

STATE OF NORTH CAROLINA

COUNTY OF VANCE

The Vance County Board of Commissioners sitting as the Vance County Water District Board met in special session on Monday, December 19, 2011 at 4:00 p.m. in the Commissioners' Conference Room, Vance County Administration Building, 122 Young Street, Henderson, NC. Those Commissioners present were as follows: Chairman Terry E. Garrison, Commissioners Thomas S. Hester, Jr., Deborah F. Brown, Dan Brummitt, and J. Timothy Pegram.

Absent: Commissioner Eddie L. Wright.

Tardy: Commissioner Gordon Wilder.

Also present were County Manager Jerry L. Ayscue, Finance Director Steven C. Stanton, County Attorney Jonathan S. Care, and Clerk to the Board Kelly H. Grissom.

Chairman Terry E. Garrison gave the invocation.

County Manager Jerry L. Ayscue stated that, as advertised, the Board is meeting as the Water District Board to approve matters that were previously approved by the Board of Commissioners during its December 5, 2011 meeting.

Items needing approval were as follows:

1. Approve project plans and specifications subject to any modifications made by USDA.
2. Authorize staff to solicit bids for operations and maintenance services.
3. Solicit construction bids according to the engineer's time table.
4. Other items as needed.

Motion was made by Commissioner Thomas S. Hester, Jr. to approve the project plans and specifications subject to any modifications made by USDA. This motion was seconded by Commissioner Deborah F. Brown and unanimously approved.

Motion was made by Commissioner Dan Brummitt to authorize staff to solicit bids for operations and maintenance services. This motion was seconded by Commissioner Thomas S. Hester, Jr. and unanimously approved.

Commissioner Gordon Wilder was now present.

Motion was then made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Deborah F. Brown, vote unanimous, to solicit construction bids according to the engineer's time table as presented during a previous meeting.

County Attorney Jonathan S. Care stated that the County's bond counsel, Tom Lee, in reviewing what needed to be done after the bond referendum passed, brought to light that one resolution formally approving the bond election results needs to be approved. Attorney Care suggested that both the Water Board and the Board of Commissioners approve this resolution.

This action was approved as follows:

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The Board of Commissioners for the County of Vance, North Carolina, in its capacity as the governing body of the Vance County Water District, met in a special meeting in the Commissioners' Conference Room in the Vance County Administration Building located at 122 Young Street in Henderson, North Carolina, the regular place of meeting, at 4:00 p.m. on December 19, 2011.

Present: Chairman Terry E. Garrison, presiding and Commissioners Deborah F. Brown, Dan Brummitt, Thomas S. Hester, Jr., J. Timothy Pegram, and Gordon Wilder

Absent: Commissioner Eddie L. Wright

Also present: County Manager Jerry L. Ayscue, County Finance Director Steven C. Stanton, County Attorney Jonathan S. Care, and Clerk to the Board Kelly H. Grissom

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The Board of Commissioners received from the Vance County Board of Elections a certified copy of the proceedings of said Board of Elections taken on May 13, 2008, evidencing said Board of Elections' determination of the result of the canvass of the returns of the bond referendum held in the Vance County Water District on May 6, 2008, upon the question of approving \$27,000,000 Water Bonds of said District.

County Attorney Jonathan S. Care introduced the following resolution:

**RESOLUTION DECLARING THE RESULT OF THE BOND REFERENDUM HELD IN THE VANCE COUNTY WATER DISTRICT ON MAY 6, 2008, UPON THE QUESTION OF APPROVING \$27,000,000 WATER BONDS**

BE IT RESOLVED by the Board of Commissioners for the County of Vance, North Carolina, in its capacity as the governing body of the Vance County Water District (the "District"):

Section 1. The Board of Commissioners for the District having received from the Vance County Board of Elections a certified copy of the proceedings of said Board of Elections taken on May 13, 2008, evidencing said Board of Elections' determination of the result of the canvass of the returns of the bond referendum held in the District on May 6, 2008, upon the question of approving \$27,000,000 Water Bonds of said District, does hereby declare and certify the result of said

referendum to be the result which is set forth in the following statement of the result of said referendum, which statement has been prepared by said Board of Commissioners:

STATEMENT OF THE RESULT  
OF THE  
BOND REFERENDUM  
HELD IN THE  
VANCE COUNTY WATER DISTRICT  
ON MAY 6, 2008  
UPON THE QUESTION OF APPROVING  
\$27,000,000 WATER BONDS

At a bond referendum held in the Vance County Water District on May 6, 2008, \_\_\_\_ voters voted.

At said referendum \_\_\_\_\_ votes were cast for the order adopted on March 10, 2008, authorizing not exceeding \$27,000,000 Water Bonds of the Vance County Water District, for the purpose of providing funds, together with any other available funds, for acquiring, constructing, enlarging, extending, renovating and improving a water distribution system of said District, inside and outside its corporate limits, including, without limitation, water mains and lines, booster pump stations, water storage tanks, water supply interconnections, system interconnections and other appurtenant facilities, and the acquisition of any necessary land, rights-of-way and equipment, and \_\_\_\_\_ votes were cast against said order, and that a majority of the qualified voters of the Vance County Water District who voted thereon at said referendum voted in favor of said order, said order was thereby approved and is in force and effect.

Board of Commissioners for the County of  
Vance, North Carolina, in its capacity as the  
governing body of the Vance County Water  
District

Section 2. The Clerk to the Board of Commissioners for the District shall file a copy of the foregoing statement of the result of said referendum in her office and shall publish such statement once in The Daily Dispatch. A statement in substantially the following form shall be published with the foregoing statement:

“Any action or proceeding challenging the regularity or validity of this bond referendum must be begun within 30 days after [date of publication].”

Section 3. This resolution shall take effect upon its passage. Upon motion of Commissioner Thomas S. Hester, Jr., seconded by Commissioner Gordon Wilder, the foregoing resolution entitled: “RESOLUTION DECLARING THE RESULT OF THE BOND REFERENDUM HELD IN THE

VANCE COUNTY WATER DISTRICT ON MAY 6, 2008, UPON THE QUESTION OF APPROVING \$27,000,000 WATER BONDS” was passed by the following vote:

Ayes: Commissioners Deborah F. Brown, Dan Brummitt, Terry E. Garrison, Thomas S. Hester, Jr., J. Timothy Pegram, and Gordon Wilder.

Noes: None

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At this time, motion was made by Commissioner Dan Brummitt, seconded by Commissioner Deborah F. Brown, vote unanimous, to adjourn the Water District Board.

Chairman Garrison called the Board of Commissioners to order.

Attorney Care stated that the Board of Commissioners also needs to approve the resolution declaring the result of the bond referendum.

This action was approved as follows:

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The Board of Commissioners for the County of Vance, North Carolina met in a special meeting in the Commissioners’ Conference Room in the Vance County Administration Building located at 122 Young Street in Henderson, North Carolina, the regular place of meeting, at 4:00 p.m. on December 19, 2011.

Present: Chairman Terry E. Garrison, presiding and Commissioners Deborah F. Brown, Dan Brummitt, Thomas S. Hester, Jr., J. Timothy Pegram, and Gordon Wilder

Absent: Commissioner Eddie L. Wright

Also present: County Manager Jerry L. Ayscue, County Finance Director Steven C. Stanton, County Attorney Jonathan S. Care, and Clerk to the Board Kelly H. Grissom.

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The Board of Commissioners received from the Vance County Board of Elections a certified copy of the proceedings of said Board of Elections taken on May 13, 2008, evidencing said Board of Elections’ determination of the result of the canvass of the returns of the bond referendum held in the Vance County Water District on May 6, 2008, upon the question of approving \$27,000,000 Water Bonds of said District.

After said proceedings had been considered and reviewed by the Board of Commissioners, County Attorney Jonathan S. Care introduced the following resolution:

**RESOLUTION DECLARING THE RESULT OF THE BOND REFERENDUM  
HELD IN THE VANCE COUNTY WATER DISTRICT ON MAY 6, 2008,  
UPON THE QUESTION OF APPROVING \$27,000,000 WATER BONDS**

BE IT RESOLVED by the Board of Commissioners for the County of Vance, North Carolina, in its capacity as the governing body of the Vance County Water District (the "District"):

Section 1. The Board of Commissioners for the District having received from the Vance County Board of Elections a certified copy of the proceedings of said Board of Elections taken on May 13, 2008, evidencing said Board of Elections' determination of the result of the canvass of the returns of the bond referendum held in the District on May 6, 2008, upon the question of approving \$27,000,000 Water Bonds of said District, does hereby declare and certify the result of said referendum to be the result which is set forth in the following statement of the result of said referendum, which statement has been prepared by said Board of Commissioners:

STATEMENT OF THE RESULT  
OF THE  
BOND REFERENDUM  
HELD IN THE  
VANCE COUNTY WATER DISTRICT  
ON MAY 6, 2008  
UPON THE QUESTION OF APPROVING  
\$27,000,000 WATER BONDS

At a bond referendum held in the Vance County Water District on May 6, 2008, \_\_\_\_\_ voters voted.

At said referendum \_\_\_\_\_ votes were cast for the order adopted on March 10, 2008, authorizing not exceeding \$27,000,000 Water Bonds of the Vance County Water District, for the purpose of providing funds, together with any other available funds, for acquiring, constructing, enlarging, extending, renovating and improving a water distribution system of said District, inside and outside its corporate limits, including, without limitation, water mains and lines, booster pump stations, water storage tanks, water supply interconnections, system interconnections and other appurtenant facilities, and the acquisition of any necessary land, rights-of-way and equipment, and \_\_\_\_\_ votes were cast against said order, and that a majority of the qualified voters of the Vance County Water District who voted thereon at said referendum voted in favor of said order, said order was thereby approved and is in force and effect.

Board of Commissioners for the County of  
Vance, North Carolina, in its capacity as the  
governing body of the Vance County Water  
District

Section 2. The Clerk to the Board of Commissioners for the District shall file a copy of the foregoing statement of the result of said referendum in her office and shall publish such statement once in The Daily Dispatch. A statement in substantially the following form shall be published with the foregoing statement:

“Any action or proceeding challenging the regularity or validity of this bond referendum must be begun within 30 days after [date of publication].”

Section 3. This resolution shall take effect upon its passage. Upon motion of Commissioner Dan Brummitt, seconded by Commissioner Gordon Wilder, the foregoing resolution entitled: “RESOLUTION DECLARING THE RESULT OF THE BOND REFERENDUM HELD IN THE VANCE COUNTY WATER DISTRICT ON MAY 6, 2008, UPON THE QUESTION OF APPROVING \$27,000,000 WATER BONDS” was passed by the following vote:

Ayes: Commissioners Deborah F. Brown, Dan Brummitt, Terry E. Garrison, Thomas S. Hester, Jr., J. Timothy Pegram, and Gordon Wilder.

Noes: None

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Mr. Aycue stated that Brian Short, Emergency Operations Director, has requested approval of a resolution which designates Mr. Short and Mr. William Reavis to represent Vance County on reimbursements and costs associated with Hurricane Irene recovery.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Dan Brummitt, vote unanimous, to designate Mr. Brian Short and Mr. William Reavis to represent Vance County on reimbursements and costs associated with Hurricane Irene recovery, and authorize them to execute any related FEMA documents pertaining to this recovery.

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**BE IT RESOLVED** by the Vance County Board of Commissioners that the above-named primary and secondary agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the County for the purpose of obtaining certain state and federal assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available.

**BE IT FURTHER RESOLVED**, that the above-named agents are authorized to represent and act for the County in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and assurances.

**BE IT FINALLY RESOLVED**, that the above-named agents are authorized to act severally.

**This, the 19<sup>th</sup> day of December, 2011.**

**Terry E. Garrison (Signed)**

Terry E. Garrison, Chairman

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As there was no further business, at 4:20 p.m., motion was made by Commissioner Dan Brummitt, seconded by Commissioner Deborah F. Brown, vote unanimous, that the meeting be adjourned.

Approved and signed January 9, 2012.

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Chairman