MINUTES OF THE RECESS MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI AUGUST 20, 2019

Be it remembered that the Mayor and Board of Alderman met in a Recess Meeting on August 20, 2019 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS. Present were Mayor Lynn Spruill, Aldermen Ben Carver, Sandra Sistrunk, David Little, Jason Walker, Hamp Beatty, Roy A.' Perkins and Henry Vaughn, Sr. Attending the Board were City Clerk / CFO Lesa Hardin and City Attorney Chris Latimer.

Mayor Lynn Spruill opened the meeting with the Pledge of Allegiance followed by a moment of silence.

Mayor Lynn Spruill asked for any revisions to the Official Agenda.

REQUESTED REVISIONS TO THE OFFICIAL AGENDA:

Mayor Spruill asked to add Pending Litigation under Executive Session.

Alderman Perkins asked to remove Item X. D. (G O Bonds, Series 2019) from consent.

There being no objections to the changes, the Mayor called for a motion to approve the agenda with consent items.

1. A MOTION TO APPROVE THE AGENDA WITH CONSENT ITEMS.

Alderman Walker offered a motion, duly seconded by Alderman Little, to approve the August 20, 2019 Agenda as amended. Mayor Spruill then read the consented items after which the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion carried.

OFFICIAL AGENDA OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI RECESS MEETING OF TUESDAY, AUGUST 20, 2019 5:30 P.M., COURT ROOM, CITY HALL 110 WEST MAIN STREET

CONSENT AGENDA ITEMS ARE HIGHLIGHTED

I. CALL THE MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

III. APPROVAL OF THE OFFICIAL AGENDA INCLUDING CONSENTED ITEMS

IV. APPROVAL OF THE BOARD OF ALDERMEN MINUTES

CONSIDERATION OF THE MINUTES OF THE JULY 16, 2019 RECESS MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

CONSIDERATION OF THE MINUTES OF THE AUGUST 2, 2019 WORK SESSION MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

V. ANNOUNCEMENTS AND COMMENTS

A. MAYOR'S COMMENTS:

B. BOARD OF ALDERMEN COMMENTS:

VI. CITIZEN COMMENTS

VII. PUBLIC APPEARANCES

SUPERVISOR BRICKLEE MILLER PROVIDING AN UPDATE ON THE 20 YEAR ANNIVERSARY OF THE MISSISSIPPI HORSE PARK WITH THE BUDGET REQUEST.

AAU TRACK AND FIELD ORGANIZATION – FELECIA ASHFORD

VIII. PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF CU 19-08 A REQUEST FOR CONDITIONAL USE TO ALLOW FOR A MOBILE HOME ON A LOT LOCATED ON THE WEST SIDE OF GRETA LANE APPROXIMATELY 1,275 FEET SOUTH OF THE RAIL ROAD CROSSING IN A R-5 ZONE WITH THE PARCEL NUMBER 103P-08-012.00.

FIRST PUBLIC HEARING ON THE FISCAL YEAR 2019-2020 BUDGET AND TAX MILLAGE FOR THE CITY OF STARKVILLE

IX. MAYOR'S BUSINESS

X. BOARD BUSINESS

A. CONSIDERATION OF A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT THE GARAN MANUFACTURING REDEVELOPMENT PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING; THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN; AND ESTABLISHING A REDEVELOPMENT PROJECT AREA PURSUANT TO SECTION 57-91-1, ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED, AND WHICH REDEVELOPMENT PROJECT AREA SHALL BE KNOWN AS THE GARAN MANUFACTURING REDEVELOPMENT PROJECT; AND FOR RELATED PURPOSES.

B. CONSIDERATION OF A PROCLAMATION ESTABLISHING A STARKVILLE 2020 CENSUS COMPLETE COMMITTEE.

C. RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, AUTHORIZING REIMBURSEMENT TO THE MUNICIPALITY

FOR CERTAIN EXPENDITURES OF THE AUTHORIZED PURPOSE AND THE PROJECT FROM THE PROCEEDS OF BONDS, THE QUALIFIED OBLIGATION, OR THE LOAN ISSUED FOR SUCH AUTHORIZED PURPOSE AND PROJECT; AND FOR RELATED MATTERS ASSOCIATED WITH A NEW SPORTS TOURNAMENT AND RECREATIONAL FACILITIES OF THE CITY.

D. RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DIRECTING THE ISSUANCE OF THE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2019 (THE "QUALIFIED OBLIGATION"), OF THE CITY OF STARKVILLE, MISSISSIPPI, IN THE MAXIMUM PRINCIPAL AMOUNT OF THREE MILLION DOLLARS ($3,000,000).

XI. <u>DEPARTMENT BUSINESS</u>

A. AIRPORT

1. REQUEST APPROVAL TO ACCEPT THE LOWEST QUOTE FROM REBEL SERVICES, LLC FOR INSTALLING A M4000 AVIATION SELF-SERVE TERMINAL AT THE FUEL FARM ON GEORGE M. BRYAN FIELD IN THE AMOUNT OF $15,910.26 AND TO BE FUNDED BY MDOT MULTI-MODAL GRANT MM-0068-0920

2. REQUEST APPROVAL TO ACCEPT THE LOWEST QUOTE FROM REBEL SERVICES, LLC FOR INSTALLING A JET A HOSE REEL, HOSE, AND NOZZLE TO THE SELF-SERVE TERMINAL AT THE FUEL FARM ON GEORGE M. BRYAN FIELD IN THE AMOUNT OF $10,901.77 AND TO BE FUNDED BY MDOT MULTI-MODAL GRANT MM-0068-0920

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. CODE ENFORCEMENT

a. CONSIDERATION OF CALLING FOR A PUBLIC HEARING UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING 19 OF THE BROOKSVILLE GARDEN APARTMENTS LOCATED AT 305 EVERGLADE AVENUE IS A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

2. PLANNING

a. CONSIDERATION OF A SPECIAL EVENT REQUEST BY T-LAW25 LLC TO HOLD THE 2019 TRAVIS OUTLAW DAY, AUGUST 24, 2019, AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.

b. CONSIDERATION OF A SPECIAL EVENT REQUEST BY GREATER STARKVILLE DEVELOPMENT PARTNERSHIP TO HOLD THE 2019 PUMPKINPALOOZA, OCTOBER 17, 2019, AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.

c. CONSIDERATION OF A SPECIAL EVENT REQUEST BY GREATER STARKVILLE DEVELOPMENT PARTNERSHIP TO HOLD THE 2019 UNWINE DOWNTOWN, NOVEMBER 15, 2019, AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.

d. CONSIDERATION OF A SPECIAL EVENT REQUEST BY GREATER STARKVILLE DEVELOPMENT PARTNERSHIP TO HOLD THE 2019 CHRISTMAS PARADE, DECEMBER 2, 2019, AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.

e. CONSIDERATION OF A REQUEST FOR PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING +/- 0.43 ACRE PARCEL INTO 2 LOTS AT 507 WHITFIELD STREET IN A R-2 ZONING DISTRICT WITH THE PARCEL NUMBER 102B-00-150.00.

f. CONSIDERATION OF A REQUEST FOR PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING +/- 0.39 ACRE PARCEL INTO 2 LOTS AT 401 SCALES STREET IN A R-2 ZONING DISTRICT WITH THE PARCEL NUMBER 102B-00-150.00.

g. CONSIDERATION OF A REQUEST FOR PRELIMINARY AND FINAL PLAT APPROVAL FOR SUBDIVIDING A +/- 3.81 ACRE PARCEL INTO 2 LOTS AT 313 INDUSTRIAL PARK ROAD IN AN M-1 ZONING DISTRICT WITH THE PARCEL NUMBER 102N-00-004.00.

C. COURTS

1. CONSIDERATION OF APPROVAL FOR MUNICIPAL COURT CLERK TO ATTEND TRAINING IN BILOXI SEPT. 11-13, 2019, WITH ALL EXPENSES TO BE PAID BY THE MS JUDICIAL COLLEGE.

D. ENGINEERING

THERE ARE NO ITEMS FOR THIS AGENDA

E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF AUGUST 13, 2019 FOR FISCAL YEAR ENDING 9/30/19, ACKNOWLEDGING THAT THE CITY CLERK HAS ATTESTED AND CERTIFIED ON THE COVER OF THE CLAIMS DOCKET THAT ALL CLAIMS ON THE DOCKET ARE TRUE, ACCURATE, LAWFUL AND PROPER TO THE BEST OF HER KNOWLEDGE, FOR PAYMENT PURSUANT TO HER DUTIES UNDER MISS. CODE SECTIONS 21-39-5, 21-39-7, 21-39-9, 21-39-17 AND 21-15-21.

2. REQUEST ACCEPTANCE OF THE JULY FINANCIAL STATEMENTS.

F. FIRE DEPARTMENT

1. CONSIDERATION TO DECLARE THE 2006 LADDER 1 FIRE ENGINE SURPLUS AT TIME OF ARRIVAL OF NEW REPLACEMENT TRUCK AND TO BEGIN BID PROCESS TO SELL LADDER 1, VIN 4P1CD01E46A006437 TO HIGHEST AND BEST BIDDER.

G. HUMAN RESOURCES

1. REQUEST AUTHORIZATION TO ADVERTISE FOR A BUILDING OFFICIAL IN THE COMMUNITY DEVELOPMENT DEPARTMENT

2. REQUEST AUTHORIZATION TO HIRE JACOB DAVENPORT AS A GROUNDS MAINTENANCE WORKER FOR THE AIRPORT DEPARTMENT.

3. REQUEST AUTHORIZATION TO HIRE COURTNEY COX AS AN AIRPORT OPERATIONS MANAGER IN THE STARKVILLE AIRPORT DEPARTMENT.

4. REQUEST AUTHORIZATION TO ADVERTISE FOR A DRIVER IN THE SANITATION/ENVIRONMENTAL SERVICES DEPARTMENT.

5. REQUEST AUTHORIZATION TO HIRE GREGORY GRAYER, ERIQ PURNELL AND ROGER RICHARDSON AS MAINTENANCE WORKERS II IN THE SANITATION/ENVIRONMENTAL SERVICES DEPARTMENT AND TO RETAIN THE CANDIDATES FROM THE SELECTION PROCESS HELD ON AUGUST 6, 2019 FOR CONSIDERATION TO FILL ANY ADDITIONAL VACANT POSITIONS IN THE SANITATION DEPARTMENT DUE TO RETIREMENTS, TERMINATIONS, OR APPROVED ADDITIONS TO THE SANITATION DEPARTMENT WITHIN A PERIOD OF 90 DAYS.

6. REQUEST AUTHORIZATION TO ADVERTISE FOR A CHIEF OF POLICE IN THE STARKVILLE POLICE DEPARTMENT.

7. REQUEST AUTHORIZATION TO ADVERTISE FOR A LEAD MAINTENANCE WORKER IN THE PARKS AND RECREATION DEPARTMENT.

H. INFORMATION TECHNOLOGY

THERE ARE NO ITEMS FOR THIS AGENDA

I. PARKS

1. CONSIDERATION OF THE APPROVAL OF THE FACILITY USE AGREEMENT WITH STARKVILLE CHRISTIAN HOME EDUCATORS FOR USE OF ATHLETIC FIELDS FOR THEIR FOOTBALL, SOCCER AND VOLLEYBALL PROGRAMS.

II. POLICE DEPARTMENT

1. REQUEST AUTHORIZATION TO ALLOW CAPTAIN MARK BALLARD AND ACCREDITATION MANAGER SHONDA DELOACH TO ATTEND THE 2019 CALEA CONFERENCE IN COVINGTON, KY NOVEMBER 13-16, 2019, AT A TOTAL ESTIMATED COST OF $4,250.00.

2. REQUEST AUTHORIZATION TO ALLOW OFFICER DYLAN BOWERS TO ATTEND THE TIER 1 COMBAT SHOOTING COURSE AT THE NORTH MISSISSIPPI LAW ENFORCEMENT TRAINING CENTER, SEPTEMBER 25-26, 2019 AT AN ESTIMATED COST OF $200.00.

3. CONSIDERATION FOR APPROVAL FOR THE STARKVILLE POLICE DEPARTMENT TO APPLY FOR, AND ACCEPT IF AWARDED, A 100% REIMBURSABLE GRANT IN THE AMOUNT OF $24,411.00, FOR AN AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM.

III. SANITATION DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

L. UTILITIES DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

XII. CLOSED DETERMINATION SESSION

XIII. OPEN SESSION

XIV. EXECUTIVE SESSION

Pending Litigation

XV. OPEN SESSION

XVI. ADJOURN UNTIL SEPTEMBER 3, 2019 @ 5:30 IN THE COURT ROOM AT 110 WEST MAIN STREET.

The City of Starkville is accessible to persons with disabilities. Please call the ADA Coordinator, Joyner Williams, at (662) 323-2525, ext. 3121 at least forty-eight (48) hours in advance for any services requested.

Consent items 2 – 21:

2. CONSIDERATION OF THE MINUTES OF THE JULY 16, 2019 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval of the minutes of the July 16, 2019 meeting of the Mayor and Board of Aldermen of the City of Starkville, MS" is enumerated, this consent item is thereby approved.

3. CONSIDERATION OF THE MINUTES OF THE AUGUST 2, 2019 WORK SESSION MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval of the minutes of the August 2, 2019 meeting of the Mayor and Board of Aldermen of the City of Starkville, MS" is enumerated, this consent item is thereby approved.

4. CONSIDERATION OF APPROVAL OF A PROCLAMATION ESTABLISHING A STARKVILLE 2020 CENSUS COMPLETE COMMITTEE.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval of a Proclamation establishing a Starkville 2020 Census Complete Committee" is enumerated, this consent item is thereby approved.

2020 CENSUS COMPLETE COUNT COMMITTEE

WHEREAS the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy;

WHEREAS the City of Starkville is committed to ensuring every resident is counted;

WHEREAS federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing;

WHEREAS census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for an accurate and fair redistricting of state legislative seats, county and city councils and voting districts;

WHEREAS the information collected by the census is confidential and protected by law;

WHEREAS the City of Starkville Complete Count Committee will work with the Census Bureau to strive for an accurate count;

WHEREAS the City of Starkville Complete Count Committee will bring together a cross section of community members who will utilize their local knowledge and expertise to reach out to all persons of our community;

NOW, THEREFORE, **BE IT PROCLAIMED** that the City of Starkville establishes a 2020 Census Complete Count Committee to increase awareness and understanding about the 2020 Census and encourage people to participate in the 2020 Census.

Having received the affirmative vote of a majority of the members present, the Mayor declared the Proclamation carried and the resolution adopted this, the 20th day of August, 2019.

City of Starkville, Mississippi — ATTEST:

seal

D. Lynn Spruill, Mayor — Lesa Hardin, City Clerk

5. CONSIDERATION TO ACCEPT THE LOWEST QUOTE FROM REBEL SERVICES, LLC FOR INSTALLING A M4000 AVIATION SELF-SERVE TERMINAL AT THE FUEL FARM ON GEORGE M. BRYAN FIELD IN THE AMOUNT OF $15,910.26 AND TO BE FUNDED BY MDOT MULTI-MODAL GRANT MM-0068-0920.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval of the lowest quote from Rebel Services, LLC for Installing a M4000 Aviation Self-Serve Terminal at the Fuel Farm on George M. Bryan Field in the Amount of $15,910.26 and to be Funded by MDOT Multi-Modal Grant MM-0068-0920" is enumerated, this consent item is thereby approved.

Two quotes received: Rebel Services, LLC - $15,910.26 and QTpod - $19,290.00

6. CONSIDERATION TO ACCEPT THE LOWEST QUOTE FROM REBEL SERVICES, LLC FOR INSTALLING A JET A HOSE REEL, HOSE, AND NOZZLE TO THE SELF-SERVE TERMINAL AT THE FUEL FARM ON GEORGE M. BRYAN FIELD IN THE AMOUNT OF $10,901.77 AND TO BE FUNDED BY MDOT MULTI-MODAL GRANT MM-0068-0920.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval of the lowest quote from Rebel Services, LLC for Installing a Jet A Hose Reel, Hose, and Nozzle to the Self-Serve Terminal at the Fuel Farm on George M. Bryan Field in the amount of $10,901.77 and to be funded by MDOT Multi-Modal Grant MM-0068-0920" is enumerated, this consent item is thereby approved.

Two quotes received: Titan Aviation - $11,600.00 and Rebel Services, LLC - $10,901.77

7. CONSIDERATION OF CALLING FOR A PUBLIC HEARING UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING 19 OF THE BROOKSVILLE GARDEN APARTMENTS LOCATED AT 305 EVERGLADE AVENUE IS A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval of calling for a Public Hearing under Miss. Code Ann. § 21-19-11 to determine whether the building 19 of the Brooksville Garden Apartments located at 305 Everglade Avenue is a menace to the public health, safety, and welfare of the community" is enumerated, this consent item is thereby approved.

8. CONSIDERATION OF APPROVAL FOR THE MUNICIPAL COURT CLERK TO ATTEND TRAINING IN BILOXI SEPT. 11-13, 2019, WITH ALL EXPENSES TO BE PAID BY THE MS JUDICIAL COLLEGE.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval of Jodi Hogue to attend Municipal Court Clerk Mandatory Training in Biloxi, MS September 11-13, 2019 at no expense to the city" is enumerated, this consent item is thereby approved.

9. CONSIDERATION OF THE ACCEPTANCE OF THE JULY FINANCIAL STATEMENTS.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "acceptance of the July Financial Statements" is enumerated, this consent item is thereby approved.

10. CONSIDERATION TO DECLARE THE 2006 LADDER 1 FIRE ENGINE SURPLUS AT TIME OF ARRIVAL OF NEW REPLACEMENT TRUCK AND TO BEGIN BID PROCESS TO SELL LADDER 1, VIN 4P1CD01E46A006437 TO HIGHEST AND BEST BIDDER.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval to declare 2006 Ladder 1 Fire Engine surplus at time of arrival of new replacement truck and to begin bid process to sell 2006 Ladder 1, Vin 4P1CD01E46A006437 to highest and best bidder" is enumerated, this consent item is thereby approved.

11. CONSIDERATION TO ADVERTISE FOR A BUILDING OFFICIAL IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval to advertise for a Building Official in the Community Development Department" is enumerated, this consent item is thereby approved.

12. CONSIDERATION TO HIRE JACOB DAVENPORT AS A GROUNDS MAINTENANCE WORKER FOR THE AIRPORT DEPARTMENT.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval to hire Jacob Davenport as a Grounds Maintenance Workers for the Airport Department not to exceed twenty (20) hours per week at $10.00 per hour, not be eligible for benefits" is enumerated, this consent item is thereby approved.

13. CONSIDERATION TO HIRE COURTNEY COX AS AN AIRPORT OPERATIONS MANAGER IN THE STARKVILLE AIRPORT DEPARTMENT.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval to hire Courtney Cox as an Airport Operations Manager in the Starkville Airport Department" is enumerated, this consent item is thereby approved.

14. CONSIDERATION TO ADVERTISE FOR A DRIVER IN THE SANITATION/ENVIRONMENTAL SERVICES DEPARTMENT.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval to advertise for a Driver in the Sanitation/Environmental Services Department" is enumerated, this consent item is thereby approved.

15. CONSIDERATION TO HIRE GREGORY GRAYER, ERIQ PURNELL AND ROGER RICHARDSON AS MAINTENANCE WORKERS II IN THE SANITATION/ENVIRONMENTAL SERVICES DEPARTMENT AND TO RETAIN THE CANDIDATES FROM THE SELECTION PROCESS HELD ON AUGUST 6, 2019 FOR CONSIDERATION TO FILL ANY ADDITIONAL VACANT POSITIONS IN THE SANITATION DEPARTMENT DUE TO RETIREMENTS, TERMINATIONS, OR APPROVED ADDITIONS TO THE SANITATION DEPARTMENT WITHIN A PERIOD OF 90 DAYS.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval to hire Gregory Grayer, Eriq Purnell, and Roger Richardson as Maintenance Workers II in the Sanitation/Environmental Services Department and to retain the candidates from the selection process held on August 6, 2019 for consideration to fill any additional vacant positions in the Sanitation Department due to retirements, terminations, or approved additions to the Sanitation Department within a period of 90 days" is enumerated, this consent item is thereby approved.

16. REQUEST AUTHORIZATION TO ADVERTISE FOR A CHIEF OF POLICE IN THE STARKVILLE POLICE DEPARTMENT.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the "approval to advertise for a Chief of Police in the Starkville Police Department" is enumerated, this consent item is thereby approved.

17. REQUEST AUTHORIZATION TO ADVERTISE FOR A LEAD MAINTENANCE WORKER IN THE PARKS AND RECREATION DEPARTMENT.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the “approval to advertise for a Lead Maintenance Worker in the Parks and Recreation Department” is enumerated, this consent item is thereby approved.

18. CONSIDERATION OF THE APPROVAL OF THE FACILITY USE AGREEMENT WITH STARKVILLE CHRISTIAN HOME EDUCATORS FOR USE OF ATHLETIC FIELDS FOR THEIR FOOTBALL, SOCCER AND VOLLEYBALL PROGRAMS.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the “approval of the approval of the facility use agreement with Starkville Christian Home Educators for use of athletic fields for their football, soccer and volleyball programs” is enumerated, this consent item is thereby approved. (Agreement follows this page)

19. REQUEST AUTHORIZATION TO ALLOW CAPTAIN MARK BALLARD AND ACCREDITATION MANAGER SHONDA DELOACH TO ATTEND THE 2019 CALEA CONFERENCE IN COVINGTON, KY NOVEMBER 13-16, 2019, AT A TOTAL ESTIMATED COST OF $4,250.00.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the “approval to allow Captain Mark Ballard and Accreditation Manager Shonda Deloach to attend the 2019 CALEA Conference in Covington, KY on November 13-16, 2019, at a total estimated cost of $4,250.00” is enumerated, this consent item is thereby approved.

20. REQUEST AUTHORIZATION TO ALLOW OFFICER DYLAN BOWERS TO ATTEND THE TIER 1 COMBAT SHOOTING COURSE AT THE NORTH MISSISSIPPI LAW ENFORCEMENT TRAINING CENTER, SEPTEMBER 25-26, 2019 AT AN ESTIMATED COST OF $200.00.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the “approval to allow Officer Dylan Bowers to attend the Tier 1 Combat Shooting Course at the North Mississippi Law Enforcement Training Center, September 25-26, 2019 at an estimated cost of $200.00” is enumerated, this consent item is thereby approved.

21. REQUEST AUTHORIZATION FOR THE STARKVILLE POLICE DEPARTMENT TO APPLY FOR, AND ACCEPT IF AWARDED, A 100% REIMBURSABLE GRANT IN THE AMOUNT OF $24,411.00, FOR AN AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM.

Upon the motion of Alderman Walker, duly seconded by Alderman Little, and adopted by the Board to approve the August 20, 2019 Official Agenda, and to accept items for consent, whereby the “approval for the Starkville Police Department to apply for, and accept if awarded, a 100% reimbursable grant in the amount of $24,411.00 for an automated fingerprint identification system” is enumerated, this consent item is thereby approved.

STARKVILLE PARKS AND RECREATION DEPARTMENT
FACILITY USE AGREEMENT

This is an agreement by and between the **CITY OF STARKVILLE**, a Mississippi municipal corporation herein after referred to as the "City", by and through its authorized representative, and **STARKVILLE CHRISTIAN HOME EDUCATORS,** hereinafter referred to as the “User."

ARTICLE I
GENERAL TERMS

1.01 This Agreement shall be in effect from the date of execution until December 31, 2020. The City will permit the User to use athletic fields located at McKee Park and the Starkville Sportsplex, 405 Lynn Lane, Starkville, Mississippi 39759 for the duration of the agreement, for the purposes of practices and games. While primary use by the User shall be at the Starkville Sportsplex, if necessary, other fields or facilities may be used, including fields or facilities at locations other than the Starkville Sportsplex. The City shall have the option to immediately terminate this Agreement at any time without cause.

1.02 The user shall end all scheduled activities by 6 p.m. at McKee Park and the Starkville Sportsplex Softball fields, and by 5:30 p.m. at the Starkville Sportsplex Soccer Fields, unless otherwise approved by the City.

1.03 In exchange for the above-referenced use of the Facility, the User shall pay the City the amount described below for the term of the agreement:

(a) Fifteen and no/100 Dollars ($15.00) per player.
(b) Five and no/100 Dollars ($5.00) per player for individuals that show proof of financial hardship. This provision would be on a player-by-player basis and User is responsible for collecting this proof.
(c) The User shall also pay the City a deposit of five-hundred and no/100 Dollars ($500.00). This deposit shall be credited towards the final payment if no damage to the facility occurs. If damage does occur, the amount needed to repair the damage will be deducted from the deposit and the remaining balance will be applied towards the final payment. If damage repair cost exceeds the deposit amount, the remaining amount above the deposit will be billed to the user.

1.04 The User agrees that it will be solely responsible for the following items:

(a) Picking up ground litter from Facility, including fields and surrounding areas, prior to leaving after each use of the Facility

(b) Paying for all damages related to and arising out of use of the Facility by the User

(c) Ensuring all team representatives have a current background check.

1.05 To maintain order and safety, the User will assign one person as an on-site representative during all scheduled uses of the Facility and provide the City contact information for the individual assigned.

1.06 The City agrees that it will be responsible for providing the following items during the term of this Agreement:

(a) Cleaning and stocking of restrooms

(b) General grounds maintenance of Facility and City-installed equipment

(c) Determining whether the Facility will be open or closed for the User's use because of inclement weather, damage to the Facilities, and other unforeseen acts of God and updating the City's pre-recorded telephone system, web page or other communication devices it may have in place to notify the public of such schedule changes. The User agrees to abide by all rulings regarding whether the facility is open or closed, and will be held responsible for damages resulting from play that occurs on closed fields.

1.07 Priority usage of City facilities shall go to recreational leagues and teams, with all others including non-recreational, tournament teams receiving secondary priority.

1.08 The User is prohibited from transferring use or renting out any city facility for profit. The City maintains the right to rent out all city facilities when not in use by the User.

1.09 The User acknowledges decisions regarding field usage priority for other user groups is at the City's discretion.

ARTICLE II
INSURANCE REQUIREMENTS

2.01 During the term of this Agreement, the User shall procure and maintain, at its sole cost and expense, a General Liability insurance policy for injuries to persons or damages to property that may arise from or in connection with the use of the Facility and the activities associated with the use of the Facility by the User, its agents, representatives, participants, attendees, employees, and volunteers for limits of not less than **$1,000,000** for **personal injury, death, or property damage to the Facility out of any one occurrence. This insurance must name the City of Starkville, MS as an additional insured under the policy and contain a**

waiver of subrogation in favor of the City of Starkville, MS. Only insurance carriers licensed and authorized to do business in the state of Mississippi will be accepted. The User's insurance coverage shall be primary insurance with respect to the City, its officials, agents, employees, and volunteers. Any insurance or self-insurance maintained by City, its officials, agents, employees or volunteers shall be considered secondary and in excess of the User's insurance and shall not contribute to it.

2.02 A certificate of insurance and copies of all endorsements shall be furnished to the City at the time of execution of this Agreement and approved by the City ***before*** any use of the Facility commences.

ARTICLE III
NON-DISCRIMINATION CLAUSE

The User hereby agrees to refrain from any activity in relation to use of the Facility that discriminates against any person or persons based upon race, color, creed, national origin, disability, religion, age, or sex, and in accordance with present federal and state laws.

ARTICLE IV
USE OF FACILITY KEYS

If necessary, the City will issue key(s) to the User for and during the use of the Facility. The keys may not be reproduced or duplicated by the User. The User agrees to return these keys to City within five working days after the conclusion of the term of this Agreement unless mutually agreed upon otherwise by the parties. Upon failure to return any of said keys issued by the City to the User, the User agrees to reimburse City for the cost to make new key(s) and install new lock(s).

ARTICLE V
REPAIRS AND DAMAGES TO FACILITIES

The User agrees to be solely responsible for any and all damages related to and arising out of the use of the Facility during the term of this Agreement when the Facility is being used by the User. This applies, but not limited, to any and all persons associated with the User who use the Facility or who attend the User’s events at the Facility during the term of the Agreement. The User agrees to be solely responsible for all repairs or costs of repairs to the Facility and for any and all related damages as set forth herein.

ARTICLE VI
SCHEDULE OF ACTIVITIES

6.01 The User must deliver a schedule of activities to the City prior to the beginning of the initial term of the Agreement and updated before the start of each new Season. This schedule of activities must include the following information:

(a) Dates and times of scheduled practices and games

(b) Identification of field(s) to be used
(c) Any other pertinent information as reasonably requested by the City to assist it in carrying out its obligations herein and in serving the general public.
(d) Any requested changes to the facility usage schedules submitted to the City shall be forwarded and approved prior to taking effect.

ARTICLE VII
SAFETY PROCEDURES

The User hereby agrees to abide by generally-recognized standards of safety, regulations and procedures for the nature of the proposed use of the Facility. The User, including its players, attendees, league officials, employees and volunteers, are also required to abide by City of Starkville park rules and ordinances.

ARTICLE VIII
CRIMINAL BACKGROUND CHECKS

The user acknowledges that parents shall remain on-site at all times and provide direct supervision for their children, in lieu of requiring any members of the organization to undergo a background check.

ARTICLE IX
INDEMNIFICATION

The User shall indemnify, hold harmless, and defend the City, its officers, agents, employees and volunteers from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person or for damage to any property arising out of or in connection with the use of the Facility by the User. Such indemnity shall apply regardless of whether the claims, losses, damages, causes of action, suits, or liability arise in whole or in part from the negligence of the City, any other party indemnified hereunder, the User, or any third party. It is the intent of the parties that this provision shall extend to, and include, any and all claims, causes of action or liability caused by the concurrent, joint and/or contributory negligence of the City, an alleged breach of an express or implied warranty by the City or which arises out of any theory of strict or products liability.

ARTICLE X
RELEASE

The User hereby releases, relinquishes and discharges the City, its officers, agents, employees and volunteers from all claims, demands, and causes of action of every kind and character, including the cost of defense thereof, for any injury to or death of any person and any loss of or damage to any property that is caused by or alleged to be caused by, arising out of, or in connection with the User's use of the Facility whether or not said claims, demands, or causes of action are covered in whole or in part by insurance.

ARTICLE XIV
MISCELLANEOUS TERMS

14.01 This Agreement has been made under and shall be governed by the laws of the State of Mississippi. The parties agree that performance and all matters related thereto shall be in Oktibbeha County, Mississippi.

14.02 This Agreement and the rights and obligations contained herein may not be assigned or sublet by the User without the prior written approval of the City.

14.03 This Agreement contains the entire agreement between the parties. There are no other written or oral agreements, contracts, or understandings between the parties.

14.04 No waiver or deferral by either party of any term or condition of this Agreement shall be deemed or construed to be a waiver or deferral of any other term or condition or to be a subsequent waiver or deferral of the same term or condition.

14.05 This Agreement may only be amended by written instrument approved and executed by both parties.

14.06 The parties hereby state that they have read the terms of this Agreement and hereby agree to the terms and conditions contained herein.

ATTACHMENTS

1. User's Certificate of Insurance

STARKVILLE CHRISTIAN HOME EDUCATORS

By: David D Easley

Printed Name: David D Easley

Title: Sports Director

Date: 13 Sep 2019

CITY OF STARKVILLE

By:____________________
Mayor
Date:____________

POLICY NUMBER: RPG0000030637700 **COMMERCIAL GENERAL LIABILITY**

CG 24 04 05 09

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Name Of Person Or Organization: City of Starkville 110 W. Main St. Starkville, MS 39759
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The following is added to Paragraph **8. Transfer Of Rights Of Recovery Against Others To Us** of **Section IV – Conditions:**

We waive any right of recovery we may have against the person or organization shown in the Schedule above because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule above.

ANNOUNCEMENTS AND COMMENTS:

MAYOR'S COMMENTS:
Mayor Spruill encouraged everyone to attend the upcoming Saturday Market at Fire Station Park, in that it is the last of the season. She announced that the Affordable Housing Project on Reed Road has been approved.

BOARD OF ALDERMEN COMMENTS:
Alderman Perkins welcomed Pastor Tucker as the newest Police Chaplin.

CITIZEN COMMENTS:

Alvin Turner, Ward 7, noted that citizens are still concerned with cars racing and speeding on City streets especially now that school is back in session. He appreciates all the safety officials and what they do for the public.
Rodney Lincoln, Sturgis Rally Board member, thanked the City for welcoming the Sturgis Motorcycle attendees during the recent rally.

PUBLIC APPEARANCES:

SUPERVISOR BRICKLEE MILLER PROVIDING AN UPDATE ON THE 20 YEAR ANNIVERSARY OF THE MISSISSIPPI HORSE PARK WITH THE BUDGET REQUEST.

Bricklee Miller, Director of the Mississippi Horse Park, thanked the City for their continued support of the Park. With 2019 being the twentieth anniversary of the Park, she presented an overview of events held at the Park and economic impact the Park has made to the community in the twenty years. There will be a breakfast for the public celebrating the twentieth anniversary on September 6, 2019 from 6 am to 9 am.

AAU TRACK AND FIELD ORGANIZATION – FELECIA ASHFORD

Ms Ashford distributed data which showed annual expenditures of the Mississippi Goal Chasers. She requested that the City consider assisting with these costs in the upcoming budget.

PUBLIC HEARINGS:

PUBLIC HEARING AND CONSIDERATION OF CU 19-08 A REQUEST FOR CONDITIONAL USE TO ALLOW FOR A MOBILE HOME ON A LOT LOCATED ON THE WEST SIDE OF GRETA LANE APPROXIMATELY 1,275 FEET SOUTH OF THE RAIL ROAD CROSSING IN A R-5 ZONE WITH THE PARCEL NUMBER 103P-08-012.00.

Daniel Havelin presented Conditional Use request 19-08. The applicants, Roy and Linda Rieves, are seeking a Conditional Use to place a mobile home on a lot located on the west side of Greta Lane approximately 1,275 feet south of the rail road crossing in a R-5 zone with the parcel number 103P-08-012.00. The property is zoned R-5 and in order to place a "mobile home", a Conditional Use is required per the City of Starkville's Permitted and Conditional Use Chart.

Mayor Spruill opened the Public Hearing and called for public comments.

The Rieves thank the Board for their consideration of the conditional use. They have relatives on the adjoining properties.

There being no additional comments, the Mayor announced the public hearing closed.

22. CONSIDERATION OF CU 19-08 A REQUEST FOR CONDITIONAL USE TO ALLOW FOR A MOBILE HOME ON A LOT LOCATED ON THE WEST SIDE OF GRETA LANE APPROXIMATELY 1,275 FEET SOUTH OF THE RAIL ROAD CROSSING IN A R-5 ZONE WITH THE PARCEL NUMBER 103P-08-012.00.

Alderman Vaughn, duly seconded by Alderman Sistrunk, offered a motion to approve CU 19-08 with the condition that the applicant begin the permitting process with the City within six months. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

FIRST PUBLIC HEARING ON THE FISCAL YEAR 2019-2020 BUDGET AND TAX MILLAGE FOR THE CITY OF STARKVILLE

Mayor Spruill opened the Public Hearing and called for public comments on the Fiscal Year 2019-2020 Budget and the Tax Millage.

Chris Taylor, Ward 7, asked that the Board find some funding in the budget to assist the AAU Track group and the women's shelter.

There being no additional comments, the Mayor announced the public hearing closed.

23. CONSIDERATION OF A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT THE GARAN MANUFACTURING REDEVELOPMENT PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING; THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN; AND ESTABLISHING A REDEVELOPMENT PROJECT AREA PURSUANT TO SECTION 57-91-1, ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED, AND WHICH REDEVELOPMENT PROJECT AREA SHALL BE KNOWN AS THE GARAN MANUFACTURING REDEVELOPMENT PROJECT; AND FOR RELATED PURPOSES.

Chris Gouras presented the request on behalf of Castle Starkville Properties, LLC. The developer is proposing a 90,000 square foot retail center at the current Garan Industries site on Highway 12 after Garan relocates to the Starkville Industrial Park.

Alderman Sistrunk, duly seconded by Alderman Carver, offered a motion to approve a Resolution of the Mayor and Board of Aldermen of the City of Starkville, Mississippi, determining the necessity for and invoking the authority granted to municipalities by the legislature with respect to tax increment financing as set forth in Chapter 45 of Title 21, Mississippi Code Of 1972, as amended, determining that the Garan Manufacturing Redevelopment Project is a project eligible for Tax Increment Financing; that a Public Hearing be conducted in connection with the Tax Increment Financing Plan; and establishing a Redevelopment Project Area pursuant to Section 57-91-1, Et Seq., Mississippi Code Of 1972, as amended, and which redevelopment project area shall be known as the Garan Manufacturing Redevelopment Project; and for related purposes.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT THE GARAN MANUFACTURING REDEVELOPMENT PROJECT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING; THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN; AND ESTABLISHING A REDEVELOPMENT PROJECT AREA PURSUANT TO SECTION 57-91-1, ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED, AND WHICH REDEVELOPMENT PROJECT AREA SHALL BE KNOWN AS THE GARAN MANUFACTURING REDEVELOPMENT PROJECT; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville, Mississippi, (the "Board" of the "City"), acting for and on behalf of the City, hereby find, determine and adjudicate as follows:

1. The Mississippi "Tax Increment Financing Act," Title 21, Chapter 45, Mississippi Code of 1972, as amended (the "TIF Act"), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects, as defined therein, with the use of Tax Increment Financing ("TIF"), and also to carry out such projects jointly with other local governmental units pursuant to the Interlocal Cooperation Act, Title 17, Chapter 13, Mississippi Code of 1972, as amended (the "Interlocal Act").

2. The Board has received and has conducted hearings on the Tax Increment Financing Redevelopment Plan, City of Starkville, Mississippi, February 2006 (the "Redevelopment Plan") for the City, and approved the Redevelopment Plan on April 4, 2006. The Redevelopment Plan constitutes a qualified plan under the TIF Act.

3. The Board will be presented with a tax increment financing plan entitled *Tax Increment Financing Plan for the Garan Manufacturing Redevelopment Project, City of Starkville, Mississippi, August 2019* (the "TIF Plan"), the purpose of which is to provide a financing mechanism to pay the cost of acquiring and constructing infrastructure improvements, which may include, but not necessarily be limited to, installation, rehabilitation and/or relocation of utilities such as water, gas, and sanitary sewer; construction, renovation, or rehabilitation of drainage improvements, including storm water detention and related improvements, roadways, curbs, gutters, sidewalks, surface parking, relocation of electrical lines, lighting, signalization, landscaping of rights-of way, related architectural/engineering fees, attorney's fees, TIF Plan preparation fees, issuance costs, capitalized interest, and other related soft costs (collectively, the "Infrastructure Improvements"). The TIF Plan has attached as exhibits the map and legal description of the land to be included in the proposed TIF District. The TIF District should be established by the Board as described in the TIF Plan, and the Redevelopment Plan should have the TIF Plan attached or included by reference therein after a public hearing on the matter.

4. Castle Starkville, LLC (the "Developer"), is proposing to redevelop approximately 10.1 acres described in Exhibit A attached hereto and incorporated here by reference (the "TIF District") into an approximately 89,000 square foot retail development and related improvements (the "Project") in the City, as described in the TIF Plan. The City may enter into an Interlocal Cooperation Agreement with Oktibbeha County, Mississippi (the "County"), pursuant to the Interlocal Act to support the Project and to allow TIF Bond proceeds to be used to pay for the costs of the Infrastructure Improvements to support the Project. These costs will equal or exceed the sum of Three Million Dollars ($3,000,000). The Developer is requesting the assistance of the City and the County in providing funding for the Infrastructure Improvements by the utilization of TIF.

5. The Mississippi "Economic Redevelopment Act," Title 57, Chapter 91, Mississippi Code of 1972, as Amended ("MERA") and the Mississippi "Brownfields Voluntary Cleanup and Redevelopment Act," Title 49, Chapter 35, Mississippi Code of 1972, as Amended (the "Brownfield Act"), encourage economic development on and around environmentally contaminated sites by providing incentives to defray the remediation costs associated with cleaning up contaminated property through a program referred to herein as the "Brownfield Program."

7. The City has identified the TIF District as a potential location for redevelopment under MERA.

8. The Developer has requested that the City participate in the Brownfield Program, which program provides for the State of Mississippi acting through the Mississippi Department of Environmental Quality ("MDEQ") and the Mississippi Development Authority ("MDA") to rebate up to 2.5 times the abatement costs from sales tax generated from the redevelopment area designated by the City.

9. MERA requires, among other things, the City's designation of the proposed project area as a "redevelopment area"; an application by the City to MDA for a Certificate of Public Convenience and Necessity for the redevelopment area; and, along with such application, a development agreement between the City and Developer. Furthermore, the Developer must apply to MDEQ for the designation of the redevelopment area as a "Brownfield Site" and is required to execute a development agreement with MDEQ regarding the remediation of the redevelopment area.

10. The Project appears to be a project of major economic significance within the City, to qualify as a project eligible for TIF under the Redevelopment Plan and to qualify for the incentives provided for in MERA, and the City's participation is necessary and would be in the public interest and would benefit the economic and financial well-being and the public health, safety and welfare of the City. The Developer will incur expenditures for the cleanup of the property, estimated at $500,000, and intends to defray the remediation costs through the incentive in the Brownfield Program. It is proposed that the City's sales tax rebate shall be utilized for TIF as contemplated herein and in the TIF Plan upon the expiration of the Project's participation in the Brownfield Program.

11. The Developer intends to acquire and construct all or a portion of the Infrastructure Improvements at its expense to facilitate the development of the Project, based on the anticipation that TIF moneys will be available in the future. Upon establishment of the TIF District and the approval of the inclusion of the TIF Plan as a part of the Redevelopment Plan, the City wishes to reimburse the Developer for this expense in whole or part, up to the amount of moneys available from the proceeds of TIF bonds in the principal amount not to exceed Three Million Dollars ($3,000,000) (the “TIF Bonds”), at the time TIF Bonds are issued in the future. The TIF Bonds will be secured solely by a pledge of the increase in ad valorem taxes on real and personal property generated within the TIF District and seventy-five percent (75%) of the increase in sales taxes generated within the TIF District; provided, however, that the amount of the TIF Bonds to be issued shall be based upon one hundred percent (100%) of the increase in the City’s ad valorem taxes on real and personal property generated within the TIF District and fifty percent (50%) of the increase in sales taxes generated within the TIF District together with seventy-five percent (75%) of the incremental increase in the County’s ad valorem taxes on real and personal property generated within the TIF District. The funds derived from the sale of the TIF Bonds will be used to acquire and construct or reimburse the Developer for costs of the Infrastructure Improvements. The TIF Bonds shall never constitute an indebtedness of the City within the meaning of any state constitutional provision or statutory limitation and shall never constitute or give rise to a pecuniary liability of the City, other than from the sources set forth herein, or a charge against its general credit or taxing powers.

12. The City reasonably expects that it and or the Developer will incur expenditures for the Infrastructure Improvements prior to the issuance of the TIF Bonds, and that it should declare its official intent to reimburse expenditures made in anticipation of the issuance of the TIF Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE CITY AS FOLLOWS:

SECTION 1. The Board hereby declares its intention, upon establishment of the TIF District and the approval of the TIF Plan, to issue TIF Bonds not to exceed Three Million Dollars ($3,000,000), for the Infrastructure Improvements. The TIF Bonds will be secured solely by a pledge of the increase in ad valorem taxes of the City and the County on real and personal property generated within the TIF District and 75% of the increase in sales taxes rebates for the City generated within the TIF District as described in the TIF Plan. The funds derived from the sale of the TIF Bonds will be used for the Infrastructure Improvements. The TIF Bonds shall never constitute an indebtedness of the City within the meaning of any State constitutional provision or statutory limitation and shall never constitute or give rise to a pecuniary liability of the City, other than from the sources set forth herein, or a charge against its general credit or taxing powers.

SECTION 2. Pursuant to Section 1.150-2 of the Treasury Regulations (the “Reimbursement Regulations”), the Board hereby declares its official intent to reimburse expenditures made for the Infrastructure Improvements prior to the issuance of the TIF Bonds solely with proceeds of the TIF Bonds to the extent permitted by the Reimbursement Regulations. The TIF Bonds will be secured solely by a pledge of the increased ad valorem taxes for the City and the County and sales tax rebates for the City generated within the proposed TIF District.

SECTION 3. A public hearing shall be held with respect to the TIF Plan and the issuance of the TIF bonds at the regular meeting room of the Board at the City Hall of the City of Starkville, Mississippi at 5:30 p.m., on the 3rd day of September, 2019.

SECTION 4. The City Clerk is hereby directed to publish a notice of the public hearing in the *Starkville Daily News*, a newspaper in which the City is authorized to publish legal notices, the publication of which shall not be more than twenty (20) days and not less than ten (10) days prior to the date set forth in Section 3 above, pursuant to and in compliance with the requirements of the TIF Act. Said notice is attached hereto as Exhibit B. A copy of the TIF Plan will be available for examination in the office of the City Clerk at City Hall, Starkville, Mississippi.

SECTION 6. The Board hereby establishes the TIF District as a "redevelopment area" as required by MERA.

SECTION 7. If required by MERA and upon approval by the Board of Aldermen, the Mayor is authorized to execute and the municipal clerk is authorized to attest a development agreement with the Developer and MDA regarding the redevelopment of the TIF District pursuant to MERA.

SECTION 8. The Mayor is authorized to execute and the municipal clerk is authorized to attest to any and all documents necessary for the submission of an application to MDA for the certification of the TIF District as a redevelopment project area pursuant to MERA.

Alderman ______________________ moved and Alderman ____________________ seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Alderman Ben Carver	voted: _______
Alderman David Little	voted: _______
Alderman Sandra Sistrunk	voted: _______
Alderman Roy A.' Perkins	voted: _______
Alderman Jason Walker	voted: _______
Alderman Hamp Beatty	voted: _______
Alderman Henry Vaughn, Sr.	voted: _______

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this, the __ day of August, 2019.

City of Starkville, Mississippi

____

D. Lynn Spruill, Mayor

ATTEST:

____

Lesa Hardin, City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF THE TIF DISTRICT

Being all of Lot 1, Block 80 of the Michael Baker, Jr. Official Map of the City of Starkville, Mississippi, 1974 Edition as platted and recorded in the Office of the Chancery Clerk, Oktibbeha County, Mississippi and as shown on a survey by Pepper Surveying and Mapping, LLC and being more particularly described as follows, to wit:

Commencing at a one and one half inch pipe found on the North right of way of the railroad and at the Southeast corner of said Lot 1 and use as the POINT OF BEGINNING of the parcel herein described. From said POINT OF BEGINNING run South 58 degrees 37 minutes West along said North right of way for a distance of 862.9 feet to a one half inch iron pin set at the intersection of said North right of way with the East right of way of Industrial Park Road; thence North 10 degrees 40 minutes West along said East right of way for a distance of 289.8 feet to the beginning of a curve to the left having a radius of 603.3 feet and being subtended by a chord bearing of North 17 degrees 53 minutes West for a distance of 151.5 feet; thence along said curve and East right of way for an arc length of 151.9 feet to a one half inch iron pin set at the intersection of said East right of way with the South right of way of MS Highway No. 12; thence North 47 degrees 28 minutes East along said South right of way for a distance of 950.0 feet to a punch mark set in a concrete drive; thence South 12 degrees 25 minutes East leaving said South right of way for a distance of 636.8 feet to the POINT OF BEGINNING. Said parcel being all of Lot 1, Block 80 of the Michael Baker, Jr. Official Map of the City of Starkville, Mississippi, 1974 Edition as platted and contains 10.1 acres, plus or minus. Reference bearing for this property description is based on GPS Grid.

EXHIBIT B

NOTICE OF PUBLIC HEARING TAX INCREMENT FINANCING PLAN

GARAN MANUFACTURING REDEVELOPMENT PROJECT,

CITY OF STARKVILLE, MISSISSIPPI

Notice is hereby given that a public hearing will be held on the 3rd day of September, 2019, at 5:30 o'clock p.m. at City Hall, in the Courtroom, at 110 West Main Street, Starkville, Mississippi 39759, on the *Tax Increment Financing Plan for the Garan Manufacturing Redevelopment Project, City of Starkville, Mississippi* (the "TIF Plan"), for consideration by the Mayor and Board of Aldermen of the City of Starkville, Mississippi (the "City"). The City proposes to use the TIF Plan in compliance with the Tax Increment Financing Redevelopment Plan, City of Starkville, Mississippi, February 2006, and further, to designate the project described in the TIF Plan as appropriate for development and tax increment financing.

The general scope of the TIF Plan is for the City to issue tax increment financing revenue bonds or notes (the "Bonds"), in one or more series and in an amount not to exceed Three Million Dollars ($3,000,000), which funds will be used for the purpose of providing a financing mechanism to pay for the cost of acquiring and constructing infrastructure improvements, which may include, but not necessarily be limited to, installation, rehabilitation and/or relocation of utilities such as water, gas, and sanitary sewer; construction, renovation, or rehabilitation of drainage improvements, including storm water detention and related improvements, roadways, curbs, gutters, sidewalks, surface parking, relocation of electrical lines, lighting, signalization, landscaping of rights-of way, related architectural/engineering fees, attorney's fees, TIF Plan preparation fees, issuance costs, capitalized interest, and other related soft costs (collectively, the "Infrastructure Improvements"). The Bonds shall be secured by a pledge of the incremental increase in ad valorem tax revenues on real and personal property and seventy-five percent of the sales tax rebates within the TIF District, as described in the TIF Plan. The Bonds will not be a general obligation of the City secured by the full faith, credit, and taxing power of the City, nor create any other pecuniary liability on the part of the City other than the pledge of the incremental increase in the ad valorem taxes and sales tax rebates referenced above.

Construction of the Infrastructure Improvements and payment of the Bonds issued will be paid as hereinabove set forth and will not require an increase in any kind or type of taxes within the City.

Copies of the TIF Plan and the Tax Increment Financing Redevelopment Plan are available for examination in the office of the City Clerk in Starkville, Mississippi.

This hearing is being called and conducted, and the TIF Plan has been prepared as authorized and required by Sections 21-45-1 *et seq*., Mississippi Code of 1972, as amended.

Witness my signature and seal, this the 20th day of August, 2019.

____

Lesa Hardin, City Clerk

24. CONSIDERATION OF A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, AUTHORIZING REIMBURSEMENT TO THE MUNICIPALITY FOR CERTAIN EXPENDITURES OF THE AUTHORIZED PURPOSE AND THE PROJECT FROM THE PROCEEDS OF BONDS, THE QUALIFIED OBLIGATION, OR THE LOAN ISSUED FOR SUCH AUTHORIZED PURPOSE AND PROJECT; AND FOR RELATED MATTERS ASSOCIATED WITH A NEW SPORTS TOURNAMENT AND RECREATIONAL FACILITIES OF THE CITY.

Alderman Sistrunk, duly seconded by Alderman Little, offered a motion to approve a Resolution of the Mayor and Board of Aldermen of the City of Starkville, Mississippi, authorizing reimbursement to the municipality for certain expenditures of the authorized purpose and the project from the proceeds of bonds, the qualified obligation, or the loan issued for such authorized purpose and project; and for related matters associated with a new sports tournament and recreational facilities of the City. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

Having received a majority affirmative vote, the Mayor declared the motion passed.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, AUTHORIZING REIMBURSEMENT TO THE MUNICIPALITY FOR CERTAIN EXPENDITURES OF THE AUTHORIZED PURPOSE AND THE PROJECT FROM THE PROCEEDS OF BONDS, THE QUALIFIED OBLIGATION, OR THE LOAN ISSUED FOR SUCH AUTHORIZED PURPOSE AND PROJECT; AND FOR RELATED MATTERS.

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville, Mississippi (the "Governing Body" of the "Municipality") hereby finds, determines, adjudicates, and declares as follows:

SECTION 1. In addition to any words and terms elsewhere defined herein, the following words and terms shall have the following meanings, unless some other meaning is plainly intended:

"Act" shall mean House Bill No. 1565, as approved by the Legislature of the State of Mississippi (the "Legislature" of the "State") in its Regular Session 2019 and signed by the Governor (the "Governor") of the State on April 3, 2019 (the "Authority Act"), Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended (the "Municipal Improvements Act"), or Section 31-25-1 *et seq*., Mississippi Code of 1972, as amended (the "Bank Act") (together, the "Act").

"Authorized Purpose" shall mean erecting municipal buildings, and purchasing buildings and land therefor, and for repairing, improving, adorning and equipping the same; constructing, improving and paving streets, sidewalks and parkways, and purchasing land therefor; constructing bridges and culverts; repairing, improving and extending the sanitary, storm, drainage and sewerage systems of the municipality; improving and equipping parks and public playgrounds and constructing, repairing and equipping recreational facilities, including without limitation a swimming pool or pools and related facilities; and purchasing machinery and heavy equipment which will have an expected useful life in excess of ten (10) years for the use of the public works department, but specifically not including any motor vehicles weighing less than twelve thousand (12,000) pounds.

"Bank" shall mean the Mississippi Development Bank.

"City Clerk" shall mean the City Clerk of the Municipality.

"Governing Body" shall mean the Mayor and Board of Aldermen of the Municipality.

"Mayor" shall mean the Mayor of the Municipality.

"Municipality" shall mean the City of Starkville, Mississippi.

"Project" shall mean providing funds to construct, finance, operate, equip, lease, and maintain new sports tournament and recreational facilities of the Municipality and improve existing sports and recreational facilities of the Municipality.

SECTION 2. On November 6, 2018, the Governing Body adopted a resolution stating the intent to levy an additional 1% economic development, tourism, and convention tax for the purpose of improving the parks and recreation facilities of the Municipality.

SECTION 3. The Authority Act was approved by the Legislature of the State and signed by the Governor of the State.

SECTION 4. On April 16, 2019, the Governing Body adopted a resolution calling for a special election on the issue of levying an additional 1% economic development, tourism, and convention tax for the purpose of improving the parks and recreation facilities of the Municipality.

SECTION 5. After adoption of the resolution of April 16, 2019, and publication of notice of such election pursuant to the Authority Act, the citizens of the Municipality approved the aforesaid tax levy by election on May 30, 2019.

SECTION 6. Pursuant to the Act and other applicable laws of the State, the Municipality is authorized to undertake activities for the Authorized Purpose and the Project, and to provide for the payment of the costs thereof, or any portion of such costs, by issuing general obligation bonds of the Municipality (the "Bonds"), issuing a bond of the Municipality (the "Qualified Obligation") for sale to the Bank, or entering into a loan agreement and obtaining a loan from the Bank (the "Loan"), all in the maximum principal amount of Twenty-Two Million Dollars ($22,000,000), issued in one or more series.

SECTION 7. The Municipality reasonably expects that it will incur expenditures for the Authorized Purpose and the Project for which the Municipality will advance internal funds prior to the issuance of the Bonds, the Qualified Obligation, or the Loan, all in the maximum principal amount of Twenty-Two Million Dollars ($22,000,000), issued in one or more series, and that it should declare its official intent to reimburse its general fund or special tax fund for all or a portion of such expenditures of the Authorized Purpose and the Project made in anticipation of the issuance of the Bonds, the Qualified Obligation, or the Loan.

NOW, THEREFORE, be it resolved by the Governing Body, acting for and on behalf of the Municipality, as follows:

SECTION 1. The Governing Body hereby declares its intention to pursue the issuance of the Bonds, the Qualified Obligation, or the Loan, issued in one or more series, to provide funds for the Authorized Purpose and the Project.

SECTION 2. Pursuant to Section 1.150-2 of the Treasury Regulations (the "Reimbursement Regulations"), the Governing Body hereby declares its official intent to reimburse the Municipality's general fund or special tax fund for expenditures made for the Authorized Purpose and the Project prior to the issuance of the Bonds, the Qualified Obligation, or the Loan, with proceeds of the Bonds, the Qualified Obligation, or the Loan, to the extent permitted by the Reimbursement Regulations.

SECTION 3. The Municipality by subsequent resolution shall take such actions as may be necessary to specify the terms and conditions of the issuance and sale of the Bonds, the Qualified Obligation, or the Loan.

SECTION 4. All resolutions in conflict with this resolution are hereby amended and repealed, but only to the extent of any such conflict. For cause, this resolution shall become effective immediately upon its adoption.

Following the reading of the foregoing resolution and discussion thereof, Alderman Sandra Sistrunk moved and Alderman David Little seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Alderman Ben Carver	voted: Aye
Alderwoman Sandra C. Sistrunk	voted: Aye
Alderman David Little	voted: Aye
Alderman Jason Walker	voted: Aye
Alderman Hamp Beatty	voted: Aye
Alderman Roy A'. Perkins	voted: Nay
Alderman Henry N. Vaughn, Sr.	voted: Nay

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this, the 20th day of August, 2019.

CITY OF STARKVILLE, MISSISSIPPI

____
D. Lynn Spruill, Mayor

ATTEST:

____
Lesa Hardin, City Clerk

(seal)

25. CONSIDERATION OF A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DIRECTING THE ISSUANCE OF THE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2019 (THE "QUALIFIED OBLIGATION"), OF THE CITY OF STARKVILLE, MISSISSIPPI, IN THE MAXIMUM PRINCIPAL AMOUNT OF THREE MILLION DOLLARS ($3,000,000).

Alderman Sistrunk, duly seconded by Alderman Beatty, offered a motion to approve a Resolution of the Mayor and Board of Aldermen of the City of Starkville, Mississippi, directing the issuance of the General Obligation Public Improvement Bonds, Series 2019 (the "Qualified Obligation"), of the City of Starkville, Mississippi, in the maximum principal amount of three million dollars ($3,000,000). The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DIRECTING THE ISSUANCE OF THE GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2019 (THE "QUALIFIED OBLIGATION"), OF THE CITY OF STARKVILLE, MISSISSIPPI, IN THE MAXIMUM PRINCIPAL AMOUNT OF THREE MILLION DOLLARS ($3,000,000), IN ONE OR MORE SERIES, TO RAISE MONEY FOR THE PURPOSE OF ESTABLISHING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; PROTECTING THE MUNICIPALITY, ITS STREETS AND SIDEWALKS FROM OVERFLOW, CAVING BANKS AND OTHER LIKE DANGERS; PLANNING, CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR, AND/OR PURCHASING STREET TRAFFIC CONTROL DEVICES AND SIGNALIZATION; CONSTRUCTING BRIDGES AND CULVERTS; ALTERING OR CHANGING THE CHANNELS OF STREAMS AND WATER COURSES TO CONTROL, DEFLECT OR GUIDE THE CURRENT THEREOF; PRESCRIBING THE FORM AND INCIDENTS OF THE QUALIFIED OBLIGATION; APPROVING THE FORM AND EXECUTION OF A QUALIFIED OBLIGATION PURCHASE AGREEMENT FOR THE SALE OF THE QUALIFIED OBLIGATION TO THE BANK AND A BANK BONDS PURCHASE AGREEMENT FOR THE SALE OF THE MAXIMUM PRINCIPAL AMOUNT OF THREE MILLION DOLLARS ($3,000,000) MISSISSIPPI DEVELOPMENT BANK SPECIAL OBLIGATION BONDS, SERIES 2019 (STARKVILLE, MISSISSIPPI, GENERAL OBLIGATION PUBLIC IMPROVEMENT PROJECT) (THE "BANK BONDS") TO THE UNDERWRITER; APPROVING AND AUTHORIZING THE FORM OF AND THE EXECUTION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL STATEMENT PERTAINING TO THE BANK BONDS; APPROVING THE FORM OF THE INDENTURE OF TRUST FOR THE BANK BONDS; AUTHORIZING BOND INSURANCE AND RATINGS AND AUTHORIZING COVENANTS WITH RESPECT THERETO; PAYING THE RELATED COSTS OF THE AUTHORIZATION, ISSUANCE, SALE, VALIDATION, AND DELIVERY OF THE QUALIFIED OBLIGATION AND THE BANK BONDS; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville, Mississippi (the "Governing Body" of the “Municipality”), acting for and on behalf of the Municipality, hereby finds, determines, adjudicates, and declares as follows:

SECTION 8. In addition to any words and terms elsewhere defined herein, the following words and terms shall have the following meanings, unless the context or use otherwise requires. Words of the masculine gender should be deemed and constructed to include correlative words of the female and neuter gender. Capitalized terms used and not defined herein shall have the meanings ascribed to them in the Indenture.

"Act" means together the Bank Act and the Municipal Improvements Act.

“Authorized Purpose” means establishing sanitary, storm, drainage or sewerage systems, and repairing, improving and extending the same; protecting the municipality, its streets and sidewalks from overflow, caving banks and other like dangers; planning, constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor, and/or purchasing street traffic control devices and signalization; constructing bridges and culverts; altering or changing the channels of streams and water courses to control, deflect or guide the current thereof.

"Bank" means the Mississippi Development Bank, a body corporate and politic exercising essential public functions, or any successor to its functions.

"Bank Act" means the provisions of Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended.

"Bank Bonds" means the Mississippi Development Bank Special Obligation Bonds, Series 2019 (Starkville, Mississippi, General Obligation Public Improvement Project), in the maximum principal amount of Three Million Dollars ($3,000,000), issued pursuant to the Indenture.

“Bank Bonds Purchase Agreement” means the bond purchase agreement among the Bank, the Municipality, and the Underwriter, in connection with the sale and issuance of the Bank Bonds.

"Bond Counsel" means an attorney or firm of attorneys approved by the Municipality and the Bank which are nationally recognized in the area of municipal law and matters relating to the exclusion of interest on state and local government bonds from gross income under federal tax law. Jones Walker LLP, Jackson, Mississippi, is serving as Bond Counsel in connection with the authorization, issuance, sale, validation, and delivery of the Qualified Obligation and the Bank Bonds.

“Bond Insurer” means the Bond Insurer (if any) as defined in Section 22 hereof, or any successor thereto or assignee thereof.

"Bond Register" means the books for the registration and transfer of the Qualified Obligation kept by the Trustee in its capacity as registrar and transfer agent of the Qualified Obligation.

“City Clerk” means the City Clerk of the Municipality.

"Code" means the Internal Revenue Code of 1986, as amended, and all applicable Treasury Regulations promulgated thereunder.

"General Account" means the account by that name created by the Indenture.

"General Fund" means the fund by that name created by the Indenture.

“Governing Body” means the Mayor and Board of Aldermen of the Municipality.

"Governmental Obligations" means to the extent permitted by State law: (a) direct obligations of the United States of America; (b) obligations guaranteed as to principal and interest by the United States of America or any federal agency whose obligations are backed by the full faith and credit of the United States of America, including but not limited to: Department of Housing and Urban Development, Export-Import Bank, Farmers Home Administration (or successor thereto), Federal Financing Bank, Federal Housing Administration, Maritime Administration, Small Business Administration, which obligations include but are not limited to certificates or receipts representing direct ownership of future interest or principal payments on obligations described in clause (a) or in this clause (b) and which are held by a custodian in safekeeping on behalf of the holders of such receipts; and (c) obligations of any state of the United States of America or any political subdivision thereof, the full payment of principal of, premium, if any, and interest on which (i) is fully and unconditionally guaranteed or insured by the United States of America or (ii) is provided for by an irrevocable deposit of the securities described in clause (i) to the extent such investments are permitted by law.

"Indenture" means the Indenture of Trust between the Bank and the Trustee pursuant to which the Bank Bonds are issued, and all supplements and amendments thereto.

"Interest Payment Date" means each date, annual or semiannual, for the payment of interest due on the Qualified Obligation, as further defined in the Indenture.

"Mayor" means the Mayor of the Municipality.

"Municipality" means the City of Starkville, Mississippi, a "local governmental unit" under the Bank Act.

"Municipal Improvements Act" means the provisions of Section 21-33-301 *et seq.*, Mississippi Code of 1972, as amended.

"Municipality Resolution" means this resolution adopted by the Governing Body on August 20, 2019, in connection with the issuance of the Qualified Obligation.

"Paying Agent" means a banking association or corporation organized and existing under the laws of the State, or any successor thereto, acting as the Paying Agent under the Municipality Resolution, to be hereinafter designated.

"Project" means, together, providing funds (i) to finance the costs of the Authorized Purpose, (ii) paying the costs of the authorization, issuance, sale, validation, and delivery of the Qualified Obligation and the Bank Bonds, and (iii) funding a capitalized interest fund, if necessary.

"Qualified Obligation" means the General Obligation Public Improvement Bond, Series 2019, in the maximum principal amount of Three Million Dollars ($3,000,000), issued by the Municipality pursuant to the Municipality Resolution and registered to the Trustee as assignee of the Bank pursuant to the Indenture.

"Qualified Obligation Purchase Agreement" means the purchase agreement to be executed by and between the Municipality and the Bank, in connection with the sale and issuance of the Qualified Obligation.

"Record Date" means, with respect to any Interest Payment Date, the fifteenth day of the calendar month next preceding such Interest Payment Date.

"Redemption Price" means, with respect to any Bank Bond, the principal amount thereof, plus the applicable premium, if any, and accrued but unpaid interest payable upon redemption of such Bank Bond prior to maturity.

"Registered Owner" means the person or persons in whose name the Qualified Obligation shall be registered on the Bond Register.

"State" means the State of Mississippi.

"Trustee" means a state banking corporation or national banking association with corporate trust powers qualified to act as Trustee under the Indenture which may be designated (originally or as a successor) as Trustee for the owners of the Bank Bonds issued and secured under the terms of the Indenture, to be hereinafter designated.

"Underwriter" or **"Placement Agent"** means Stephens Inc., Little Rock, Arkansas.

SECTION 9. On November 7, 2017, the Governing Body adopted a resolution entitled "**A RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE MUNICIPALITY, ISSUE A GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND OF THE MUNICIPALITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK, OR ENTER INTO A LOAN AGREEMENT WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN THE MAXIMUM PRINCIPAL AMOUNT OF SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS ($7,500,000), IN ONE OR MORE SERIES, TO RAISE MONEY FOR THE PURPOSE OF ESTABLISHING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; PROTECTING THE MUNICIPALITY, ITS STREETS AND SIDEWALKS FROM OVERFLOW, CAVING BANKS AND OTHER LIKE DANGERS; PLANNING, CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR, AND/OR PURCHASING STREET TRAFFIC CONTROL DEVICES AND SIGNALIZATION; CONSTRUCTING BRIDGES AND CULVERTS; ALTERING OR CHANGING THE CHANNELS OF STREAMS AND WATER COURSES TO CONTROL, DEFLECT OR GUIDE THE CURRENT THEREOF; DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION; AND RELATED PURPOSES**" (the "Resolution of Intent").

SECTION 10. As required by law and as directed by the Resolution of Intent, the Resolution of Intent was published once a week for at least three (3) consecutive weeks in the *Starkville Daily News*, a newspaper published in and having a general circulation in the Municipality, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended,, the first publication having been made not less than twenty-one (21) days prior to December 5, 2017, and the last publication having been made not more than seven (7) days prior to such date, said notice having been published in said newspaper on November 15, 2017, November 22, 2017, and November 29, 2017, as evidenced by the publisher's affidavit on file in the office of the City Clerk.

SECTION 11. On or prior to December 5, 2017, at 5:30 pm, the date and hour set for the receipt of protests, no written protest or other objection of any kind or character against the issuance of the debt obligations described in the Resolution of Intent were filed or presented by qualified electors of the Municipality.

SECTION 12. Pursuant to that certain resolution adopted by the Governing Body on December 5, 2017, entitled "**RESOLUTION AUTHORIZING THE ISSUANCE BY THE CITY OF STARKVILLE, MISSISSIPPI, OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND OF THE MUNICIPALITY OR A GENERAL OBLIGATION BOND OF THE MUNICIPALITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK, OR AUTHORIZING ENTERING INTO A LOAN AGREEMENT WITH AND OBTAINING A LOAN FROM THE MISSISSIPPI DEVELOPMENT BANK, ALL IN THE MAXIMUM PRINCIPAL AMOUNT OF SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS ($7,500,000), IN ONE OR MORE SERIES, TO RAISE MONEY FOR THE PURPOSE OF ESTABLISHING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS, AND**

REPAIRING, IMPROVING AND EXTENDING THE SAME; PROTECTING THE MUNICIPALITY, ITS STREETS AND SIDEWALKS FROM OVERFLOW, CAVING BANKS AND OTHER LIKE DANGERS; PLANNING, CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR, AND/OR PURCHASING STREET TRAFFIC CONTROL DEVICES AND SIGNALIZATION; CONSTRUCTING BRIDGES AND CULVERTS; ALTERING OR CHANGING THE CHANNELS OF STREAMS AND WATER COURSES TO CONTROL, DEFLECT OR GUIDE THE CURRENT THEREOF; AND FOR RELATED PURPOSES," the Municipality was authorized and empowered by the provisions of the Act to issue its Qualified Obligation, without an election on the question of the issuance thereof, pursuant to further resolutions of the Governing Body.

SECTION 13. The Municipality issued its General Obligation Public Improvement Bond, Series 2018 (Starkville, Mississippi, General Obligation Public Improvement Project), in the maximum principal amount of Four Million Five Hundred Thousand Dollars ($4,500,000), dated and issued April 30, 2018, pursuant to a resolution adopted by the Governing Body of the Municipality on February 20, 2018.

SECTION 14. At the request of the Municipality, the Bank issued its $4,500,000 Special Obligations Bonds, Series 2018 (Starkville, Mississippi, General Obligation Public Improvement Project), in the maximum principal amount of Four Million Five Hundred Thousand Dollars ($4,500,000), dated and issued April 30, 2018, pursuant to a resolution adopted by the Board of Directors of the Bank (the "Board") on February 14, 2018;

SECTION 15. The Municipality is now authorized to issue and sell the Qualified Obligation registered as to principal and interest in the form and in the manner hereinafter provided.

SECTION 16. This Municipality Resolution is hereby adopted by the Governing Body pursuant to the provisions of the Act to direct the issuance and sale of the Qualified Obligation for the Project and in accordance with the procedures set forth herein.

SECTION 17. The Bank is authorized pursuant to the Bank Act to issue its Bank Bonds for the purpose of purchasing the Qualified Obligation of the Municipality to finance the Project.

SECTION 18. The Governing Body is now authorized to issue, in its discretion, and under the provisions of the Act, the Qualified Obligation in the maximum principal amount of Three Million Dollars ($3,000,000) in order to finance the Project. It is advisable and in the public interest to issue the Qualified Obligation for the Authorized Purpose and the Project registered as to principal and interest in the form and manner hereinafter provided for.

SECTION 19. It has now become necessary to make provision for the preparation, execution, and issuance of the Qualified Obligation, which may be issued as hereinafter set forth.

SECTION 20. The Governing Body desires to: (i) authorize the Municipality to issue and sell its Qualified Obligation to the Bank; (ii) authorize the Bank to negotiate the sale of the Bank Bonds to the Underwriter for purposes of a private placement of the Bank Bonds; (iii) authorize the appointment of the Trustee under the indenture of trust, to be dated the date of delivery thereof, between the Bank and the Trustee (the "Indenture") for the Bank Bonds, and also as Paying Agent for the Bank Bonds; and (iv) approve the payment of costs of authorization, issuance, sale, validation, and delivery of the Qualified Obligation and the Bank Bonds.

SECTION 21. The Governing Body finds it necessary to approve the form of, execution of, and distribution of, as applicable: (i) the bond purchase agreement for the sale of the Qualified Obligation of the Municipality to the Bank, in substantially the form attached hereto as **Exhibit A** (the "Qualified Obligation Purchase Agreement"); (ii) the Indenture, in substantially the form attached hereto as **Exhibit C**; (iii) the Post Issuance Compliance

Procedures, in substantially the form attached hereto as **Exhibit D** (the "Post Issuance Compliance Procedures"); (iv) the bond purchase agreement for the sale of the Bank Bonds to the Underwriter, in substantially the form attached hereto as **Exhibit B** (the "Bank Bonds Purchase Agreement").

SECTION 22. It is advisable and in the public interest to authorize the Mayor to arrange for a bond rating for the Qualified Obligation and the Bank Bonds in the event that said officer determines that obtaining any such rating is in the best interests of the Municipality. The Governing Body should authorize the obtaining of such rating, the execution of any documents necessary or appropriate for such purpose, and the commitment to pay the rating fee and usual costs pertaining to any such rating by the Mayor if such officer determines any such rating to be in the best interest of the Municipality

SECTION 23. It is advisable and in the public interest to authorize the Mayor to arrange for municipal bond insurance to guarantee the payments of the principal of and interest on the Qualified Obligation and/or the Bank Bonds from a municipal bond insurance corporation in the event that said officer determines that obtaining any such municipal bond insurance is in the best interests of the Municipality. The Governing Body should authorize the obtaining of such municipal bond insurance, the execution of any documents necessary or appropriate for such purpose, and the commitment to pay the fees and usual costs, if any, pertaining to any such municipal bond insurance by the Mayor if such officer determines any such rating to be in the best interest of the Municipality.

SECTION 24. The Bank Bonds will not be private activity bonds as such term is defined in Section 141 of the Code.

SECTION 25. The Code provides that noncompliance with the provisions thereof may cause interest on obligations to become taxable retroactive to the initial date of issuance and provides that the tax-exempt status of interest on obligations such as the Bank Bonds is contingent on a number of future actions by the Municipality. It is necessary to make certain covenants pertaining to the exclusion of the interest on the Bank Bonds from gross income for purposes of federal income taxation since such exclusion will depend, in part, upon continuing compliance by the Municipality with certain requirements of the Code.

SECTION 26. The Qualified Obligation will be a general obligation of the Municipality payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a tax to be levied annually upon all the taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, shall be sufficient to provide for the payment of the principal of and the interest on the Qualified Obligation according to the terms thereof.

SECTION 27. The assessed value of all property within the Municipality, according to the last completed assessment for taxation, is Two Hundred Sixty Million Six Hundred Sixty-One Thousand Three Hundred Ten Dollars ($260,661,310); the Municipality has outstanding bonded indebtedness subject to the fifteen percent (15%) debt limit prescribed by the Municipal Improvements Act, in the amount of Twenty-Five Million Three Hundred Ninety-Five Thousand Dollars ($25,395,000), and outstanding bonded and floating indebtedness subject to the twenty percent (20%) debt limit prescribed by the Municipal Improvements Act (which amount includes the sum set forth above subject to the fifteen percent (15%) debt limit), in the amount of Twenty-Eight Million Thirty-Six Thousand Six Hundred Forty-Three Dollars ($28,036,643); the issuance of the Qualified Obligation, when added to the outstanding bonded indebtedness of the Municipality, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of taxable property within the Municipality, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of taxable property within the Municipality and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the Municipality.

SECTION 28. The amount of the Qualified Obligation, when added to the outstanding indebtedness of the Municipality, will not exceed any constitutional or statutory limitation on indebtedness.

SECTION 29. The Municipality desires to go forward with preparation for the issuance of the Qualified Obligations and the Bank Bonds and desires to approve the engagement of certain professionals to assist with the issuance of the Qualified Obligation and the Bank Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE MUNICIPALITY, AS FOLLOWS:

SECTION 1. MUNICIPALITY RESOLUTION CONSTITUTES A CONTRACT. In consideration of the purchase and acceptance of the Qualified Obligation by the Registered Owner thereof, this Municipality Resolution shall constitute a contract between the Municipality and the Registered Owner from time to time of the Qualified Obligation. The pledges made herein and the covenants and agreements herein set forth to be performed on behalf of the Municipality shall be for the equal benefit, protection, and security of the Registered Owner of the Qualified Obligation, all of which, regardless of the time or times of their authentication and delivery or maturity, shall be of equal rank without preference, priority, or distinction.

SECTION 2. AUTHORIZATION AND PURPOSE OF QUALIFIED OBLIGATION. The Qualified Obligation is hereby authorized and ordered to be prepared and issued in the maximum principal amount of not to exceed Three Million Dollars ($3,000,000) to raise money for the Project, as authorized by the Act, and including the payment of a premium for municipal bond insurance, if any, to guarantee the payments of the principal of and interest on the Bank Bonds and the Qualified Obligation.

SECTION 3. TERMS OF QUALIFIED OBLIGATION. The Qualified Obligation shall be registered as to both principal and interest; shall be dated the date of the Bank Bonds; shall be issued in a single denomination equal to the principal amount thereof; shall be numbered one; shall bear interest from the date thereof at the rate or rates borne by the Bank Bonds as provided in the Indenture, payable at such times as provided in the Indenture; and shall mature and become due and payable, with option of prior payment, in the same manner and the same dates and times as provided for the Bank Bonds in the Indenture.

SECTION 4. REDEMPTION OF QUALIFIED OBLIGATION.

The Qualified Obligation is subject to redemption at the option of the Municipality and scheduled mandatory redemption prior to maturity thereof, only at the times, to the extent, in the manner, and in the amounts that the Bank Bonds are subject to optional and mandatory redemption as provided in the Indenture. The Municipality shall provide proper notice to the Bank and the Trustee as provided in the Indenture in the event the Municipality elects to redeem the Qualified Obligation or any portion thereof, and redemption of the Qualified Obligation or any portion thereof shall be as provided in the Indenture. It is intended that redemption of the Qualified Obligation or any portion thereof may only occur through the processes provided in the Indenture, and the Municipality hereby accepts such redemption provisions by this reference.

SECTION 5. REGISTRATION AND EXECUTION OF QUALIFIED OBLIGATION.

(a) When the Qualified Obligation shall have been validated and executed as herein provided, the Qualified Obligation shall be registered as an obligation of the Municipality in a book maintained for that purpose by the Paying Agent, and the City Clerk shall cause to be imprinted upon the Qualified Obligation, over the signature of said City Clerk (or a facsimile thereof) and the seal of the Municipality (or a facsimile thereof), the City Clerk's certificate in substantially the form set out in Section 8 hereof.

(b) The Qualified Obligation shall be executed by the manual or facsimile signature of the Mayor and countersigned by the manual or facsimile signature of the City Clerk, with the seal of the Municipality imprinted or affixed thereto; provided, however, all signatures and seals appearing on the Qualified Obligation, other than the signature of an authorized officer of the Paying Agent as hereinafter provided, may be facsimile and shall have the same force and effect as if manually signed or impressed. In case any official of the Municipality whose signature or a facsimile of whose signature shall appear on the Qualified Obligation shall cease to be such official before the delivery or reissuance thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such official had remained in office until delivery or reissuance.

SECTION 6. DELIVERY OF QUALIFIED OBLIGATION.

(a) The Qualified Obligation shall be delivered to the Trustee as assignee of the Bank as purchaser upon payment of the purchase price therefor in accordance with the terms and conditions of the Qualified Obligation Purchase Agreement, together with a complete certified transcript of the proceedings had and done in the matter of the authorization, issuance, sale, and validation of the Qualified Obligation, and the final, unqualified approving opinion of Bond Counsel.

(b) Prior to or simultaneously with the delivery by the Paying Agent of the Qualified Obligation, the Municipality shall file with the Paying Agent:

(1) a copy, certified by the City Clerk, of this Municipality Resolution and of the transcript of proceedings of the Governing Body in connection with the authorization, issuance, sale, and validation of the Qualified Obligation;

(2) an authorization to the Paying Agent, signed by the Mayor or the City Clerk, to authenticate and deliver the Qualified Obligation to the Trustee and stating the purchase price of the Qualified Obligation; and

(3) such other moneys or documentation, if any, as may be required by this Municipality Resolution or the Indenture.

(c) The Paying Agent shall authenticate the Qualified Obligation and deliver it to the Trustee upon payment of the purchase price of the Qualified Obligation to the Municipality.

SECTION 7. PROVISIONS CONCERNING THE PAYING AGENT.

(a) The Municipality hereby designates the Trustee as Paying Agent for the Qualified Obligation.

(b) The Municipality shall pay or reimburse the Paying Agent for reasonable fees for the performance of the services normally rendered and the incurring of normal expenses reasonably and necessarily paid as are customarily paid to paying agents, transfer agents, and registrars, subject to agreement between the Municipality and the Paying Agent. Fees and reimbursements for extraordinary services and expenses, so long as not occasioned by the negligence, misconduct, or willful default of the Paying Agent, shall be made by the Municipality on a case-by-case basis, subject, where not prevented by emergency or other exigent circumstances, to the prior written approval of the Governing Body.

(c) (1) The Paying Agent may at any time resign and be discharged of its duties and obligations as Paying Agent by giving at least sixty (60) days' written notice to the Municipality, and may be removed as Paying Agent at any time by resolution of the Governing Body delivered to the Paying Agent. The resolution shall specify the date on which such removal shall take effect and the name and address of the successor Paying Agent, and shall be transmitted to the Paying Agent being removed within a reasonable time prior to the effective date thereof; provided, however, that no resignation or removal of a Paying Agent shall become effective until a successor Paying Agent has been appointed pursuant to this Municipality Resolution.

(2) Upon receiving notice of the resignation of a Paying Agent, the Municipality shall promptly appoint a successor Paying Agent by resolution of the Governing Body. Any appointment of a successor Paying Agent shall become effective upon acceptance of appointment by the successor Paying Agent. If no successor Paying Agent shall have been so appointed and have accepted appointment within thirty (30) days after the notice of resignation, the resigning Paying Agent may thereupon, after such notice as it may deem appropriate, appoint a successor Paying Agent.

(3) In the event of a change of Paying Agent, the predecessor Paying Agent shall cease to be custodian of any funds held pursuant to this Municipality Resolution in connection with its role as such Paying Agent, and the successor Paying Agent shall become such custodian; provided, however, that before any such delivery is required to be made, all fees, advances, and expenses of the retiring or removed Paying Agent shall be fully paid. Every predecessor Paying Agent shall deliver to its successor Paying Agent all records, documents, and instruments relating to its duties as such Paying Agent.

(4) Any successor Paying Agent appointed under the provisions hereof shall be a bank, trust company, or banking association having a combined capital and surplus of at least Twenty-Five Million Dollars ($25,000,000), having Federal Deposit Insurance Corporation insurance of its accounts, duly authorized to exercise corporate trust powers, and subject to examination by and in good standing with the federal and/or state regulatory authorities under the jurisdiction of which it falls.

(5) Every successor Paying Agent appointed hereunder shall execute, acknowledge, and deliver to its predecessor Paying Agent and to the Municipality an instrument in writing accepting such appointment hereunder, and thereupon such successor Paying Agent, without any further act, shall become fully vested with all the rights, immunities, and powers, and subject to all the duties and obligations of its predecessor.

(6) Should any transfer, assignment, or instrument in writing be required by any successor Paying Agent from the Municipality to more fully and certainly vest in such successor Paying Agent the estates, rights, powers, and duties hereby vested or intended to be vested in the predecessor Paying Agent, any such transfer, assignment,, and written instrument shall, on request, be executed, acknowledged, and delivered by the Municipality.

(7) The Municipality will provide any successor Paying Agent with certified copies of all resolutions, orders, and other proceedings adopted by the Governing Body relating to the Qualified Obligation.

(8) All duties and obligations imposed hereby on a Paying Agent or successor Paying Agent shall terminate upon the accomplishment of all duties, obligations, and responsibilities imposed by law or required to be performed by this Municipality Resolution.

(d) Any corporation or association into which a Paying Agent may be converted or merged, or with which it may be consolidated or to which it may sell or transfer its assets as a whole, or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation,, or transfer to which it is a party shall be and become successor Paying Agent hereunder and vested with all the powers, discretions, immunities, privileges, and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed, or conveyance on the part of either the Municipality or the successor Paying Agent, anything herein to the contrary notwithstanding, provided only that such successor Paying Agent shall be satisfactory to the Municipality and eligible under the provisions of Section 7(c)(4) hereof.

SECTION 8. <u>FORM OF QUALIFIED OBLIGATION.</u> The Qualified Obligation shall be in substantially the following form, with such appropriate variations, omissions, and insertions as are permitted or required by the Qualified Obligation Purchase Agreement or this Municipality Resolution, or as shall be approved by the authorized representatives of the Municipality executing the Qualified Obligation, with their execution of the Qualified Obligation to be conclusive evidence of such approval.

THIS QUALIFIED OBLIGATION HAS BEEN ASSIGNED TO ___________, AS TRUSTEE (THE "TRUSTEE") UNDER AN INDENTURE OF TRUST, DATED AS OF _________, 2019, BY AND BETWEEN THE MISSISSIPPI DEVELOPMENT BANK (THE "BANK") AND THE TRUSTEE. THIS QUALIFIED OBLIGATION IS REGISTERED IN THE NAME OF THE TRUSTEE AND IS NON-TRANSFERRABLE EXCEPT AS PERMITTED IN THE INDENTURE.

UNITED STATES OF AMERICA
STATE OF MISSISSIPPI
OKTIBBEHA COUNTY
CITY OF STARKVILLE, MISSISSIPPI
GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2019

NO. 1 **$________________**

REGISTERED OWNER: _________________________,
As Assignee of the Mississippi Development Bank

PRINCIPAL AMOUNT: _____________ Dollars

The City of Starkville, Mississippi (the "Municipality"), a body politic existing under the Constitution and laws of the State of Mississippi, acknowledges itself to owe and for value received, promises to pay in lawful money of the United States of America to the Registered Owner identified above, upon the presentation and surrender hereof, at the corporate trust office of ___________, _______, Mississippi, or its successor, as paying agent (the "Paying Agent") for the General Obligation Public Improvement Bond, Series 2019, of the Municipality (this "Qualified Obligation"), on the maturity date identified above, the principal amount identified above. Payment of the principal amount of this Qualified Obligation shall be made to the Registered Owner hereof who shall appear in the registration records of the Municipality maintained by Paying Agent at the times and periods as provided in the Indenture (as defined herein).

The Municipality further promises to pay interest on such principal amount from the date of this Qualified Obligation until said principal sum is paid to the Registered Owner hereof who shall appear in the registration records of the Municipality maintained by the Paying Agent as of the Record Date (as defined in the Municipality Resolution and the Indenture). Interest shall be calculated using a three hundred sixty (360) day year based on twelve (12) thirty (30) day months.

Payments of principal of and interest on this Qualified Obligation shall be made by check or draft mailed to such Registered Owner at its address as such address appears on such registration records in time to reach the Registered Owner at least five (5) days prior to an Interest Payment Date (as defined in the Municipality Resolution and the Indenture).

This Qualified Obligation is issued under the authority of the Constitution and statutes of the State of Mississippi, including Section 21-33-301 *et seq.*, Mississippi Code of 1972, as amended (the "Municipal Improvements Act") and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended (the "Bank Act") (together, the "Act"), and by the further authority of proceedings duly had by the Mayor and Board of Aldermen (the “Governing Body”) of the Municipality, including a resolution adopted on __________, 20__ (the "Municipality Resolution").

This Qualified Obligation is issued in the aggregate authorized principal amount of ______________ Dollars ($_________) for the purpose of (a) establishing sanitary, storm, drainage or sewerage systems, and repairing, improving and extending the same; protecting the municipality, its streets and sidewalks from overflow, caving banks and other like dangers; planning, constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor, and/or purchasing street traffic control devices and signalization; constructing bridges and culverts; altering or changing the channels of streams and water courses to control, deflect or guide the current thereof (the "Authorized Purpose”) and (b) for related purposes, including, without limitation, paying the costs of the authorization, issuance, validation, sale, and delivery of the Qualified Obligation and the Bank Bonds (as defined herein) (the “Project”).

The Municipality will duly and punctually pay the principal of, premium, if any, and interest on this Qualified Obligation at the dates and the places and in the manner mentioned in the Municipality Resolution, according to the true intent and meaning thereof. Notwithstanding any schedule of payments upon the Qualified Obligation, the Municipality agrees to make payments upon the Qualified Obligation and be liable therefor at such times and in such amounts (including principal, premium, if any, and interest) so as to provide for payment of the principal of, premium, if any, and interest on the $_________ Mississippi Development Bank Special Obligation Bonds, Series 2019 (Starkville, Mississippi, General Obligation Public Improvement Project) (the "Bank Bonds"), outstanding under the Indenture of Trust, by and between the Mississippi Development Bank (the “Bank”) and ___________, __________, Mississippi, as trustee (the "Trustee"), dated as of ___________, 2019 (the "Indenture"), when due, whether upon a scheduled interest payment date, at maturity, or by mandatory redemption, optional redemption, mandatory tender, optional tender, or acceleration.

Reference is hereby made to the Municipality Resolution and to all amendments and supplements thereto for the provisions, among others, with respect to the nature and extent of the security for the Registered Owner, the rights, duties, and obligations of the Municipality and the Registered Holder, and the terms upon which this Qualified Obligation is or may be issued and secured.

The Municipality and the Paying Agent may deem and treat the Registered Owner hereof as the absolute owner for the purpose of receiving payment of principal hereof and interest due hereon and for all other purposes and neither the Municipality nor the Paying Agent shall be affected by any notice to the contrary.

This Qualified Obligation shall be a general obligation of the Municipality payable as to principal of, premium, if any, and interest out of and secured by a special tax to be levied annually by the Municipality, without limitation as to time, rate, or amount, upon all of the taxable property within the geographical boundaries of the Municipality adequate and sufficient to provide for the payment of the principal of, premium, if any, and interest on the Qualified Obligation as the same becomes due. Said tax shall be extended upon the tax rolls and collected in the same manner and at the same time as other taxes of the Municipality are collected, and the rate of the tax which shall be so extended shall be sufficient in each year fully to produce the sums required as aforesaid, without limitation as to time, rate, or amount. The avails of said tax are hereby irrevocably pledged for the payment of the principal of, premium, if any, and interest on the Qualified Obligation as the same shall mature and accrue. Should there be a failure in any year to comply with the requirements, such failure shall not impair the right of the holder of the Qualified Obligation in any subsequent year to have adequate taxes levied and collected to meet the obligations of the Qualified Obligation, as to principal of, premium, if any, and interest.

This Qualified Obligation is the only evidence of indebtedness issued and outstanding under the Municipality Resolution. This Qualified Obligation has been purchased by the Bank and has been assigned to the Trustee under the Indenture. This Qualified Obligation is registered in the name of the Trustee and is non-transferable except as provided in the Indenture.

The Municipality and the Trustee may deem and treat the person in whose name this Qualified Obligation is registered as the absolute owner hereof, whether this Qualified Obligation shall be overdue or not, for the purpose of receiving payment of the principal of, premium, if any, and interest on this Qualified Obligation and for all other purposes. All such payments so made to the Registered Owner shall be valid and effectual to satisfy and discharge the liability upon this Qualified Obligation to the extent of the sum or sums paid, and neither the Municipality nor the Trustee shall be affected by any notice to the contrary.

Upon a default in payment under this Qualified Obligation, the Trustee may, as provided in the Indenture and the Municipality Resolution, declare the principal of and accrued interest on this Qualified Obligation to be due and payable immediately.

Modifications or alterations of the Municipality Resolution may be made only to the extent and under the circumstances permitted by the Municipality Resolution and the Indenture.

This Qualified Obligation shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Municipality Resolution until the certificate of registration and authentication hereon shall have been signed by the Paying Agent.

Capitalized terms used herein, but not defined herein, shall have the meanings given to such terms in the Municipality Resolution and the Indenture.

IT IS HEREBY CERTIFIED, RECITED, AND REPRESENTED that all conditions, acts, and things required by law to exist, to have happened, and to have been performed precedent to and in the issuance of this Qualified Obligation, in order to make the same a legal and binding general obligation of the Municipality, according to the terms thereof, do exist, have happened, and have been performed in regular and due time, form, and manner as required by law. For the performance in apt time and manner of every official act herein required, and for the prompt payment of this Qualified Obligation, including principal, premium, if any, and interest, the full faith, credit, and taxing power of the Municipality are hereby irrevocably pledged.

IN WITNESS WHEREOF, the Municipality has caused this Qualified Obligation to be executed in its name by the manual or facsimile signature of the Mayor of the Municipality, countersigned by the manual or facsimile signature of the City Clerk of the Municipality, under the manual or facsimile seal of the Municipality, which said manual or facsimile signatures and seal said officials adopt as and for their own proper signatures and seal, on __________, 2019.

CITY OF STARKVILLE, MISSISSIPPI

By ________________ (seal)
Mayor

COUNTERSIGNED:__________________
City Clerk

CERTIFICATE OF REGISTRATION AND AUTHENTICATION

This Qualified Obligation is the Qualified Obligation described in the within-mentioned Municipality Resolution and is the General Obligation Public Improvement Bond, Series 2019, of the City of Starkville, Mississippi.

___________, as Paying Agent

By
Authorized Signatory

Date of Registration and Authentication: ____

REGISTRATION AND VALIDATION CERTIFICATE

STATE OF MISSISSIPPI
OKTIBBEHA COUNTY

I, the undersigned City Clerk of the City of Starkville, Mississippi, do hereby certify that the within Qualified Obligation has been duly registered by me as an obligation of said Municipality pursuant to law in a record kept in my office for that purpose, and has been validated and confirmed by Decree of the Chancery Court of Oktibbeha County, Mississippi, rendered on __________, 2019.

(seal) ________________________
City Clerk

SECTION 9. SECURITY FOR QUALIFIED OBLIGATION. The Qualified Obligation shall be a general obligation of the Municipality payable as to principal of, premium, if any, and interest out of and secured by a special tax to be levied annually by the Municipality, without limitation as to time, rate, or amount, upon all of the taxable property within the geographical boundaries of the Municipality adequate and sufficient to provide for the payment of the principal of, premium, if any, and interest on the Qualified Obligation as the same becomes due. Said tax shall be extended upon the tax rolls and collected in the same manner and at the same time as other taxes of the Municipality are collected, and the rate of the tax which shall be so extended shall be sufficient in each year fully to produce the sums required as aforesaid, without limitation as to time, rate, or amount. The avails of said tax are hereby irrevocably pledged for the payment of the principal of, premium, if any, and interest on the Qualified Obligation as the same shall mature and accrue. Should there be a failure in any year to comply with the requirements, such failure shall not impair the right of the holder of the Qualified Obligation in any subsequent year to have adequate taxes levied and collected to meet the obligations of the Qualified Obligation, as to principal of, premium, if any, and interest.

SECTION 10. AUTHENTICATION OF QUALIFIED OBLIGATION. Only when the Qualified Obligation shall have endorsed thereon a certificate of registration and authentication in substantially the form set forth in Section 8 hereof, duly executed by the Paying Agent, shall such bond be entitled to the rights, benefits, and security of this Municipality Resolution. The Qualified Obligation shall not be valid or obligatory for any purpose unless and until such certificate of registration and authentication shall have been duly executed by the Paying Agent, which executed certificate shall be conclusive evidence of registration, authentication, and delivery under this Municipality Resolution. The Paying Agent's certificate of registration and authentication on the Qualified Obligation shall be deemed to have been duly executed if signed by an authorized officer of the Paying Agent.

SECTION 11. VALIDATION. The Qualified Obligation shall be submitted for validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, as amended, and to that end the City Clerk is hereby directed to prepare a transcript of all legal papers and proceedings relating to the Qualified Obligation and to certify and forward the same to the State Bond Attorney for the institution of validation proceedings.

SECTION 12. APPLICATION OF PROCEEDS AND OTHER MONEYS.

(a) The Municipality hereby designates the Trustee as Depository for the Municipality (the "Depository") for the Qualified Obligation.

(b) Upon initial delivery of the Qualified Obligation, the proceeds of the sale thereof shall be delivered to the Depository for deposit into the 2019 Improvements Fund (as hereinafter defined) to be used as set forth in Section 13.

SECTION 13. 2019 IMPROVEMENTS FUND. The Municipality hereby establishes the 2019 Improvements Fund (the "2019 Improvements Fund") which shall be maintained with the Depository or another qualified depository. Any income received from investment of monies in the 2019 Improvements Fund shall be deposited in the 2019 Improvements Fund. From the 2019 Improvements Fund there shall first be paid the costs of the Project, including the costs, fees, and expenses incurred by the Municipality in connection with the authorization, issuance, sale, validation, and delivery of the Qualified Obligation and the Bank Bonds, to the extent not paid from the proceeds of the Bank Bonds pursuant to the Indenture and as authorized by the Act. Any amounts which remain in the 2019 Improvements Fund after the completion of the Project shall be transferred to the Series 2019 Debt Service Fund (as hereinafter defined) established by this Municipality Resolution and used as permitted under State law.

SECTION 14. SERIES 2019 DEBT SERVICE FUND.

(a) The Municipality hereby establishes the Series 2019 Debt Service Fund (the "Series 2019 Debt Service Fund") that shall be maintained with a qualified depository in its name for the payment of the principal of and interest on the Qualified Obligation, and the payment of the Paying Agent's fees in connection therewith. There shall be deposited into the Series 2019 Debt Service Fund as and when received:

(1) The avails of any of the ad valorem taxes levied and collected pursuant to Section 9 hereof;

(2) Any income received from investment of monies in the Series 2019 Debt Service Fund; and

(3) Any other funds available to the Municipality that may be lawfully used for payment of the principal of, premium, if any, and interest on the Qualified Obligation or for other obligations of the Municipality that may be due under the Indenture, and which the Governing Body, in its discretion, may direct to be deposited into the Series 2019 Debt Service Fund.

(b) As long as any principal of, premium, if any, and interest on the Qualified Obligation or the Bank Bonds remain outstanding and/or other obligations of the Municipality remain outstanding under the Indenture, the City Clerk is hereby irrevocably authorized and directed to withdraw from the Series 2019 Debt Service Fund sufficient monies to make the payments necessary to pay (i) the principal of, premium, if any, and interest coming due on the Bank Bonds and (ii) any additional payments necessary and required as obligations of the Municipality under the Indenture (the "Payments"), and to transfer same to the account of the Trustee in time to reach the Trustee at least five (5) days prior to the date on which said interest or principal and interest or premium, if any, on the Bank Bonds shall become due. The Trustee shall deposit all Payments received in the General Account of the General Fund of the Indenture, or such other fund or account in the Indenture as so directed in the Indenture.

SECTION 15. CONSIDERATION OF AND APPROVAL OF THE TERMS OF THE BANK BONDS AND THE QUALIFIED OBLIGATION. The Mayor, with all appropriate advice as he deems necessary and advisable, is hereby authorized and directed to make all final determinations necessary to complete and prepare on behalf of the Municipality all documents relating to the Bank Bonds and the Qualified Obligation. Without limiting the generality of the foregoing authorization, the Mayor is authorized to approve the date of sale, the dated date of the Bank Bonds, the final principal amount of the Bank Bonds, the maturity schedule relating to the Bank

Bonds, the redemption terms of the Bank Bonds, and any other terms of the Bank Bonds and Qualified Obligation; provided, however, that all such determinations shall be made subject to approval by the Executive Director of the Bank, to be evidenced by the execution of the Bank Bonds Purchase Agreement and the Qualified Obligation Purchase Agreement by the Executive Director of the Bank, acting for and on behalf of the Bank, pursuant to a resolution to be adopted by the Bank.

SECTION 16. AWARD OF QUALIFIED OBLIGATION AND BANK BONDS. The Qualified Obligation is hereby awarded and sold to the Bank, in accordance with the terms hereof and the Qualified Obligation Purchase Agreement submitted to the Governing Body in substantially the form attached as **Exhibit A** hereto. The Bank shall sell the Bank Bonds to the Underwriter pursuant to the terms provided in the Bank Bonds Purchase Agreement, and the Municipality hereby approves the sale of the Bank Bonds by the Bank to the Underwriter subject to the approval by the Mayor of the following: (i) a maximum rate of interest or coupon on the Bank Bonds shall not exceed eleven percent (11%) at its initial offering; (ii) approval of the Municipality of the final terms and conditions of the Qualified Obligation Purchase Agreement, including a maturity schedule for the Qualified Obligation not to exceed twenty (20) years and a maximum principal amount not to exceed Three Million Dollars ($3,000,000), as evidenced by the Municipality's execution of the Qualified Obligation Purchase Agreement; (iii) a principal and interest amortization schedule for repayment of the Bank Bonds acceptable to the Municipality; (iv) approval by the Municipality of the proposal for the sale of the Bank Bonds evidenced by the execution by the Mayor of the Bank Bonds Purchase Agreement; (v) approval by the Municipality of the principal amount of each series of the Bank Bonds by the Mayor’s execution of the Bank Bonds Purchase Agreement, and (vi) terms and provisions of the Bank Bonds and the Qualified Obligation in compliance with the Act.

SECTION 17. APPROVAL OF QUALIFIED OBLIGATION PURCHASE AGREEMENT. The Governing Body hereby approves the form of and execution of the Qualified Obligation Purchase Agreement by and between the Bank and the Municipality for the purchase and sale of the Qualified Obligation, and hereby authorizes the Mayor to execute the Qualified Obligation Purchase Agreement on behalf of said Governing Body. All provisions of the Qualified Obligation Purchase Agreement, when executed as authorized herein, shall be incorporated herein, and shall be deemed to be part of this Municipality Resolution fully and to the same extent as if separately set out verbatim herein, which said Qualified Obligation Purchase Agreement shall be in substantially the form as provided in **Exhibit A** hereto, with such completions, changes, insertions, and modifications as shall be approved by the officers executing and delivering the same.

SECTION 18. APPROVAL OF BANK BONDS PURCHASE AGREEMENT. The Governing Body hereby approves the form of and the execution of the Bank Bonds Purchase Agreement by and between the Bank, the Underwriter, and the Municipality, for the purchase and sale of the Bank Bonds, and hereby authorizes the Mayor to execute the Bank Bonds Purchase Agreement on behalf of said Governing Body and to execute any necessary letters of engagement and disclosure with the Underwriter. All provisions of the Bank Bonds Purchase Agreement, when executed as authorized herein, shall be incorporated herein, and shall be deemed to be part of this Municipality Resolution fully and to the same extent as if separately set out verbatim herein, which said Bank Bonds Purchase Agreement shall be in substantially the form as provided in **Exhibit B** hereto, with such completions, changes, insertions, and modifications as shall be approved by the officers executing and delivering the same.

SECTION 19. APPROVAL OF INDENTURE AND TRUSTEE. The Municipality hereby approves and acknowledges the Indenture and the terms and provisions thereof in substantially the form attached hereto as **Exhibit C** and recognizes that many items governing the terms and conditions of the Qualified Obligation are based upon terms, limitations, and conditions provided in the attached Indenture. The Municipality hereby approves, acknowledges, and recognizes the appointment, selection, and hiring of a Trustee under the Indenture, to be hereinafter designated.

SECTION 20. COVENANTS RELATING TO FEDERAL TAX.

(a) In order to maintain the exclusion from gross income for federal income tax purposes of interest on the Bank Bonds, the Municipality covenants to comply with each applicable requirement of the Code. In furtherance of the covenant contained in the preceding sentence, the Municipality agrees to comply with the federal tax certificate to be executed by the Mayor and the City Clerk on the date of the issuance and delivery of the Bank Bonds, as such federal tax certificate may be amended from time to time

(b) The Governing Body further covenants and agrees with the Trustee and the bondholders that the Municipality shall not take any action or omit to take any action, which action or omission, if reasonably expected on the date of initial issuance and delivery of the Bank Bonds, would cause the Bank Bonds to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141(a) and 148(a), respectively, of Code.

SECTION 21. OTHER COVENANTS RELATING TO THE BANK BONDS.

(a) The Bank Bonds will not be a private activity bond within the meaning of Section 141 of the Code.

(b) No more than ten percent (10%) of the proceeds of the Bank Bonds will be used (within the meaning of Section 141 of the Code), directly or indirectly, in a trade or business (within the meaning of Section 141 of the Code and including any activity carried on by any person other than a natural person) carried on by any person other than a governmental unit (within the meaning of Section 141 of the Code and specifically excluding the United States of America or any agency or instrumentality thereof).

(c) No more than ten percent (10%) of any property with respect to which all or any part of the proceeds of the Bank Bonds will be used (within the meaning of Section 141 of the Code), directly or indirectly, in a trade or business (within the meaning of Section 141 of the Code and including any activity carried on by any person other than a natural person), carried on by any person other than a governmental unit (within the meaning of Section 141 of the Code and specifically excluding the United States of America or any agency or instrumentality thereof).

(d) The aggregate of: (i) the amount of proceeds of the Bank Bonds used for any private business use (within the meaning of Section 141 of the Code) which is not related to the governmental use (within the meaning of Section 141 of the Code) of such proceeds; plus (ii) the amount of proceeds of the Bank Bonds used with respect to any private business use which is related to a governmental use of such proceeds and which exceeds the amount of such proceeds used for the governmental use to which such private business use relates will not exceed five percent (5%) of the proceeds of the Bank Bonds.

(e) None of the proceeds of the Bank Bonds will be used to make or finance loans for persons other than governmental units.

(f) In no event will the payment of more than ten percent (10%) of the debt service on the Bank Bonds be (under the terms of the Qualified Obligation, the Bank Bonds, or any underlying arrangement) directly or indirectly secured (within the meaning of Section 141 of the Code) by any interest in property used or to be used in a private business use or payments in respect to such property or to be derived from payments (whether or not to the Municipality) in respect of property or borrowed money used or to be used for a private business use.

(g) The Municipality covenants and certifies that there are no other obligations heretofore issued or to be issued by or on behalf of any state, territory, or possession of the United States, or political subdivision of any of the foregoing, or of the District of Columbia, by or for the benefit of the Municipality, which (1) were or are to be sold at substantially the same time as the Bank Bonds, (2) were or are to be sold at substantially the same interest rate as the interest rate on the Bank Bonds, (3) were or are to be sold pursuant to a common plan of marketing as the marketing plan for the Bank Bonds, and (4) are payable directly or indirectly by the Municipality or from the source from which the Bank Bonds are payable. The Municipality covenants and certifies that there are no additional facts or circumstances which may further evidence that the Bank Bonds are part of any other issue of obligations.

(h) The Municipality covenants and certifies that no payment of principal of or interest on the Bank Bonds is or will be guaranteed (in whole or in part, directly or indirectly) by the United States, or any agency or instrumentality thereof or any entity with statutory authority to borrow from the United States. The Municipality represents, warrants, and covenants that none of the proceeds of the Bank Bonds will be: (a) used to make loans, the payment of principal of or interest on which is or will be guaranteed (in whole or in part, directly or indirectly) by the United States or any agency or instrumentality thereof or any entity with statutory authority to borrow from the United States; or (b) invested (directly or indirectly) in any deposit or account which is insured under federal law by the Federal Deposit Insurance Corporation, the National Credit Union Administration or any similar federally chartered corporation other than: (1) the investment of proceeds of the Bank Bonds for an initial temporary period (within the meaning of subparagraph 3(B) of Subsection 149(b) of the Code) until such proceeds are needed for the purpose for which the Bank Bonds is being issued; (ii) investments of a bona fide debt service fund (within the meaning of Subparagraph 3(B) of Subsection 149(b) of the Code); (iii) investments of a reserve which meets the requirements of Subsection 148(d) of the Code; (iv) investments in bonds issued by the United States Treasury; or (v) other investments permitted under regulations promulgated by the Internal Revenue Service pursuant to Subsection 149(b) of the Code.

(i) The Municipality covenants and certifies that, notwithstanding any provision of this Municipality Resolution, or the rights of the Municipality thereunder and hereunder, the Municipality will not take or permit to be taken on its behalf any action which would impair the exclusion of interest on the Bank Bonds from gross income for purposes of federal income taxation, and it will take such reasonable action as may be necessary to continue such exclusion, including, without limitations the preparation and filing of any statements required to be filed by it in order to maintain such exclusion.

(j) In the event the Municipality receives an opinion of Bond Counsel to the effect that any of the requirements referenced in Sections 20 and 21 hereof are not required to be met in order to maintain the tax-exempt status of interest on the Bank Bonds, the Municipality need not satisfy such requirements.

SECTION 22. BOND INSURANCE AND BOND RATING.

(a) The Mayor and the City Clerk are hereby authorized within their discretion to apply for an "Insurance Policy Commitment" for municipal bond insurance to guarantee the payments of the principal of and interest on the Qualified Obligation and the Bank Bonds from a municipal bond insurance corporation (the "Bond Insurer"). The Mayor and the City Clerk of the Municipality are further authorized to execute and deliver the Insurance Policy Commitment for the provision of municipal bond insurance and any additional documents and certificates which are required by the Bond Insurer to provide credit enhancement in connection with the issuance of the Qualified Obligation and/or the Bank Bonds. Any changes, insertions, and omissions, as may be required by the Bond Insurer as conditions to the issuance of its municipal bond insurance policy, to the Indenture, the Qualified Obligation Purchase Agreement, and the Preliminary Official Statement are to be approved by the Mayor of the Municipality, such approval being hereby authorized and the execution of the Insurance Policy Commitment for said municipal bond insurance being conclusive evidence of such approval. In anticipation of the issuance of the Insurance Policy Commitment by the Bond Insurer for its municipal bond insurance policy, the Municipality hereby approves (1) the engagement of the Bond Insurer and (2) the references to said Bond Insurer, the municipal bond insurance policy, and the documents related to the issuance of the Qualified

Obligation and the Bank Bonds in all documents associated therewith and the deletion of said references if the Bond Insurer should not provide the Insurance Policy Commitment for its municipal bond insurance policy.

(b) The Mayor and the City Clerk are hereby authorized to obtain a bond rating or ratings with regard to the sale of the Bank Bonds, and to execute such documents, to do such other things, and take such other actions as may be necessary with regard thereto, if such officials determine that obtaining such rating or ratings will result in a net savings with regard to the sale of the Bank Bonds.

SECTION 23. POST ISSUANCE COMPLIANCE PROCEDURES. The Municipality hereby approves and adopts the "Post Issuance Compliance Procedures" in substantially the form attached hereto as **Exhibit D**.

SECTION 24. EXECUTION OF DOCUMENTS, ETC. The Mayor and the City Clerk, and any other officers of the Governing Body, are authorized to execute and deliver such resolutions, agreements, certificates, and other documents as are required for the authorization, issuance, sale, validation, and delivery of the Qualified Obligation and to approve the payment of the costs of issuance of the Qualified Obligation and the Bank Bonds by the Trustee pursuant to requisitions submitted to such officers and the Trustee.

SECTION 25. AMENDMENTS TO RESOLUTION. (a) The Bank and the Municipality, with the consent of the Trustee with respect to Sections 25(a)(4) and 25(a)(5) hereof, but without the consent of the owners of any of the Bank Bonds outstanding under the Indenture, may enter into supplements to this Municipality Resolution that shall not be inconsistent with the terms and provisions hereof for any of the purposes heretofore specifically authorized in this Municipality Resolution or the Indenture, and in addition thereto for the following purposes:

(1) To cure any ambiguity, formal defect, or inconsistency in this Municipality Resolution, to provide any omitted language in this Municipality Resolution, or to clarify matters or questions arising hereunder;

(2) To add covenants and agreements for the purpose of further securing the obligations of the Municipality hereunder;

(3) To confirm as further assurance any mortgage or pledge of additional property, revenues, securities, or funds;

(4) To conform the provisions of this Municipality Resolution in connection with the provisions of any supplements or amendments to the Indenture entered into pursuant to the provisions of the Indenture;

(5) To provide any other modifications which, in the judgment of the Trustee, are not prejudicial to the interests of the holders of the Bank Bonds; or

(6) To conform the covenants and provisions of the Municipality contained herein to any different financial statement presentation required by the Financial Accounting Standards Board or Government Accounting Standards Board that is different than the presentation required as of the date of issuance of the Qualified Obligation, so long as the effect of such conformed covenants and provisions is substantially identical to the effect of the covenants and provisions as in effect on the date of issuance of the Qualified Obligation.

(b) The provisions of this Municipality Resolution may be amended in any particular with the written consent of the Bank and the owners of not less than a majority of the aggregate principal amount of the Bank Bonds then outstanding; provided, however, that no such amendment may be adopted that decreases the percentage of owners of Bank Bonds required to approve any amendment, or which permits a change in the date of payment of the principal of or interest on any Bank Bonds or of any redemption price thereof or the rate of interest thereon.

(c) If at any time the Bank and the Municipality shall request the Trustee to consent to a proposed amendment for any of the purposes of this Section, the Trustee shall, upon being satisfactorily indemnified with respect to expenses, cause notice of the proposed execution of such proposed amendment to be given in the manner required by the Indenture to redeem the Bank Bonds. Such notice shall briefly set forth the nature of the proposed amendment and shall state that copies thereof are on file at the principal corporate trust office of the Trustee for inspection by all holders of the Bank Bonds. If within ninety (90) days, or such longer period as shall be prescribed by the Bank, following such notice, the owners of not less than a majority in aggregate principal amount of the Bank Bonds outstanding at the time of the execution of any such proposed amendment shall have consented to and approved the execution thereof as herein provided, no owner of any Bank Bond shall have any right to object to any of the terms and provisions contained therein, or the operation thereof, or in any manner to question the propriety of the execution thereof, or to enjoin or restrain the Trustee, the Municipality, or the Bank from executing or approving the same or from taking any action pursuant to the provisions thereof. Upon the execution of any such proposed amendment as in this Section permitted and provided, this Municipality Resolution shall be and be deemed to be modified and amended in accordance with such amendment.

(d) Copies of any such supplement or amendment shall be filed with the Trustee and delivered to the Bank and the Municipality before such supplement or amendment may become effective.

(e) No supplemental agreement or amendment shall be executed and delivered pursuant hereto without prior written notice having been given by the Municipality to any rating agency carrying a rating on the Bank Bonds or the Qualified Obligation of the Municipality's intention to execute such supplemental agreement or amendment not less than fifteen (15) days in advance of the execution of said supplemental agreement or amendment.

REPEALING CLAUSE AND EFFECTIVE DATE. All orders, resolutions, or proceedings of the Governing Body in conflict with any provision hereof shall be, and the same are hereby repealed, rescinded, and set aside, but only to the extent of such conflict. For cause, this Municipality Resolution shall become effective upon the adoption hereof.

Following the reading of the foregoing resolution and discussion thereof, Alderman Sandra Sistrunk moved and Alderman Hamp Beatty

seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Alderman Ben Carver	voted: Aye
Alderwoman Sandra C. Sistrunk	voted: Aye
Alderman David Little	voted: Aye
Alderman Jason Walker	voted: Aye
Alderman Hamp Beatty	voted: Aye
Alderman Roy A'. Perkins	voted: Aye
Alderman Henry N. Vaughn, Sr.	voted: Aye

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted August 20, 2019.

City of Starkville, Mississippi

____

Lynn Spruill, Mayor

ATTEST:

____
Lesa Hardin, City Clerk

(seal)

EXHIBIT A

QUALIFIED OBLIGATION PURCHASE AGREEMENT

EXHIBIT B

BANK BONDS PURCHASE AGREEMENT

EXHIBIT C

INDENTURE OF TRUST

EXHIBIT D

POST ISSUANCE COMPLIANCE PROCEDURES

26. CONSIDERATION OF A SPECIAL EVENT REQUEST BY T-LAW25 LLC TO HOLD THE 2019 TRAVIS OUTLAW DAY, AUGUST 24, 2019, AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.

Alderman Little, duly seconded by Alderman Carver, offered a motion to approve a Special Event request by T-LAW25, LLC to hold the 2019 Travis Outlaw Day and have City participation with in-kind services, on August 24, 2019. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

Having received a majority affirmative vote, the Mayor declared the motion passed.

27. CONSIDERATION OF A SPECIAL EVENT REQUEST BY GREATER STARKVILLE DEVELOPMENT PARTNERSHIP TO HOLD THE 2019 PUMPKINPALOOZA, OCTOBER 17, 2019, AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.

Alderman Sistrunk, duly seconded by Alderman Carver, offered a motion to approve a Special Event request by Greater Starkville Development Partnership to hold the 2019 Pumpkinpalooza on October 17, 2019 and have City participation with in-kind services. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

Having received a majority affirmative vote, the Mayor declared the motion passed.

28. CONSIDERATION OF A SPECIAL EVENT REQUEST BY GREATER STARKVILLE DEVELOPMENT PARTNERSHIP TO HOLD THE 2019 UNWINE DOWNTOWN, NOVEMBER 15, 2019, AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.

Alderman Walker, duly seconded by Alderman Sistrunk, offered a motion to approve the Special Event request by Greater Starkville Development Partnership to hold the 2019 UnWine Downtown November 15, 2019 and have City participation with in-kind services. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

Having received a majority affirmative vote, the Mayor declared the motion passed.

29. CONSIDERATION OF A SPECIAL EVENT REQUEST BY GREATER STARKVILLE DEVELOPMENT PARTNERSHIP TO HOLD THE 2019 CHRISTMAS PARADE, DECEMBER 2, 2019, AND HAVE CITY PARTICIPATION WITH IN-KIND SERVICES.

Alderman Walker, duly seconded by Alderman Sistrunk, offered a motion to approve a Special Event request by Greater Starkville Development Partnership to hold the 2019 Christmas Parade and have City participation with in-kind services. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

Having received a majority affirmative vote, the Mayor declared the motion passed.

30. CONSIDERATION OF A REQUEST FOR PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING +/- 0.43 ACRE PARCEL INTO 2 LOTS AT 507 WHITFIELD STREET IN A R-2 ZONING DISTRICT WITH THE PARCEL NUMBER 102B-00-150.00.

City Planner Daniel Havelin presented PP 19-06, a request for Preliminary Plat approval for subdividing +/- 0.43-acre parcel into 2 lots at 507 Whitfield Street in a R-2 zoning district with the parcel number 102B-00-150.00. The applicant Jason Pepper, on behalf of Crabtree Properties, appeared before the Board to answer any questions. Alderman Walker, duly seconded by Alderman Carver, offered a motion to approve PP 19-06 with the following nine (9) conditions. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

<u>Conditions:</u>

1. The preliminary plat shall meet the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code of 1972, as amended.
2. The preliminary plat shall meet the minimum requirements for R-2 zoning district dimensions.
3. Approval of the preliminary plat shall be tentative, pending the submission of the final plat, as specified in Appendix B, Article IV, Section 3 of the City of Starkville's Code of Ordinances.
4. Approval of the preliminary plat shall be valid for one year, per Appendix B, Article III, Section 2(6)(b) of the City of Starkville's Code of Ordinances.
5. Applicant shall prepare and submit infrastructure plans in accordance with Appendix B, Article III, Sections 3 & 4 of the City of Starkville's Code of Ordinances
6. When infrastructure plans have been approved for construction, a pre-construction conference shall be held with appropriate City staff prior to the commencement of any construction activities at the site.
7. All public utilities shall be in place and any non-conforming conditions noted during final inspection shall be corrected prior to placement on the Planning & Zoning Commission agenda.

8. When a final plat is submitted for review by the City's Development Review Committee, all required improvements must be complete and the applicant shall provide "as-built" drawings of all infrastructure improvements (water, sewer, storm drainage, roadways, sidewalks, etc.) in "AutoCAD" format as well as a paper copy that is signed and sealed by a licensed professional engineer, indicating that the improvements were installed under his/her responsible direction and that the improvements conform to the approved construction plans, specifications and the City's ordinances.
9. A final plat review and approval shall be required prior to the recording of the plat at the Office of the Oktibbeha County Chancery Clerk.

31. CONSIDERATION OF A REQUEST FOR PP 19-07, PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING +/- 0.39 ACRE PARCEL INTO 2 LOTS AT 401 SCALES STREET IN A R-2 ZONING DISTRICT WITH THE PARCEL NUMBER 102B-00-150.00.

City Planner Daniel Havelin presented PP 19-07, Preliminary Plat request for subdividing +/- 0.39-acre parcel into 2 lots at 401 Scales Street in a R-2 zoning district with the parcel number 102B-00-150.00. The applicant Jason Pepper, on behalf of Crabtree Properties, appeared before the Board to answer any questions. Alderman Walker, duly seconded by Alderman Little, offered a motion to approve PP 19-07, with nine (9) conditions as follows.
The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

<u>Conditions:</u>

1. The preliminary plat shall meet the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code of 1972, as amended.
2. The preliminary plat shall meet the minimum requirements for R-2 zoning district dimensions.
3. Approval of the preliminary plat shall be tentative, pending the submission of the final plat, as specified in Appendix B, Article IV, Section 3 of the City of Starkville's Code of Ordinances.
4. Approval of the preliminary plat shall be valid for one year, per Appendix B, Article III, Section 2(6)(b) of the City of Starkville's Code of Ordinances.
5. Applicant shall prepare and submit infrastructure plans in accordance with Appendix B, Article III, Sections 3 & 4 of the City of Starkville's Code of Ordinances
6. When infrastructure plans have been approved for construction, a pre-construction conference shall be held with appropriate City staff prior to the commencement of any construction activities at the site.
7. All public utilities shall be in place and any non-conforming conditions noted during final inspection shall be corrected prior to placement on the Planning & Zoning Commission agenda.
8. When a final plat is submitted for review by the City's Development Review Committee, all required improvements must be complete and the applicant shall provide "as-built" drawings of all infrastructure improvements (water, sewer, storm drainage, roadways, sidewalks, etc.) in "AutoCAD" format as well as a paper copy that is signed and sealed by a licensed professional engineer, indicating that the improvements were installed under his/her responsible direction and that the improvements conform to the approved construction plans, specifications and the City's ordinances.
9. A final plat review and approval shall be required prior to the recording of the plat at the Office of the Oktibbeha County Chancery Clerk.

32. CONSIDERATION OF A REQUEST FOR PP 19-08 PRELIMINARY AND FP 19-07 FINAL PLAT APPROVAL FOR SUBDIVIDING A +/- 3.81 ACRE PARCEL INTO 2 LOTS AT 313 INDUSTRIAL PARK ROAD IN AN M-1 ZONING DISTRICT WITH THE PARCEL NUMBER 102N-00-004.00.

City Planner Daniel Havelin presented PP 19-08 and FP 19-07, a request for Preliminary and Final Plat approval for subdividing a +/- 3.81-acre parcel into 2 lots at 313 Industrial Park Road in an M-1 zoning district with the parcel number 102N-00-004.00. The applicant, Willis Owens with Pritchard Engineering, appeared on behalf of Heritage Building Corp. Alderman Beatty, duly seconded by Alderman Little, offered a motion to approve PP 19-08 and FP 19-07 with three (3) conditions. The Board voted as follows:

Alderman Ben Carver Voted: Yea
Alderman Sandra Sistrunk Voted: Yea
Alderman David Little Voted: Yea
Alderman Jason Walker Voted: Yea
Alderman Hamp Beatty Voted: Yea
Alderman Roy A'. Perkins Voted: Yea
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

Conditions:

1. The final plat shall meet the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code of 1972, as amended.
2. The applicant shall provide one paper copy of the recorded plat to the City, along with a digital copy in "AutoCAD" format in standard state plane coordinates.
3. The final plat shall be recorded at the Office of the Oktibbeha County Chancery Clerk within thirty (30) days of the approval by the Mayor and Board of Aldermen.

33. CONSIDERATION OF THE CITY OF STARKVILLE CLAIMS DOCKET

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Little, to approve the City of Starkville Claims Docket for all departments including Starkville Utilities, as of August 13, 2019 for fiscal year ending 9/30/19, acknowledging that the City Clerk has attested and certified on the cover of the claims docket that all claims on the docket are true, accurate, lawful and proper to the best of her knowledge, for payment pursuant to her duties under Miss. Code Sections 21-39-5, 21-39-7, 21-39-9, 21-39-17 and 21-15-21. The Board voted as follows:

Alderman Ben Carver Voted: Yea
Alderman Sandra Sistrunk Voted: Yea
Alderman David Little Voted: Yea
Alderman Jason Walker Voted: Yea
Alderman Hamp Beatty Voted: Yea
Alderman Roy A'. Perkins Voted: Nay
Alderman Henry Vaughn, Sr. Voted: Nay

Having received a majority affirmative vote, the Mayor declared the motion passed.

General Fund	001	$ 297,876.84
Airport Fund	015	55,601.24
Airport – Restricted Fund	016	88,176.57

Sanitation	022	103,240.62
Landfill	023	3,725.00
Public Improvement Bonds 2018	319	233,011.34
Park and Rec, Tourism	375	4,278.50
Sub Total Before Utilities		$ 785,910.11
Utilities Dept.	SED	1,449,129.13
Total Claims	Total	$ 2,235,039.24

34. A MOTION TO ENTER INTO A CLOSED SESSION TO DETERMINE IF THERE IS PROPER CAUSE FOR EXECUTIVE SESSION.

There came for consideration the matter of entering a closed session to determine if there is a proper cause for executive session. Upon the motion of Alderman Little, seconded by Alderman Beatty, to enter into a Closed Session to determine if there is proper cause for Executive Session, the Board voted as follows:

Alderman Ben Carver Voted: Yea
Alderman Sandra Sistrunk Voted: Yea
Alderman David Little Voted: Yea
Alderman Jason Walker Voted: Yea
Alderman Hamp Beatty Voted: Yea
Alderman Roy A'. Perkins Voted: Yea
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.
The Board entered closed session.

35. A MOTION TO ENTER EXECUTIVE SESSION.

Alderman Walker offered a motion to enter Executive Session for the purpose of pending litigation relating to the appeal of a stop work order. Following a second by Alderman Sistrunk, the Board voted as follows to enter Executive Session:
Alderman Ben Carver Voted: Yea
Alderman Sandra Sistrunk Voted: Yea
Alderman David Little Voted: Yea
Alderman Jason Walker Voted: Yea
Alderman Hamp Beatty Voted: Yea
Alderman Roy A'. Perkins Voted: Yea
Alderman Henry Vaughn, Sr. Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

The Mayor invited the public back in, and after allowing the public time to enter the room, made the announcement of the Board's decision to enter into Executive Session for the purpose of pending litigation relating to the appeal of a stop work order. At this time, the Board entered Executive Session.

36. CONSIDERATION OF A MOTION TO RETURN TO OPEN SESSION.

Alderman Vaughn offered a motion to return to open session. Alderman Sistrunk seconded the motion and the Board voted as follows to return to open session:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

The Mayor invited the public back in and then announced that the Board had taken no action in Executive Session.

37. MOTION TO ADJOURN UNTIL SEPTEMBER 3, 2019 @ 5:30 IN THE COURT ROOM AT 110 WEST MAIN STREET.

Upon the motion of Alderman Vaughn, duly seconded by Alderman Walker, for the Board of Aldermen to adjourn the meeting until September 3, 2019 @ 5:30 at 110 West Main Street in the Court Room of City Hall, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, Mayor Spruill declared the motion passed.

SIGNED AND SEALED THIS THE _______ DAY OF ____________________ 2019.

Attest:

____
D. LYNN SPRUILL, MAYOR

____
LESA HARDIN, CITY CLERK

(SEAL)