Staff, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's General Fund, or any other County Fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 6th day of June, 2011.

HENDERSON COUNTY BOARD OF COMMISSIONERS

J. Michael Edney, Chairman

Attest:

Teresa Wilson, Clerk to the Board

[Official Seal]
