

# FORSYTH COUNTY

## BOARD OF COMMISSIONERS

MEETING DATE: AUGUST 31, 2017

AGENDA ITEM NUMBER: 12

**SUBJECT: RESOLUTION ACKNOWLEDGING THE PROPOSED INCURRENCE BY  
BEESON CROSS ROADS FIRE AND RESCUE, INC. OF UP TO \$402,210.29 IN  
INDEBTEDNESS FROM HOMETRUST BANK TO ACQUIRE NEW CAPITAL ASSETS  
THROUGH A LEASE PURCHASE AND RATIFYING A PUBLIC HEARING HELD BY  
THE FIRE DEPARTMENT**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:** Recommend Approval

**SUMMARY OF INFORMATION:** See Attached

**ATTACHMENTS:**  YES  NO

**SIGNATURE:**

*J. Dudley Watts, Jr. /cdh*  
COUNTY MANAGER

**DATE:** August 30, 2017

**RESOLUTION ACKNOWLEDGING THE PROPOSED INCURRENCE BY  
BEESON CROSS ROADS FIRE AND RESCUE, INC. OF UP TO \$402,210.29  
IN INDEBTEDNESS FROM HOMETRUST BANK TO ACQUIRE NEW CAPITAL  
ASSETS THROUGH A LEASE PURCHASE AND RATIFYING A PUBLIC  
HEARING HELD BY THE FIRE DEPARTMENT**

**WHEREAS**, Beeson Cross Roads Fire and Rescue, Inc. desires to obtain funding from HomeTrust Bank to finance the acquisition of a new Sutphen Custom Fire Apparatus through Lease Purchase and the Bank requests confirmation of the revenue sources of Beeson Cross Roads Fire and Rescue, Inc.; and

**WHEREAS**, on August 2, 2017, Beeson Cross Roads Fire and Rescue, Inc., after public notice duly given, held a public hearing on the proposed financing project and considered the comments of persons who requested to be heard; and

**WHEREAS**, a copy of the Publisher's Affidavit regarding the notice of the public hearing is attached hereto and incorporated herein by reference; and

**WHEREAS**, neither Forsyth County nor any agency thereof shall be liable in any event for the repayment of the indebtedness, which does not constitute an indebtedness of the County or any agency thereof and does not constitute or create in any manner a debt or liability of the County or any agency thereof or any claim or lien on any County funds, County tax levies, or property of the County.

**NOW, THEREFORE, BE IT RESOLVED** by the Forsyth County Board of Commissioners as follows:

- (1) The publication of the Notice of Public Hearing and holding of the public hearing on the above described financing project by Beeson Cross Roads Fire and Rescue, Inc. are hereby acknowledged by the Forsyth County Board of Commissioners.
- (2) The incurrence by Beeson Cross Roads Fire and Rescue, Inc. of indebtedness of up to \$402,210.29 from HomeTrust Bank to acquire new capital assets through a Lease Purchase is hereby acknowledged, provided Forsyth County is not responsible in any manner for the financing or its repayment.

**BE IT FURTHER RESOLVED** that the Chairman or County Manager and Clerk to the Board are hereby authorized to execute necessary documents providing requested revenue and other public information relating to Beeson Cross Roads Fire and Rescue, Inc.

Adopted this the 31<sup>st</sup> day of August 2017.

FEDERAL REGULATIONS REQUIRE THAT THIS PUBLIC NOTICE BE PUBLISHED USING THE LANGUAGE LISTED BELOW

**VOLUNTEER FIRE DEPARTMENT**

**PUBLIC HEARING**

**LEGAL NOTICE**

Notice is hereby given, pursuant to Public Law No. 100-647 S1013(a)(24)(A) (1988), the undersigned will hold public hearing on Aug 2, 2017 at 7:30 am/pm at the location of the undersigned listed below to discuss its acquisition by lease purchase of one (1) New 2018 Sutphen Custom Fire Apparatus and financial arrangements related thereto.

Approximate amount of issue: \$402,210.29

All interested persons are invited to attend.

IN WITNESS WHEREOF, I have hereunto set my hand and Official Seal at my office in Kernersville this

11 day of July, 2017.



David Kent Manuel  
Corporate Secretary

Beeson Cross Roads Fire and Rescue, Inc.  
1105 Old Salem Road  
Kernersville, NC 27284

THE LANGUAGE IN THE NOTICE LISTED ABOVE SHOULD APPEAR IN "A NEWSPAPER OF LOCAL CIRCULATION", ONE (1) TIME, NO LESS THAN FOURTEEN (14) DAYS PRIOR TO THE DATE YOUR ORGANIZATION SETS FOR YOUR PUBLIC MEETING.

PLEASE PUBLISH THE NOTICE USING THE EXACT LANGUAGE AS WRITTEN ABOVE IN ORDER TO ASSURE COMPLIANCE WITH "Public Law No. 100-G47S1013 (a) (24) (A) (1988) Internal Revenue Code"

CLIPPING OF LEGAL ADVERTISEMENT

NORTH CAROLINA  
FORSYTH COUNTY

AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths, personally

appeared Connie Owensby

who being first duly sworn, deposes and says: that he (she) is Vice-President  
(Owner, partner, publisher, or other officer or employee authorized to make this affidavit)

of **KERNERSVILLE NEWS**, engaged in the publication of a newspaper known as **KERNERSVILLE NEWS**, published, issued, and entered as second class mail in the City of **Kernersville** in said County and State; that he (she) is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in the **KERNERSVILLE NEWS** on the following dates:

July 15, 2017

and that the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This 15th day of July, 2017.

Connie Owensby  
(Signature of person making affidavit)

Sworn to and subscribed before me, this 15th day of July, 2017.

Meredith Harrell  
Notary Public

My Commission expires: 1-31-2022

MEREDITH HARRELL  
Notary Public - North Carolina  
Guilford County  
My Commission Expires January 31, 2022

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LEGAL NOTICE**

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All interested persons are invited to attend.

IN WITNESS WHEREOF, I have hereunto set my hand and Official Seal at my office in Kernersville this 11th day of July, 2017.

David Kent Manuel  
Corporate Secretary  
Beeson Cross Roads Fire and Rescue, Inc.  
1105 Old Salem Road  
Kernersville, NC 27284

July 15, 2017