

REQUEST FOR BOARD ACTION

HENDERSON COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: October 5, 2020

SUBJECT: Henderson County Hospital Corporation Financing Resolution

PRESENTER: Charles Russell Burrell

ATTACHMENT(S): Financing Resolution

SUMMARY OF REQUEST:

You are requested to approve the Financing Resolution for the Henderson County Hospital Corporation revenue bond. If this is approved, final approval will come before the Board at your next meeting.

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

BOARD ACTION REQUESTED:

Approval of financing resolution.

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

I move that the Board adopt the Resolution as set out in the attachment to this agenda item.

A regular meeting of the Board of Commissioners of the County of Henderson, North Carolina, was duly held on October 5, 2020 at 9:00 a.m. in the Commissioners' Meeting Room, Henderson County Historic Courthouse, 1 Historic Courthouse Square, Hendersonville, North Carolina.

* * *

The following members were present:

The following members were absent:

Also present:

* * *

Commissioner _____ moved that the following resolution (the "*Resolution*"), a copy of which was available with the Board and which was read by title:

RESOLUTION OF THE COUNTY OF HENDERSON, NORTH CAROLINA DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF A HOSPITAL REVENUE BOND; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE COUNTY'S HOSPITAL REVENUE BOND (MARGARET R. PARDEE MEMORIAL HOSPITAL PROJECT) AND CERTAIN RELATED MATTERS

WHEREAS, the Board of Commissioners (the "*Board*") of the County of Henderson, North Carolina (the "*County*") has previously passed reimbursement resolutions relating to the financing by the Margaret R. Pardee Hospital (the "*Hospital*") and Henderson County Hospital Corporation (the "*Corporation*") of capital expenditures in connection with (1) roof replacement on the main Hospital building, (2) construction of a parking lot on property on 9th Avenue and Brown Streets, and the demolition and construction of a new parking lot on the old EMS site, (3) construction of a temporary EMS access and structural improvements to the parking garage, (4) maintenance and improvements to the boilers and steam system serving the main Hospital building, (5) maintenance and improvements to the HVAC system serving the main Hospital building, (6) maintenance and improvements to the chilled water system and plumbing serving the main Hospital building (collectively, the "*Projects*"), all for use by the Hospital; and

WHEREAS, the Board is considering the issuance of a not to exceed \$15,000,000 Hospital Revenue Bond (Margaret R. Pardee Memorial Hospital Project) in two series (collectively, the "*2020 Bonds*") to (1) pay, and to reimburse for amounts previously paid for, the cost of capital expenditures relating to the Projects and (2) pay the costs of issuing the 2020 Bonds; and

WHEREAS, the Board wishes to retain Parker Poe Adams & Bernstein LLP of Charlotte, North Carolina, as bond counsel; retain First Tryon & Co., as financial advisor for the 2020 Bonds; and retain Prince, Youngblood & Massagee, PLLC, as counsel to the Corporation; and

WHEREAS, the Board desires that the Finance Director or the County Manager of the County or the President and Chief Executive Officer of the Corporation (such officers being herein called the "*Authorized Officers*") file with the Local Government Commission of North Carolina (the "*Commission*") an application for its approval of the 2020 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 2020 Bonds to a purchaser to be determined through a private placement and (B) the County's

use of Parker Poe Adams & Bernstein LLP, as bond counsel for the County, First Tryon & Co., as financial advisor for the 2020 Bonds; and Prince, Youngblood & Massagee, PLLC, as counsel to the Corporation and (2) state in such application such facts and to attach thereto such exhibits in regard to the 2020 Bonds and to the County, the Corporation and their respective financial condition as may be required by the Commission, and to take all other action necessary to the issuance of the 2020 Bonds; and

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

Section 1. That the 2020 Bonds are to be issued by the County for the purpose of providing funds to (1) pay, and to reimburse for amounts previously paid for, the cost of capital expenditures relating to the Projects and (2) pay the costs of issuing the 2020 Bonds, all as set out fully in the document attached to the County's application to the Commission.

Section 2. That Parker Poe Adams & Bernstein LLP; First Tryon & Co. and Prince, Youngblood & Massagee, PLLC are hereby retained and approved.

Section 3. That the Authorized Officers are hereby authorized, directed and designated to file an application with the Commission for its approval of the issuance of the 2020 Bonds. Any applications and communications previously undertaken with the Commission are hereby ratified, approved and affirmed.

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 2020 Bonds is necessary or expedient;
- (b) that the not to exceed stated principal amount of the 2020 Bonds will be adequate but is not excessive, when added to other money available to the County or Corporation, for the purposes set forth above;
- (c) the Projects are feasible;
- (d) that the County's and the Corporation's debt management procedure and policies are excellent; and
- (e) that the 2020 Bonds can be sold at a reasonable interest cost to the County.

Section 5. That the Authorized Officers, Chairman, Vice-Chairman and Secretary of the Board are hereby authorized to do any and all other things necessary to complete the steps necessary for the issuance of the 2020 Bonds.

Section 6. That this Resolution is effective on the date of its adoption.

On motion of Commissioner _____, the foregoing Bond Order entitled “**BOND ORDER AUTHORIZING THE ISSUANCE AND SALE BY THE COUNTY OF HENDERSON, NORTH CAROLINA OF NOT TO EXCEED \$15,000,000 HOSPITAL REVENUE BOND (MARGARET R. PARDEE MEMORIAL HOSPITAL PROJECT), SERIES 2020 OF THE COUNTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH**” was passed by the following vote:

AYES:

NAYS:

ABSTAIN:

Adopted this the 5th day of October, 2020.

HENDERSON COUNTY BOARD OF COMMISSIONERS

[SEAL]

By: _____
Chairman

ATTESTED BY:

Clerk to the Board