

A RESOLUTION

ORDERING A REFERENDUM IN LEXINGTON COUNTY SCHOOL DISTRICT NO. 4, SOUTH CAROLINA, TO SUBMIT THE QUESTION OF WHETHER THE SCHOOL DISTRICT SHALL BE AUTHORIZED TO ISSUE NOT EXCEEDING \$25,400,000 PRINCIPAL AMOUNT GENERAL OBLIGATION BONDS FOR THE PURPOSE OF DESIGNING, CONSTRUCTING, EQUIPPING AND FURNISHING IMPROVEMENTS AT SWANSEA HIGH SCHOOL, INCLUDING IMPROVEMENTS TO ATHLETIC AND RELATED PARKING FACILITIES, A PERFORMING ARTS CENTER, AND RENOVATIONS AND OTHER IMPROVEMENTS; PROVIDING FOR PUBLICATION OF NOTICE OF THE REFERENDUM; AND OTHER THINGS NECESSARY THERETO.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LEXINGTON COUNTY SCHOOL DISTRICT NO. 4, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1. *Findings.* The Board of Trustees (the "Board"), as the governing body of Lexington County School District No. 4, South Carolina (the "School District"), hereby finds and determines:

(a) Article X, Section 15 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that school districts of the State shall have the power to incur bonded indebtedness in such manner and upon such terms and conditions as the General Assembly may have heretofore or may hereafter prescribe.

(b) Article X, Section 15, subsection (5) of the Constitution provides that if general obligation debt is authorized by a majority vote of the qualified electors of the School District voting in a referendum authorized by law, there shall be no conditions or restrictions limiting the incurring of such indebtedness except (i) those restrictions and limitations imposed in the authorization to incur such indebtedness; (ii) such general obligation debt shall be issued within five years of the date of such referendum; and (iii) general obligation debt may be incurred only for a purpose which is a public purpose and which is a corporate purpose of the School District and such debt shall mature within thirty years from the time such indebtedness shall be incurred.

(c) The provisions of Title 11, Chapter 27, Section 50, Code of Laws of South Carolina, 1976, as amended (the "Code") empower the Board of the School District to order any such referendum as is required by Article X of the Constitution, to prescribe the notice thereof and to conduct or cause to be conducted such referendum in the manner prescribed by Title 59, Chapter 71, Article 1 of the Code (being the "School Bond Act").

(d) The Board finds that it is in the best interests of the residents of the District to provide for the designing, constructing, equipping, and furnishing improvements at Swansea High School, including renovations and improvements to athletic and related parking facilities, a new performing arts center, and additional renovations and improvements at Swansea High School (collectively, the "Capital Improvements").

(e) The amount of general obligation bonds required for such purposes exceeds the School District's present constitutional debt limitation, unless the question of issuing such bonds is submitted to and approved by the qualified electors of the School District.

(f) The Board finds that it is in the best interest of the School District for the Board to order a referendum to be held in the School District in order to submit to the qualified electors of the School District the question of

whether the School District shall be empowered to issue not exceeding \$25,400,000 aggregate principal amount of general obligation bonds for the purpose of funding the costs of the Capital Improvements, as determined by the Board, and costs of issuance of such bonds.

(g) A Notice of Referendum must be published in compliance with the provisions of Sections 7-13-35 and 59-71-50 of the Code, viz., not less than 60 days prior to the Referendum, not later than two weeks after such first notice is published, and once not less than 15 days prior to the occasion set for the holding of the Referendum.

(h) Under existing law, bond referendums in Lexington County may be held only on the first Tuesday following the first Monday in November of a year. Therefore, the Board has determined to adopt this Resolution to order the holding of a referendum on November 8, 2016, to prescribe the form of Notice of Election, and to authorize publication of the same.

SECTION 2. *Order to Hold Referendum.* Pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina, there is hereby ordered a referendum to be held in the School District on November 8, 2016 (the "Referendum"), which shall be open to all persons residing in the School District and qualified to vote under the Constitution and laws of the State of South Carolina. The forms of the ballot and the question to be submitted are set forth in Appendix A hereto. The Election Authorities are authorized to modify the form of ballot and instructions to voters contained therein (but not the question) in order to accommodate the respective methods of balloting to be used by them for the Referendum.

SECTION 3. *Voting, Polling Places and Hours of Election.* The voting precincts or any portion thereof in the School District for the Referendum shall be as follows:

<u>PRECINCT</u>	<u>POLLING PLACE</u>
Mack Edisto	Mack Edisto Community Center 944 Mack Edisto Rd
Swansea #1	Swansea High School Gym, 500 East First St - Highway 6
Sandy Run	Horseneck Community Center, 121 Bub Wise Rd
Gaston #1	Frances Mack Primary School, 161 Gaston St
Sharpes Hill	Sharpes Hill Community Center, 2121 Sharpes Hill Rd
Gaston #2	Gaston Civic Center, 131 North Carlisle St
Sandhills	Sandhills Middle School 582 Meadowfield Rd
Swansea #2	Swansea Primary School 1195 I.W. Hutto Rd
Pelion #2	Pelion Elementary School 1202 Pine St
Absentee	Registration & Elections Office

The polls shall be opened at seven o'clock in the forenoon and closed at seven o'clock in the afternoon on the date fixed for the Referendum and shall be held open during said hours without intermission or adjournment.

SECTION 4. *Qualifications of Voters.* Every person offering to vote must be at least eighteen (18) years of age, must reside in the School District and must be duly registered on the books of registration for Lexington County as an elector in the precinct in which he or she resides and offers to vote on or before the date on which said books of registration are closed for the Referendum, and must produce, upon presenting himself or herself to vote, a valid and current: (1) South Carolina driver's license, (2) other form of identification containing a

photograph issued by the South Carolina Department of Motor Vehicles, (3) passport, (4) military identification containing a photograph issued by the federal government, or (5) South Carolina voter registration card containing a photograph of the voter. Persons who do not or cannot present valid and current identification as provided herein may cast a provisional ballot in accordance with Section 7-13-710, Code of Laws of South Carolina, 1976, as amended.

SECTION 5. Notice of Referendum. A Notice of Referendum, substantially in the form set hereinafter set forth, shall be published in *The State* and in *The Lexington County Chronicle/Dispatch-News* and in compliance with the provisions of Sections 7-13-35 and 59-71-50 of the Code, viz., not less than 60 days prior to the Referendum, not later than two weeks after such first notice is published, and once not less than 15 days prior to the occasion set for the holding of the Referendum:

FORM OF NOTICE OF REFERENDUM

NOTICE OF REFERENDUM \$25,400,000 GENERAL OBLIGATION BONDS LEXINGTON COUNTY SCHOOL DISTRICT NO. 4, SOUTH CAROLINA

NOTICE IS HEREBY GIVEN that a Referendum will be held in Lexington County School District No. 4, South Carolina (the "School District"), on November 8, 2016, for the purpose of submitting to all persons qualified to vote in the School District, under the Constitution and laws of the State of South Carolina the following question:

Shall the Board of Trustees of Lexington County School District No. 4, South Carolina, be authorized to issue, either at one time as a single issue or from time to time as several separate issues, not exceeding \$25,400,000 principal amount general obligation bonds for the purpose of defraying the costs of designing, constructing, equipping, and furnishing of improvements at Swansea High School, including:

1. renovations and improvements to athletic facilities and related parking facilities;
 2. a new performing arts center;
 3. additional improvements to address safety issues and to provide for career and technical education; and
 4. to the extent proceeds of such bonds remain, additional renovations and improvements at Swansea High School,
- together with all related costs such as architectural and engineering fees and costs of issuance of such bonds?

The question is being submitted pursuant to Article X, Section 15 of the Constitution of the State of South Carolina, 1895, as amended, Title 11, Chapter 27, Section 50, Code of Laws of South Carolina, 1976, as amended, and Title 59, Chapter 71, Article 1, Code of Laws of South Carolina, 1976, as amended, and a resolution of the Board of Trustees of the School District adopted November 9, 2015. If a majority of the qualified electors of the School District voting in the Referendum approve the question permitting the issuance

of the not exceeding \$25,400,000 general obligation bonds, such bonds may be issued by the School District either at one time as a single issue or from time to time as several separate issues. The proceeds of the bonds will be used for the purpose of defraying the cost of designing, constructing, equipping and furnishing improvements at Swansea High School, including renovations and improvements of athletic and related parking facilities, a new performing arts center, additional improvements to address safety issues and to provide for career and technical education, and, to the extent proceeds of such bonds remain, additional renovations and improvements at Swansea High School, together with all related costs such as architectural and engineering fees and costs of issuance of such bonds.

Every person offering to vote in this referendum must be at least eighteen (18) years of age, must reside in the School District and must be duly registered on the books of registration for Lexington County as an elector in the precinct in which he or she resides and offers to vote on or before the date on which said books of registration are closed for the Referendum, and must produce, upon presenting himself or herself to vote, a valid and current: (1) South Carolina driver's license, (2) other form of identification containing a photograph issued by the South Carolina Department of Motor Vehicles, (3) passport, (4) military identification containing a photograph issued by the federal government, or (5) South Carolina voter registration card containing a photograph of the voter. Persons who do not or cannot present valid and current identification as provided herein may cast a provisional ballot in accordance with Section 7-13-710, Code of Laws of South Carolina, 1976, as amended.

Any persons wishing to register to vote in this referendum, if registering by mail, must have such registration postmarked no later than October 9, 2016, to the Registration and Elections Commission of Lexington County, , 615 West Main St. Suite 605, Lexington, South Carolina, or, if registering to vote in person, must do so by no later than 5:00 p.m. on October 8, 2016. Any such registered elector who has moved his or her place of residence within the School District after the date on which said books of registration are closed for the Referendum, but before the date of the Referendum, shall be entitled to vote in his or her previous precinct of residence in the Referendum; provided, however, in case any registered elector shall have moved from one precinct in the School District to another precinct in the School District within thirty days prior to November 8, 2016, and shall have surrendered his registration certificate and has received a new certificate, such elector may vote in the precinct provided for by such new certificate. Persons who become of age during the 30 day period preceding the Referendum shall be entitled to register before the closing of the books if otherwise qualified.

Any person eligible to register to vote in the Referendum who has been discharged or separated from his service in the Armed Forces of the United States prior to November 8, 2016, and has returned home too late to register at the time when registration is required, is entitled to register for the purpose of voting in the Referendum after the discharge or separation from service, up to 5:00 p.m. on the day of the Referendum. This application for registration must be made at the office of the Registration and Elections Commission of Lexington County, and if qualified, the person must be issued a registration notification stating the precinct in which he is entitled to vote and a certification to the managers of the precinct that he is entitled to vote and should be placed on the registration rolls of the precinct.

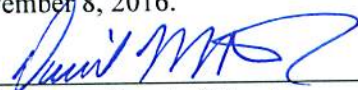
The polls shall be open from 7:00 a.m. until 7:00 p.m. at the polling places designated below and shall be open during these hours without intermission or adjournment. Appropriate vote recorders will be provided at the polling places for the casting of ballots on the aforesaid question. Managers of Election will be appointed by the Registration and Elections Commission of Lexington County. The Managers of Election shall see that each person offering to vote takes the oath that he is qualified to vote at this referendum according to the

Constitution of this State, and that he has not voted before in this referendum. The precincts (or portions thereof) within the School District and locations of the several polling places for such Referendum are as follows:

<u>PRECINCT</u>	<u>POLLING PLACE</u>
Mack Edisto	Mack Edisto Community Center 944 Mack Edisto Rd
Swansea #1	Monroe Pickney Gym 607 East Fifth St
Sandy Run	Horseneck Community Center, 121 Bub Wise Rd
Gaston #1	Gaston Town Hall, 131 North Carlisle
Sharpes Hill	Sharpes Hill Community Center, 2121 Sharpes Hill Rd
Gaston #2	Gaston Town Hall, 131 North Carlisle
Sandhills	Gaston Town Hall, 131 North Carlisle
Swansea #2	Monroe Pickney Gym 607 East Fifth St
Pelion #2	Monroe Pickney Gym 607 East Fifth St
Absentee	605 West Main St, Lexington, SC Suite 105

Voters who are blind, who are otherwise physically handicapped, or who are unable to read or write are entitled to assistance in casting their ballot. This assistance may be given by anyone the voter chooses except his employer, an agent of his employer, or an officer or agent of his union. The Managers of Election must be notified if assistance is needed. Voters who are unable to enter their polling place due to physical handicap or age may vote in the vehicle in which they drove, or were driven to the polls. When notified, the Managers will help voters effectuate this curbside voting provision. Registered voters may be eligible to vote by absentee ballot. Persons wishing more information concerning absentee balloting should contact the Registration and Elections Commission of Lexington County at (803) 785-8361.

The Registration and Elections Commission of Lexington County shall hold a hearing on ballots challenged in the referendum on Friday, November 11, 2016, at 10:00 a.m., at the office of the Registration and Elections Commission of Lexington County, 615 West Main St. Suite 605, Lexington, South Carolina. The process of examining the return-addressed envelopes containing absentee ballots will begin at 2:00 p.m. on November 8, 2016.

s/ 
Chairman, Board of Trustees,
Lexington County School District No. 4

s/ _____
Chairman, Registration and Elections Commission
Lexington County

-----/-----/-----

SECTION 6. *Modification of Notice.* The Election Authorities are authorized to change in the Notice of Election any of the precincts or locations of polling places for the Referendum as deemed necessary or advisable and to modify the dates and times stated therein as to voter registration and hearings on ballots.

SECTION 7. *Election Authorities.* A certified copy of this Resolution shall be filed with the Election Authorities, and the same are hereby requested as follows:

(a) To join in the action of the School District in providing for the Notice of Referendum in substantially the form contained herein, together with such changes as may be found necessary thereto;

(b) To arrange for polling places for each precinct, or any part of a precinct within the School District;

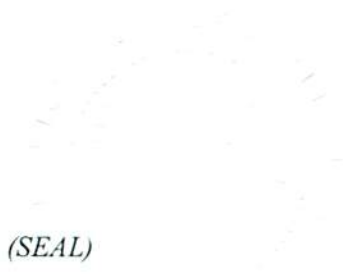
(c) To appoint Managers of Election;

(d) To conduct the Referendum, receive the returns thereof, canvass such returns, declare the results thereof, and certify such results to the Board; and

(e) To take other steps and prepare such other means as shall be necessary or required by law in order to properly conduct the Referendum.

SECTION 8. Request for preclearance of the Referendum pursuant to the Section 5 of the Voting Rights Act shall be submitted on behalf of the School District in timely fashion by counsel.

DONE AND ADOPTED in meeting duly assembled this 10th day of November, 2015.



(SEAL)

BOARD OF TRUSTEES OF LEXINGTON COUNTY
SCHOOL DISTRICT NO. 4, SOUTH CAROLINA

Chairman

ATTEST:

Secretary

FORM OF BALLOT

OFFICIAL BALLOT, REFERENDUM
\$25,400,000 GENERAL OBLIGATION BONDS

November 8, 2016

Precinct _____
No. _____

Initials of Issuing Officer

OFFICIAL BALLOT, REFERENDUM
\$25,400,000 GENERAL OBLIGATION BONDS
LEXINGTON COUNTY SCHOOL DISTRICT NO. 4, SOUTH CAROLINA
November 8, 2016

Question

Shall the Board of Trustees of Lexington County School District No. 4, South Carolina, be authorized to issue, either at one time as a single issue or from time to time as several separate issues, not exceeding \$25,400,000 principal amount general obligation bonds for the purpose of defraying the costs of the design, construction, equipping and furnishing of improvements at Swansea High School, including:

1. renovations and improvements to athletic facilities and related parking facilities;
 2. a new performing arts center;
 3. additional improvements to address safety issues and to provide for career and technical education; and
 4. to the extent proceeds of such bonds remain, constructing additional renovations and improvements at Swansea High School,
- together with all related costs such as architectural and engineering fees and costs of issuance of such bonds?

In favor of the question []

Opposed to the question []

If you are in favor of the question and are voting by optical scan ballot, darken the oval before the words “In favor of the question.” If you are in favor of the question and are voting electronically, touch the area with the words “In favor of the question.”

If you are opposed to the question and are voting by optical scan ballot, darken the oval before the words “Opposed to the question.” If you are opposed to the question and are voting electronically, touch the area with the words “Opposed to the question.”

