

**BOARD OF SUPERVISORS
COUNTY OF NEW KENT, VIRGINIA**

R-07-14

At the regular meeting of the New Kent County Board of Supervisors in the Boardroom of the Administration Building in New Kent, Virginia, on the 10th day of March, 2014:

Present:

C. Thomas Tiller, Jr.
James H. Burrell
Ron Stiers
W. R. Davis, Jr.
Thomas W. Evelyn

Vote:

Aye
Aye
Aye
Aye
Aye

Motion was made by Mr. Burrell, which carried 5:0, to adopt the following resolution:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF
NEW KENT COUNTY, VIRGINIA DECLARING ITS INTENTION
TO REIMBURSE ITSELF FROM THE PROCEEDS OF
ONE OR MORE TAX-EXEMPT FINANCINGS FOR
CERTAIN EXPENDITURES MADE AND/OR TO BE
MADE IN CONNECTION WITH CAPITAL IMPROVEMENT
PROJECT(S) FOR THE COUNTY AND
THE COUNTY SCHOOL SYSTEM**

WHEREAS, the County of New Kent, Virginia (**the "County"**) is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the County has adopted the FY 2014 – 2018 CIP and will pay on and after the date hereof, certain expenditures in connection with the construction of the capital improvement project herein referred to as the Historic School Renovation in the amount of \$5,000,000; and

WHEREAS, the Board of Supervisors of the County (**the "Board"**) has determined that those monies previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are

available only for a temporary period and it is necessary to reimburse the County for the Expenditures from the proceeds of one or more issues of tax-exempt bonds (**the "Bonds"**); and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF NEW KENT COUNTY, VIRGINIA, AS FOLLOWS:

Section 1. The Board hereby declares, in accordance with U.S. Treasury Regulation 26 CFR 1.150-2, as amended from time to time, the County's intent to reimburse the County with the proceeds of the Bonds for Expenditures with respect to the Projects made on and after the date which is no more than 60 days prior to the date hereof, The County reasonably expects on the date hereof that it will reimburse itself for the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.

Section 3. The maximum principal amount of the Bonds expected to be issued for the Historic School Renovation Project.

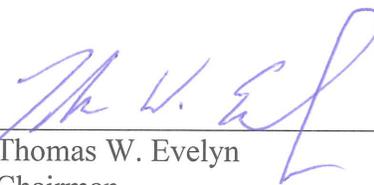
Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Projects are placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

Passed and adopted this 10th day of March, 2014.



Rodney A. Hahaway
County Administrator



Thomas W. Evelyn
Chairman