

Extract of Minutes of a regular meeting of the Board of Commissioners of the Town of Davidson, North Carolina in the Town Hall Board Room, Davidson, North Carolina, at 6:00 p.m. on August 12, 2008.

The following members were present:

The following members were absent:

* * * * *

Commissioner _____ moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF DAVIDSON, NORTH CAROLINA, AUTHORIZING AMENDMENTS TO AN INTERLOCAL AGREEMENT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

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The motion to adopt the aforementioned resolution titled “**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF DAVIDSON, NORTH CAROLINA, AUTHORIZING AMENDMENTS TO AN INTERLOCAL AGREEMENT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**” was seconded by Commissioner _____ and was adopted by the Board of Commissioners on the following vote:

YES:

NO:

PASSED, ADOPTED AND APPROVED this ____ day of August, 2008.

BOARD OF COMMISSIONERS OF THE TOWN OF DAVIDSON, NORTH CAROLINA

BY: _____
PEGGY SMITH
TOWN CLERK

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF DAVIDSON, NORTH CAROLINA, AUTHORIZING AMENDMENTS TO AN INTERLOCAL AGREEMENT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

WHEREAS, the Town of Davidson, North Carolina (the “*Town*”) is a validly existing North Carolina municipal corporation, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the “*State*”);

WHEREAS, the Board of Commissioners of the Town (the “*Board of Commissioners*”), determines that it is in the best interest of the Town to enter into an amendment (the “*Amendment*”) to the cable television system Interlocal Agreement for the joint operation of a cable television system (as amended, the “*Interlocal Agreement*”) among the Town, the Towns of Mooresville and Cornelius and the County of Mecklenburg, the effect of which is to increase the Town’s obligations thereunder.

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

Section 1. Findings. The Board hereby finds and determines in connection with the Town’s financial obligations under the Amendment (the “*Amendment*”) that (a) the Amendment is necessary or expedient to the Town, (b) the Amendment, under current circumstances, is preferable to a bond issue of the Town for the same purpose, (c) the sums estimated to fall due under the Amendment are adequate and not excessive for its proposed purpose, (d) the Town’s debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) assuming the cable system generates no revenue, the tax rate will need to be increased by 4.8 cents in order to meet the sums estimated to fall due under the Amendment, and that increase is not excessive and (f) the Town is not in default regarding any of its debt service obligations.

Section 2. Authorization to Negotiate and Execute Amendment. That the Mayor and the Town Manager, with advice from the Town Attorney, are hereby authorized and directed to proceed to negotiate and execute on behalf of the Town the Amendment.

Section 3. Repealed. That all motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 4. Effective Date. That this Resolution is effective on the date of its adoption.