

Notice to Proceed

Dated November 25, 2008

Project: Deep Creek Watershed Dam 5D	Owner: Yadkin County	Owner's Contract No.: N/A
Contract: N/A	Engineer's Project No.: 08210021.00	
Bidder: Haymes Brothers, Inc.		
Bidder's Address: (send Certified Mail, Return Receipt Requested)		
440 Hawkins Road		
Chatham, Virginia 24531		

You are notified that the Contract Times under the above contract will commence to run on December 1, 2008. On or before that date, you are to start performing your obligations under the Contract Documents. In accordance with Article 4 of the Agreement, the number of days to achieve Substantial Completion is 575 (June 10, 2010), and the number of days to achieve readiness for final payment is 650 (September 12, 2010).

Before you may start any Work at the Site, Paragraph 2.01.B of the General Conditions provides that you must deliver (with copies to Engineer and other identified additional insureds) certificates of insurance that you are required to purchase and maintain in accordance with the Contract Documents.

Yadkin County
Owner

Given by: Stan B. Kim
Authorized Signature

County Manager
Title

December 1, 2008
Date

Copy to Schnabel Engineering

Date: December 1, 2008

General Fund

Dept: Administration

Description	Account Number	Original Budget	Increase/ (Decrease)	Amended Budget
Travel/ Training	1054120-54010	4,500.00	3,125.00	7,625.00
Appropriated Fund Balance	1044000-49000	2,410,057.47	3,125.00	2,413,182.47

To amend travel/ training in the Administration Dept.

Date: December 1, 2008

General Fund

Dept: Animal Control

Description	Account Number	Original Budget	Increase/ (Decrease)	Amended Budget
Postage	1054380-54250	50.00	200.00	250.00
Appropriated Fund Balance	1044000-49000	2,409,857.47	200.00	2,410,057.47

To add funds to the postage account for Animal Control.

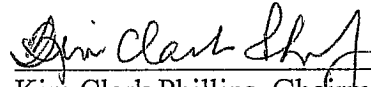
**A RESOLUTION
OF THE
YADKIN COUNTY BOARD OF COMMISSIONERS
CONCURRING IN THE PREPOSED SECONDARY ROAD CONSTRUCTION
PROGRAM FOR THE COUNTY IN ACCORDANCE WITH GS 136-44-8**

WHEREAS, the NCDOT District Engineer's Office has provided the County with a proposed Secondary Road Construction Program in accordance with NCGS 136-44-8, and

WHEREAS, this proposed program (outlined in attached **Exhibit A**) was the subject of a public hearing/ meeting on November 3, 2008 in the Meeting Chambers of the Yadkin County Board of Commissioners, at which time the Program was presented, public input was received and opportunities were provided for questions from those in attendance, and

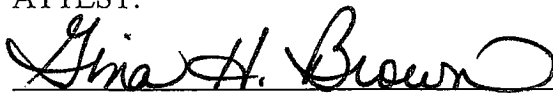
WHEREAS, following this hearing and meeting, the Yadkin County Board of Commissioners by official action at that meeting, and in accordance with the provisions of NCGS 136-44-8, concurred in the Construction Program as proposed.

NOW, THEREFORE BE IT RESOLVED, on this the 1st day of December, 2008 that this Resolution was approved by the Yadkin County Board of Commissioners and submission as written was authorized to the District Office of the North Carolina Department of Transportation.



Kim Clark Phillips, Chairman
Yadkin County
Board of County Commissioners

ATTEST:



Clerk to the Board
Yadkin County
Board of County Commissioners

North Carolina Department of Transportation
Secondary Roads Construction Program

Yadkin County

FY 2008-2009 Anticipated Allocation

Highway Fund (G.S. 136-44.5b,c)	\$ 878,579.45
Trust Fund (G.S. 136-182)	\$1,117,388.75
Total	\$1,995,968.20

I. Paving Unpaved Roads

Programmed Paving Goals 5.51 Miles

A. Rural Paving Priority

Priority Number	SR No	Length (Miles)	Road Name and Description	Est. Cost
15	1627	0.74	Eula Road From SR 1580 to SR 1570	\$225,000.00
16	1411	0.48	Cartner Road From SR 1312 to SR 1312	\$150,000.00
17	1214	0.42	Big Valley Road From SR 1133 to Dead End	\$150,000.00
18	1532	1.23	Crissman Road From SR 1529 To SR 1533	\$375,000.00
19	1653	0.44	Kimberly Lane From SR 1613 To Dead End	\$150,000.00
20	1348	0.31	Chappell Road From SR 1349 To End of Pavement	\$100,000.00
21	1505	0.82	Vallie Road From SR 1503 To SR 1511	\$275,000.00
22	1525	0.20	Mt. Pleasant Road From NC 67 To SR 1583	\$70,000.00
23	1362	0.87	Waterwheel Road (Partial Funding) From NC 67 To SR 1363	\$25,000.00

*Not included in Mileage Total
Total Miles 5.51

Subtotal \$1,520,000.00

*Rural Paving Alternates

Priority Number	SR No.	Length (Miles)	Road Name and Description	Est. Cost
24	1345A	0.73	Wagoner Road From SR 1347 To SR 1349	\$250,000.00
25	1552	0.34	Unionhill Road From End of Pavement To Dead End	\$100,000.00

*In the event that any roads in the priority have to be placed on the "Hold List" due to unavailable right of way or environmental review, or if additional funding becomes available, funds will be applied to the road(s) listed in priority order in the paving alternate list.

II. General Secondary Road Improvements

A. Unpaved Road Spot Improvements (Listed by SR No.)

1101	1106	1113	1114	1120	1123	1126C	1127
1130	1131A	1135	1137D	1147	1154	1160	1172
1177	1195	1196	1208	1307	1321	1332	1336
1345A	1356	1357	1365	1387	1388	1392	1405
1412	1418	1438	1442	1445	1446	1510	1514
1517	1518	1519	1522	1535	1546A	1552	1556
1558	1562	1562A	1567	1568	1577	1592	1598
1602	1615	1633	1712	1715	1732	1736	1741
1747							

Subtotal \$100,000.00

B. Paved and Unpaved Road Improvements

SR No.	Project Description	Est. Cost
	Maintenance functions on various roads as needed. Functions may include spot stabilization, paved road improvements, replacement of small bridges with pipes, safety projects, etc.	\$50,000.00

Subtotal \$50,000.00

III. Funds reserved for surveying, right of way acquisition, road additions, contingencies, overdrafts, and paving entrances to certified fire departments, rescue squads, etc.

Subtotal \$325,968.20

GRAND TOTAL \$1,995,968.20

NOTES:

1. PROGRAM SUBJECT TO AVAILABILITY OF FUNDING, RIGHT OF WAY AND ENVIRONMENTAL REVIEW
2. PROPOSED FUNDING ALLOCATIONS ARE ONLY PROJECTIONS. SHOULD THE ACTUAL ALLOCATIONS BE GREATER, NCDOT WILL CONTINUE DOWN THE PRIORITY LIST TO FUND ADDITIONAL SECONDARY ROAD PROJECTS.
3. WHEN SECONDARY ROADS CANNOT BE PAVED DUE TO THE INABILITY TO OBTAIN RIGHT OF WAY, NCDOT WILL CONTINUE DOWN THE PRIORITY LIST TO FUND ADDITIONAL SECONDARY ROAD PROJECTS.

A regular meeting of the Board of Commissioners for the County of Yadkin, North Carolina, was held in the Commissioners' Meeting Room in the Yadkin County Human Resources Building at 217 East Willow Street, in Yadkinville, North Carolina, the regular place of meeting, on December 1, 2008, at 9:00 A.M.

Present: Chair Kim Clark Phillips, presiding, and Commissioners Joel Cornelius, Tommy Garner, Chad Wagoner, and Brady Wooten.

Absent: None

* * * * *

Chair Phillips introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

RESOLUTION CALLING A PUBLIC HEARING ON WHETHER THE BOARD OF COMMISSIONERS FOR THE COUNTY OF YADKIN, NORTH CAROLINA SHOULD APPROVE A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF A NEW COUNTY JAIL, MAKING CERTAIN RELATED FINDINGS AND PROVIDING FOR CERTAIN RELATED MATTERS.

WHEREAS, the County of Yadkin, North Carolina (the "County") has determined to finance a portion of the cost of the construction and other accomplishment of a new County jail to replace the existing jail and the acquisition of land, furnishings and equipment therefor, such new jail to include 70 beds initially and administration, processing and support facilities necessary to service the initial inmates and to accommodate its expansion to include 150 beds eventually (the "Project"); and

WHEREAS, the County is considering entering into an installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$9,000,000, with other available funds, for the

Addendum D.1

construction and other accomplishment of the Project, and the County is authorized to do so only after a public hearing on such proposed agreement; and

WHEREAS, it is necessary to call a public hearing on such proposed agreement, to make certain related findings and to provide for certain related matters at this time;

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

Section 1. A public hearing shall be held at 7:00 P.M. on December 15, 2008 in the Commissioners' Meeting Room in the Yadkin County Human Resources Building at 217 East Willow Street, in Yadkinville, North Carolina, for the purpose of considering whether the Board of Commissioners for the County (the "Board") should approve such proposed agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$9,000,000, with other available funds, for the construction and other accomplishment of the Project. The County would secure the repayment by it of moneys advanced pursuant to such proposed agreement by granting a security interest in all or a portion of the Project and certain related property.

Section 2. The Clerk to the Board shall cause a notice of such public hearing to be published in The Yadkin Ripple once at least 10 days before December 15, 2008, such notice to read substantially as follows:

NOTICE OF PUBLIC HEARING ON WHETHER THE BOARD OF COMMISSIONERS FOR THE COUNTY OF YADKIN, NORTH CAROLINA SHOULD APPROVE A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF A NEW COUNTY JAIL.

NOTICE IS HEREBY GIVEN of a public hearing to be held at 7:00 P.M. on December 15, 2008 in the Commissioners' Meeting Room in the Yadkin County Human Resources Building at 217 East Willow Street, in Yadkinville, North Carolina, for the purpose of

considering whether the Board of Commissioners for the County of Yadkin, North Carolina (the “County”) should approve a proposed installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$9,000,000, with other available funds, for the construction and other accomplishment of the Project hereinafter described. The County would secure the repayment by it of moneys advanced pursuant to such proposed agreement by granting a security interest in all or a portion of the Project and certain related property.

The Project consists of the construction and other accomplishment of a new County jail to replace the existing jail and the acquisition of land, furnishings and equipment therefor, such new jail to include 70 beds initially and administration, processing and support facilities necessary to service the initial inmates and to accommodate its expansion to include 150 beds eventually.

Gina Brown
Clerk to the Board of Commissioners
for the County of Yadkin, North Carolina

Section 3. The Board hereby finds and determines in connection with such proposed agreement that (a) the proceeds of such proposed agreement will be used to finance a portion of the cost of the Project to meet an urgent need for improved detention facilities to serve the residents of the County and, accordingly, such proposed agreement is necessary or expedient for the County, (b) such proposed agreement, under current circumstances, is preferable to a bond issue of the County for financing the same purpose because there is not adequate time to hold a bond referendum, (c) the sums estimated to fall due under such proposed agreement are adequate and not excessive for its proposed purpose because the proposed principal components of such sums are based upon the County’s best estimates of the funds needed for such purpose and other

funds available for such purpose, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed agreement will not be excessive because the County expects that it will not be necessary to increase taxes for such purpose, and (f) the County is not in default regarding any of its debt service obligations.

Section 4. The County Manager, the Finance Officer and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of such proposed agreement with the Local Government Commission of North Carolina and are authorized to take such other actions as may be advisable in connection with the negotiation of such proposed agreement and the development of the related financing; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 5. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed agreement under Article 8 of Chapter 159 of the General Statutes of North Carolina, as amended.

Section 6. First Southwest Company, Charlotte, North Carolina, is hereby confirmed as financial advisor to the County in connection with such proposed agreement.

Section 7. The law firm of Robinson, Bradshaw and Hinson, P.A., Charlotte, North Carolina, is hereby confirmed as special counsel to the County in connection with such proposed agreement.

Section 8. This resolution shall take effect immediately upon its passage.

Upon consideration of the foregoing resolution and motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Kim Clark Phillips, Joel Cornelius, Tommy Garner, and

Chad Wagoner

Noes: Brady Wooten

* * * * *

I, Gina Brown, Clerk to the Board of Commissioners for the County of Yadkin, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on December 1, 2008 as relates in any way to the matters described therein and that said proceedings are recorded in Minute Book No. 19 of the minutes of said Board.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said Board, stating that regular meetings of said Board are held in the Commissioners' Meeting Room in the Yadkin County Human Resources Building at 217 East Willow Street, in Yadkinville, Yadkin, North Carolina, on the first and third Mondays of each month at 9:00 A.M. and 7:00 P.M., respectively, has been on file in my office as of a date not less than seven days before the date of said meeting in accordance with G.S. §143-318.12.

WITNESS my hand and the corporate seal of said County, this 1st day of December 2008.


Clerk to the Board of Commissioners