

May 27, 2009
Recessed Meeting from May 13, 2009

The Martin County Board of Commissioners met at 7:00 p.m. on Wednesday, May 27, 2009 in a meeting recessed from May 13, 2009 to continue discussion of the Water District 3 Bond Referendum and hold a Public Hearing on the Order Authorizing \$3,500,000 Water Bonds". The meeting was held in the Board Room of the Martin County Governmental Center, 305 East Main Street, Williamston, North Carolina.

ASSEMBLY

Chairman Ronnie Smith, Vice Chairman Elmo "Butch" Lilley, Commissioners C. Mort Hurst, Tommy W. Bowen and Derek Price, County Manager W. Russell Overman and County Attorney J. Melvin Bowen were present. Clerk to the Board Linda Hardison was absent due to sickness.

Chairman Smith reconvened the meeting at 7:00 p.m. After everyone recited the Pledge of Allegiance, Chairman Smith offered the Invocation.

The following proceedings were prepared according to the instructions of the Bond Attorney.

An adjourned regular meeting of the Board of Commissioners for the County of Martin, North Carolina, as the governing body of the Martin County Water and Sewer District No. 3, in Martin County, North Carolina, was held at 7:00 P.M., on May 27, 2009, in the Board Room in the Martin County Governmental Center located at 305 East Main Street, in Williamston, North Carolina (the regular meeting of said Board on May 13, 2009 having been adjourned to said time, date and place).

Present: Chairman Ronnie Smith, presiding, and Commissioners Elmo "Butch" Lilley, C. Mort Hurst, Tommy W. Bowen and Derek Price.

Absent: None

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At 7:00 P.M. the Chairman announced that this was the hour, date and place fixed by the Board of Commissioners, as the governing body of the Martin County Water and Sewer District No. 3, in Martin County, North Carolina, for the public hearing upon the order entitled: "ORDER AUTHORIZING \$3,500,000 WATER BONDS" and that the Board of Commissioners would immediately hear anyone who might wish to be heard on the question of the validity of said order or the advisability of issuing said bonds.

No one appeared, either in person or by attorney, to be heard on the question of the validity of said order or the advisability of issuing said bonds and the Clerk to the Board of Commissioners announced that no written statement relating to said questions had been received.

Thereupon, upon motion of Commissioner Tommy W. Bowen, seconded by Commissioner C. Mort Hurst and carried, the order introduced and passed on first reading on May 13, 2009 entitled: "ORDER AUTHORIZING \$3,500,000 WATER BONDS" was read a second time by title and placed upon its final passage. The vote upon the final passage of said order was:

Ayes: Commissioners Ronnie Smith, Elmo "Butch" Lilley, C. Mort Hurst, Tommy W. Bowen and Derek Price.

Noes: None.

The Chairman then announced that the order entitled: "ORDER AUTHORIZING \$3,500,000 WATER BONDS" had been adopted.

The Clerk to the Board of Commissioners was thereupon directed to publish said order, together with the appended statement as required by The Local Government Bond Act, as amended, once in The Enterprise.

Thereupon Commissioner Tommy W. Bowen introduced the following resolution, a copy of which had been made available to each Commissioner and which was read by title:

RESOLUTION CALLING A SPECIAL
BOND REFERENDUM

BE IT RESOLVED by the Board of Commissioners for the County of Martin, as the governing body of the Martin County Water and Sewer District No. 3, in Martin County, North Carolina:

Section 1. A special bond referendum is hereby called to be held between 6:30 A.M. and 7:30 P.M., on Tuesday, July 28, 2009, at which there shall be submitted to the qualified voters of the Martin County Water and Sewer District No. 3 the question stated in the notice of special bond referendum set forth in Section 3 of this resolution.

Section 2. For said referendum, (i) the regular registration books for elections in Martin County shall be used and the registration books, process or records shall be open for the registration of qualified persons and for public inspection in the manner, under the conditions and at the times and places as provided in said notice set forth in Section 3 of this resolution, (ii) the chief judges, judges and other officers of election appointed by the Martin County Board of Elections for the precincts and voting places in said District shall be the election officers for such precincts and voting places and (iii) the precincts and voting places for said referendum shall be those fixed by the Martin County Board of Elections as provided in said notice set forth in Section 3 of this resolution, subject to change as provided by law. The Martin County Board of Elections is hereby requested to conduct said referendum and to take all necessary steps to that end in accordance with the provisions of this section.

Section 3. The Clerk to the Board of Commissioners shall cause a notice to be published in The Enterprise once at least fourteen days before July 2, 2009 (being the last day on which persons may register for said referendum except as otherwise provided in said notice set forth in Section 3 of this resolution) and once again not less than seven days before said day, such notice to read substantially as follows:

NOTICE OF SPECIAL BOND REFERENDUM
IN THE
MARTIN COUNTY WATER AND SEWER DISTRICT NO. 3,
IN MARTIN COUNTY, NORTH CAROLINA

A special bond referendum will be held throughout the Martin County Water and Sewer District No. 3, in Martin County, North Carolina, between 6:30 A.M. and 7:30 P.M., on Tuesday, July 28, 2009 at which there will be submitted to the qualified voters of said District the following question:

Shall the order adopted on May 27, 2009, authorizing not exceeding \$3,500,000 Water Bonds of the Martin County Water and Sewer District No. 3, in Martin County, North Carolina, for the purpose of providing funds, with any other available funds, for acquiring and constructing a water system of said District, within and without the corporate limits of said District, including the acquisition, construction and installation of an elevated water storage tank, water mains and lines, metering stations and appurtenant facilities and the acquisition of necessary land,

rights of way and equipment, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

The question hereinabove set forth contains a statement of the purpose for which the bonds are authorized by the order referred to in such question.

If said bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in said District.

For said referendum the regular registration books for elections in the County of Martin will be used and the registration books, process or records will continue to be open for the acceptance of registration applications and the registration of qualified persons from 8:00 A.M. until 12:00 Noon and 1:00 P.M. until 5:00 P.M. on Monday to Friday, inclusive, of each week at the office of the Martin County Board of Elections in the Martin County Governmental Center located at 305 East Main Street, in Williamston, North Carolina.

In addition, registration applications will be accepted and qualified persons may register also at any Drivers License Examining Station located in the State of North Carolina (the "State") during normal business hours when applying for, renewing or correcting driver licenses.

Moreover, registration applications will be accepted and qualified persons may register at every office in the State which accepts claims for benefits under the Employment Security Law or applications for a program of public assistance under Article 2 of Chapter 108A or Article 13 of Chapter 130A of the General Statutes of North Carolina and at every office in the State designated by the State Board of Elections which accepts applications for State-funded State or local government programs primarily engaged in providing services to persons with disabilities. Such programs include Medicaid, Aid to Families with Dependent Children, Food Stamps, Women, Infants and Children and programs of the Division of Mental Health and the Division of Services for the Blind.

Qualified persons may also register by mail on forms to be available at the office of the Martin County Board of Elections and otherwise as provided in Article 7A of Chapter 163 of the General Statutes of North Carolina.

Furthermore, certain persons in the armed forces and their spouses, certain veterans, certain civilians working with the armed forces, members of the Peace Corps and certain overseas voters may register by mail at any time prior to said referendum in the manner provided in Article 21 of Chapter 163 of the General Statutes of North Carolina and in person at any time, including the day of said referendum.

The last day for new registration of those not now registered under Martin County's permanent registration system and who wish to register for said referendum is Thursday, July 2, 2009, by 5:00 P.M., except as otherwise provided in Article 7A of Chapter 163 of the General Statutes of North Carolina.

The last day on which registered voters who have changed residence may notify the Martin County Board of Elections of their changes of address in order to be registered for said referendum is Thursday, July 2, 2009, by 5:00 P.M., except as otherwise provided in Article 7A of Chapter 163 of the General Statutes of North Carolina.

Any qualified voter of said District who is qualified to vote by absentee ballot in said special bond referendum may apply to the Martin County Board of Elections for an absentee ballot. Any qualified voter who is qualified to vote by military absentee ballot pursuant to Section 163-245 of the General Statutes of North Carolina may also apply for an absentee ballot as provided by Section 163-247 of the General Statutes of North Carolina. Any such qualified voter may vote an absentee ballot by mail or otherwise as provided in Article 20 and Article 21 of Chapter 163 of the General Statutes of North Carolina.

Persons who are not certain whether they are registered to vote or qualified to vote or who desire further information concerning the registration process or said referendum should contact the Martin County Board of Elections at the office of said Board mentioned above, telephone number (252) 789-4317.

The registration books for elections in Martin County will be open to inspection by any registered voter of said District during the normal business hours of the Martin County Board of Elections on the days when the office of said Board is open.

The chief judges, judges and other officers of election appointed by the Martin County Board of Elections will serve as the election officers for said referendum.

The Martin County Board of Elections will conduct said referendum.

The precinct and voting place for said referendum, subject to change as provided by law, are as follows:

<u>PRECINCT</u>	<u>VOTING PLACE</u>
Jamesville (excluding the area within the corporate limits of the Town of Jamesville which is not a part of said District)	Jamesville Town Hall 1211 Water Street Jamesville, NC

William Earl Newsome
Chairman of the Martin County Board of Elections
North Carolina

Linda G. Hardison
Clerk to the Board of Commissioners for the
County of Martin, North Carolina

Section 4. The form of the question to appear in the ballots and in the instructions to voters for said referendum shall be substantially as follows:

Shall the order adopted on May 27, 2009, authorizing not exceeding \$3,500,000 Water Bonds of the Martin County Water and Sewer District No. 3, in Martin County, North Carolina, for the purpose of providing funds, with any other available funds, for acquiring and constructing a water system of said, within and without the corporate limits of said District, including the acquisition, construction and installation of an elevated water storage tank, water mains and lines, metering stations and appurtenant facilities and the acquisition of necessary land, rights of way and equipment, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

Section 5. The Clerk to the Board of Commissioners is hereby directed to mail or deliver a certified copy of this resolution to the Martin County Board of Elections within three days after the adoption hereof.

Section 6. This resolution shall take effect upon its passage.

Thereupon, upon motion of Commissioner C. Mort Hurst, seconded by Commissioner Derek Price, the foregoing resolution entitled: "RESOLUTION CALLING A SPECIAL BOND REFERENDUM" was passed by the following vote:

Ayes: Commissioners Ronnie Smith, Elmo "Butch" Lilley, C. Mort Hurst, Tommy W. Bowen and Derek Price.

Noes: None.

ADJOURNMENT

With no further business to discuss, Commissioner Hurst made a MOTION, with a SECOND by Commissioner Price, to adjourn the meeting. The motion was unanimously APPROVED, and the meeting was adjourned at 7:10 p.m.

Ronnie Smith, Chairman

Cindy Ange, Notetaker