

**BOARD OF SUPERVISORS  
COUNTY OF NEW KENT  
VIRGINIA  
R-15-15**

At the regular meeting of the Board of Supervisors of the County of New Kent, Virginia in the Boardroom of the Administration Building in New Kent, Virginia, on the 29<sup>th</sup> day of April, 2015:

<u>Present:</u>	<u>Vote:</u>
W.R. "Ray" Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye
Ron Stiers, Vice Chairman	Aye
C. Thomas Tiller, Jr., Chairman	Aye

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

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

**WHEREAS**, by its resolution adopted March 25, 2015 (**the "Original Resolution"**) the Board of Supervisors (**the "Board of Supervisors"**) of the County of New Kent, Virginia (**the "County"**) (i) determined that a true and very real need exists for certain equipment and improvements and the installation and maintenance thereof, for a communications system serving the County including a microwave communications system plus related equipment, tower site improvements, mobile and portable radios and dispatch equipment to be owned by the County (**the "Communications System"**) described in the Lease Agreement (as defined in the Original Resolution), all pursuant to a System Purchase Agreement (**the "Communications System Agreement"**) between the County and Harris Corporation; and (ii) approved financing the Communications System through the Lease Agreement with Citizens and Farmers Bank (**the "Lessor"**), provided that payments under such Lease Agreement are subject to appropriation by the Board of Supervisors, as set forth in the Original Resolution; and

**WHEREAS**, the approval of the acquisition and financing of the Communications System pursuant to the Lease Agreement was conditioned upon approval by the Board of Supervisors of the final terms of such financing including the amount of the principal financed thereunder; and

**WHEREAS**, pursuant to this Resolution, the Board of Supervisors approves the final terms described below and further ratifies and approves the Original Resolution; and

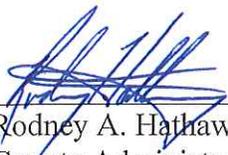
**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of New Kent, Virginia:

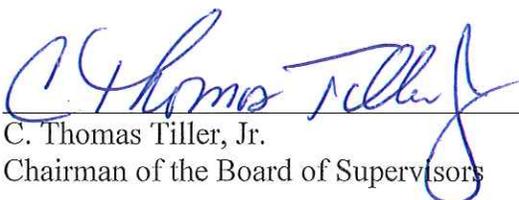
1. The financing of the Communications System described in the Original Resolution is hereby approved. The Board of Supervisors hereby approves the Lease Agreement reflecting an

aggregate principal component of payments thereunder in the amount of \$4,850,000, with a final payment on October 1, 2025, subject to optional prepayment, an interest cost of the interest component of payments thereunder at an annual rate of 2.35%, and otherwise in accordance with the updated proposal of the Lender, dated March 31, 2015. This approval constitutes the Board of Supervisors approval of final terms of the financing. The obligation of the County to pay rent under the Lease Agreement will be subject to the Board of Supervisors of the County making annual appropriations for such purpose.

2. The remaining provisions of the Original Resolution are hereby approved and affirmed as if set forth herein.
3. All other acts of the officers of the County that are in conformity with the purposes and intent of this resolution and the Original Resolution and in furtherance of the execution and delivery of the Communications System Agreement and the Lease Agreement and the undertaking of the acquisition, design, construction, equipping, installation and furnishing of the Communications System are hereby approved, ratified and confirmed.
4. Nothing in this Resolution, the Original Resolution, the Lease Agreement, or the Communications System Agreement or any documents executed or delivered in relation thereto shall constitute a debt or a pledge of the faith and credit of the County, and the County shall not be obligated to make any payments under the Lease Agreement or the Communications System Agreement except from payments made by or on behalf of the County pursuant to annual appropriation thereof in accordance with applicable law.
5. The recitals to this resolution are hereby incorporated by reference and are declared to be findings of the County in connection with its decision to acquire, install and finance the Communications System.
6. This resolution shall take effect immediately.

ADOPTED THIS 29<sup>th</sup> DAY OF APRIL, 2015.

  
\_\_\_\_\_  
Rodney A. Hathaway  
County Administrator

  
\_\_\_\_\_  
C. Thomas Tiller, Jr.  
Chairman of the Board of Supervisors

**CERTIFICATION OF ADOPTION OF RESOLUTION**

The undersigned Clerk of the Board of Supervisors of the County of New Kent, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on April 29, 2015, by the Board of Supervisors with the following votes:

Aye:           W.R. "Ray" Davis, Jr.  
                  Thomas W. Evelyn  
                  James H. Burrell  
                  Ron Stiers, Vice Chairman  
                  C. Thomas Tiller, Jr., Chairman

Nay:           None

Abstentions: None

Signed this 29<sup>th</sup> day of April, 2015.

By:  \_\_\_\_\_  
Clerk, Board of Supervisors