

**MINUTES OF THE RECESS MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
The City of Starkville, Mississippi
March 19, 2024**

Be it remembered that the Mayor and Board of Aldermen met in a Recess Meeting on March 19, 2024 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 Kim Moreland, Sandra Sistrunk, Jeffrey Rupp, Mike Brooks, Hamp Beatty, Roy A'. Perkins and Henry Vaughn, Sr. as well as City Attorney Berk Huskison and City Clerk / CFO Lesa Hardin.

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

REQUESTED REVISIONS TO THE OFFICIAL AGENDA:

Mayor D. Lynn Spruill asked for any revisions to the Official Agenda as presented. She noted Item 2 had been added under Mayor's Business and asked that it be added to consent. There being no objections, it was added to consent.

1. A MOTION TO TABLE FIRE DEPT ITEM 1: SAFER GRANT APPLICATION.

Alderman Sistrunk offered a motion, duly seconded by Alderman Rupp, to table Fire Dept Item 1: SAFER Grant Application until April 2, allowing the Chief time to send information to the Mayor and Board prior to April 2.

Following discussion, Alderman Rupp withdrew his motion to second the tabling of the item. Alderman Perkins then offered a second. The Board voted as follows:

Alderman Kim Moreland	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Nay
Alderman Mike Brooks	Voted: Yea
Alderman Hamp Beatty	Voted: Nay
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Nay

Having received a majority affirmative vote, the Mayor declared the motion carried and the item tabled until April 2, 2024 with the Fire Chief to send information prior to the meeting to the Mayor and Board of Aldermen.

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

2. A MOTION TO APPROVE THE OFFICIAL AGENDA WITH CONSENT ITEMS AS AMENDED.

Alderman Rupp offered a motion, duly seconded by Alderman Brooks, to approve the March 19, 2024 Official Agenda. The Board voted as follows:

Alderman Kim Moreland	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	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 and then read the consented items.

**OFFICIAL AGENDA OF
THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI
RECESS MEETING OF TUESDAY, MARCH 19, 2024
5:30 P.M., COURT ROOM, CITY HALL
110 WEST MAIN STREET**

I. CALL THE MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

III. APPROVAL OF THE OFFICIAL AGENDA INCLUDING CONSENTED TEMS

IV. APPROVAL OF THE BOARD OF ALDERMEN MINUTES

CONSIDERATION OF THE MINUTES OF THE FEBRUARY 20, 2024 RECESS MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

CONSIDERATION OF THE MINUTES OF THE MARCH 1, 2024 WORK SESSION 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

VIII. PUBLIC HEARINGS

PUBLIC HEARING AND CONSIDERATION OF SE 24-01: A REQUEST FOR A SPECIAL EXCEPTION TO ALLOW FOR A DETACHED DWELLING TO BE PLACED AT 122 YELLOW JACKET DRIVE IN A C ZONING.

PUBLIC HEARING AND CONSIDERATION OF UE 24-01: A REQUEST FOR A SPECIAL EXCEPTION TO ALLOW FOR A MONUMENT SIGN TO BE PLACED AT THE HUB BUILDING LOCATED AT 301 UNIVERSITY DRIVE IN A T-5D ZONING DISTRICT.

SECOND PUBLIC HEARING AND CONSIDERATION UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING LOCATED AT **201 RUTH ROAD**, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION COULD OCCUR.

SECOND PUBLIC HEARING AND CONSIDERATION UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING LOCATED AT **245 RUTH ROAD**, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION COULD OCCUR.

SECOND PUBLIC HEARING AND CONSIDERATION UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING LOCATED AT **305 RUTH ROAD**, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION COULD OCCUR.

SECOND PUBLIC HEARING AND CONSIDERATION UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING LOCATED AT **325 RUTH ROAD**, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION COULD OCCUR.

IX. MAYOR'S BUSINESS

A. CONSIDERATION OF A RESOLUTION AND AN APPLICATION FOR A COMMUNITY PROJECT FUNDING (CPF) STAG GRANT FOR FUNDING TO UPGRADE AND EXPAND THE ERNEST E. JONES WASTEWATER TREATMENT PLANT.

B. REQUEST EMERGENCY AUTHORIZATION AS PER MISSISSIPPI CODE SECTION 31-7-13(K) TO RENT A GODWIN PUMP FOR BYPASS FOR THE INFLUENT BACKUP FOR THE MONTHLY RENTAL AMOUNT OF \$7,218.50 FROM HYDRA SERVICE INC.

X. BOARD BUSINESS

A. RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2024 (STREET IMPROVEMENTS PROJECT), OF THE CITY OF STARKVILLE, MISSISSIPPI, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,000,000, IN ONE OR MORE FEDERALLY TAXABLE OR TAX-EXEMPT SERIES, TO PROVIDE FUNDS FOR THE AUTHORIZED PURPOSES AS DESCRIBED HEREIN; PRESCRIBING THE FORM AND INCIDENTS OF THE BONDS; PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING FOR THE SALE OF THE BONDS; MAKING PROVISION FOR MAINTAINING THE TAX-EXEMPT STATUS OF THE BONDS; APPROVING AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT PERTAINING TO THE BONDS; ACKNOWLEDGING AND AUTHORIZING THE EXECUTION OF POST ISSUANCE COMPLIANCE PROCEDURES; AND FOR RELATED PURPOSES.

XI. DEPARTMENT BUSINESS

A. AIRPORT

THERE ARE NO ITEMS FOR THIS AGENDA

B. COMMUNITY DEVELOPMENT AND PLANNING DEPARTMENT

1. CONSIDERATION OF APPOINTING JOE FRATESI, THE SOLE APPLICANT, AS WARD 1 PLANNING AND ZONING COMMISSIONER.

2. CONSIDERATION OF CALLING FOR TWO PUBLIC HEARINGS TO AMEND THE UNIFIED DEVELOPMENT CODE.

C. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

D. ENGINEERING

1. CONSIDERATION OF APPROVING PERMISSION TO ADVERTISE FOR THE LAMPKIN / MONTGOMERY INTERSECTION IMPROVEMENT PROJECT.
2. CONSIDERATION OF APPROVING THE LETTER AGREEMENT WITH NEEL-SCHAFER, INC. FOR PROFESSIONAL SERVICES RELATED TO THE STARK-HOSPITAL EXTENSION PROJECT IN AN HOURLY, NOT-TO-EXCEED AMOUNT OF \$10,000.
3. CONSIDERATION OF ACCEPTING THE LOW TERM BID FROM FALCON CONTRACTING CO., LLC AND THE FIRST ALTERNATE TERM BID FROM GREGORY COMPANIES, LLC DBA MURPHREE PAVING FOR THE 2024 TERM BID CONTRACT FOR ANNUAL ASPHALT OVERLAYS AND AUTHORIZATION FOR THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT WITH THE LOW BIDDER AND FIRST ALTERNATE BIDDER.
4. CONSIDERATION OF ACCEPTING THE LOW TERM BID FROM T. L. WALLACE CONSTRUCTION, INC. AND THE FIRST ALTERNATE TERM BID FROM PAVEMENT RESTORATIONS, INC. FOR THE 2024 TERM BID CONTRACT FOR PAVEMENT SURFACE TREATMENTS AND AUTHORIZATION FOR THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT WITH THE LOW BIDDER AND FIRST ALTERNATE BIDDER.
5. REQUEST FOR AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE OLD MAYHEW ROADWAY IMPROVEMENT PROJECT.
6. REQUEST AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH INDEPENDENT CONTRACTOR MARK SHAW AS AN ENGINEERING INSPECTOR IN THE CITY ENGINEERING & STARKVILLE UTILITIES DEPARTMENTS.
7. CONSIDERATION OF APPROVING THE 2024 STREET IMPROVEMENT PROJECT ROADWAY LISTING AND SCOPES OF WORK.

E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF MARCH 11, 2024 FOR FISCAL YEAR ENDING 9/30/24, 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. ACCEPTANCE OF FEBRUARY 2024 FINANCIAL STATEMENTS.
3. CONSIDERATION OF NAMING RENASANT BANK AS THE CITY BANK DEPOSITORY FOR APRIL 1, 2024 THROUGH MARCH 31, 2026.
4. CONSIDERATION OF THE ACCEPTANCE OF THE FISCAL YEAR 9-30-2022 AUDIT OF THE CITY OF STARKVILLE AS PRESENTED BY WATKINS, WARD & STAFFORD, CPAS, PLLC.

F. FIRE DEPARTMENT

1. REQUEST PERMISSION TO APPLY FOR THE FEMA FIRE AND EMERGENCY RESPONSE (SAFER) GRANT TO HELP STAFF 9 FIREFIGHTERS AT FIRE STATION 5 WITH A MATCH REQUIRED BY THE CITY. (Tabled Until April 2, 2024)
2. REQUEST AUTHORIZATION FOR TYLER DAVIS TO TRAVEL TO COLUMBUS, GA TO ATTEND THE SWIFT WATER RESCUE TECHNICIAN COURSE AT AN APPROXIMATE COST OF \$900.

G. HUMAN RESOURCES

1. REQUEST AUTHORIZATION TO HIRE DAVID JELINEK AS A CIVIL ENGINEER CO-OP IN THE ENGINEERING DEPARTMENT.
2. REQUEST AUTHORIZATION TO HIRE TYRONE HASLETT AS A RESERVE POLICE OFFICER IN THE STARKVILLE POLICE DEPARTMENT.
3. CONSIDERATION OF THE DISCIPLINE RECOMMENDED BY SANITATION DIRECTOR CHRIS SMILEY AS A RESULT OF I.A.#03192024 FOR A STARKVILLE SANITATION WORKER.

H. INFORMATION TECHNOLOGY

THERE ARE NO ITEMS FOR THIS AGENDA

I. PARKS

1. CONSIDERATION OF APPROVAL OF THE LOW BID FROM ECON CONSTRUCTION, INC. IN THE AMOUNT OF \$999,442.00 FOR THE JL KING PARK SPLASHPAD EXPANSION PROJECT.
2. CONSIDERATION OF APPROVING THE QUOTE FROM MAGCOR VIA STATE CONTRACT #8200069093 IN THE AMOUNT OF \$26,711.00 FOR TABLES AND CHAIRS FOR THE NEW NEEDMORE CENTER.

J. POLICE DEPARTMENT

1. POLICE

- a. REQUEST APPROVAL FOR CORPORAL BRANDON GLADNEY TO ATTEND THE REID TECHNIQUE OF INVESTIGATIVE INTERVIEW AND ADVANCED INTERROGATION COURSE HELD AT THE IRONDALE CIVIC CENTER IN IRONDALE, AL APRIL 2ND-5TH, 2024 AT A TOTAL ADVANCED COST NOT TO EXCEED \$1,230.00 FOR COURSE AND LODGING.
- b. REQUEST APPROVAL FOR ANIMAL CONTROL OFFICER TAYLOR NOLAND TO ATTEND THE ANNUAL TRAINING CONFERENCE HOSTED BY THE HUMANE SOCIETY OF THE UNITED STATES BEING HELD IN SAN ANTONIO, TEXAS MAY 15TH THROUGH 18TH, 2024 WITH AN ESTIMATED ADVANCE COST OF \$700.00.

- c. REQUEST APPROVAL TO APPLY FOR A 100% REIMBURSABLE GRANT IN THE AMOUNT OF \$107,793.75 FROM THE FY25 MS DEPARTMENT OF HOMELAND SECURITY IN THE AREA OF SWAT AND LPR EQUIPMENT.

2. CODE ENFORCEMENT

THERE ARE NO ITEMS FOR THIS AGENDA

K. SANITATION DEPARTMENT

1. REQUEST APPROVAL TO PURCHASE TWO 60" EXMARK LAZER E SERIES ZERO TURN MOWERS AND ONE 60" EXMARK RADIUS S SERIES ZERO TURN MOWER FROM EVERGREEN AG AT A TOTAL COST OF \$29,009.00 FROM STATE CONTRACTS 412378702 AND 412843927.

L. UTILITIES DEPARTMENT

1. CONSIDERATION OF ACCEPTING THE LOW BID AND ALTERNATES FOR THE AZALEA LANE ELEVATED WATER TANK REHABILITATION PROJECT FROM G & L TANK SANDBLASTING AND COATINGS LLC IN THE AMOUNT OF \$409,115.00 AND AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT.
2. REQUEST AUTHORIZATION TO ACCEPT THE LOWEST QUOTE FROM ANIXTER FOR FLIR INFRARED CAMERA FOR SUBSTATION AND THREE PHASE TRUCK LINE DISTRIBUTION INSPECTIONS IN THE AMOUNT OF \$6,928.50.
3. REQUEST AUTHORIZATION TO EXECUTE POSTAGE METER RENEWAL AGREEMENT WITH QUADIENT LEASING USA, INC. FOR \$217.15 MONTHLY FOR THIRTY-SIX (36) MONTHS.
4. REQUEST AUTHORIZATION FOR THE MAYOR TO EXECUTE A CONTRACT RENEWAL WITH CHEMPRO SERVICE FOR HERBICIDE SPRAYING FOR UTILITY EASEMENTS.

XII. CLOSED DETERMINATION SESSION

XIII. OPEN SESSION

XIV. EXECUTIVE SESSION

XV. OPEN SESSION

XVI. ADJOURN UNTIL APRIL 2, 2024 @ 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, Stein McMullen, at (662) 323-2525, ext. 3121 at least forty-eight (48) hours in advance for any services requested.

Consent items 2 – 32:

3. CONSIDERATION OF THE MINUTES OF THE FEBRUARY 20, 2024 RECESS MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the "approval of minutes of the February 20, 2024 Recess Meeting of the Mayor and Board of Aldermen" is enumerated, this consent item is thereby approved.

4. CONSIDERATION OF THE MINUTES OF THE MARCH 1, 2024 WORK SESSION MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of minutes of the March 1, 2024 Work Session of the Mayor and Board of Aldermen” is enumerated, this consent item is thereby approved.

5. CONSIDERATION OF A RESOLUTION AND AN APPLICATION FOR A COMMUNITY PROJECT FUNDING (CPF) STAG GRANT FOR FUNDING TO UPGRADE AND EXPAND THE ERNEST E. JONES WASTEWATER TREATMENT PLANT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of the resolution supporting application for a CPF grant for improvements and upgrades to the City of Starkville Ernest E. Jones Wastewater Treatment plant” is enumerated, this consent item is thereby approved. The Resolution follows this page.

6. CONSIDERATION OF EMERGENCY AUTHORIZATION AS PER MISSISSIPPI CODE SECTION 31-7-13(K) TO RENT A GODWIN PUMP FOR BYPASS FOR THE INFLUENT BACKUP FOR THE MONTHLY RENTAL AMOUNT OF \$7,218.50 FROM HYDRA SERVICE INC.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of emergency authorization, as per Mississippi code section 31-7-13(k) that an emergency exists such that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, to rent a Godwin pump for bypass for the influent backup for the monthly rental amount of \$7,218.50 from Hydra Service Inc.” is enumerated, this consent item is thereby approved.

**RESOLUTION TO APPLY FOR COMMUNITY PROJECT FUNDING THROUGH THE
EPA STAG INTERIOR SUBCOMMITTEE GRANT TO SUPPORT THE UPGRADE
AND IMPROVEMENTS TO THE ERNEST E. JONES WASTEWATER TREATMENT
PLANT IN THE CITY OF STARKVILLE**

WHEREAS, the Board of Aldermen of the City of Starkville, Mississippi (the “Board”), acting for and on behalf of the residents and citizens of Starkville and the future customers of the Starkville Utilities Department do hereby find and determine as follows:

1. The City of Starkville, the county seat of Oktibbeha County, and the home of Mississippi State University has experienced unabated growth over the past four decades.
2. The wastewater treatment plant has served the citizens of Oktibbeha County and the City of Starkville since its original construction in 1979 and its expansion in 1988 and upgrade in 2001. It now also serves not only the City of Starkville but Mississippi State’s primary campus and other parts of Oktibbeha County through an agreement with Mississippi State University.
3. The City of Starkville has been aggressively working toward a structured plan that will provide the necessary replacements to the equipment which has exceeded its useful life. This plan allows for continued operation in the most efficient and effective and safest manner currently required by the Mississippi Department of Environmental Quality (MDEQ) and the Environmental Protection Agency (EPA).
4. The focus of the Community Project Funding STAG grant is to improve and support basic infrastructure improvements under Title VI of the Clean Water Act, 33 U.S.C. 1381 et seq. to underserved areas and to rural areas that are desirous of improving the quality of life and receiving basic services. This sewer project appropriately addresses those federal and state concerns by extending additional service opportunities to areas that currently cannot be served due to wastewater plant infrastructure age limitations while addressing the needed upgrades to maintain a high quality of service to current customers
5. The City of Starkville has not neglected the obligation to upgrade our facilities and has funded upgrades to the wastewater treatment plant to address sustainability and long-term solutions. The recent investment of facilities and treatment processes to convert the sludge to Class A biosolids is an example of the future focus and proactive management of the City’s wastewater treatment responsibility.
6. The City has invested in a comprehensive engineering report to address the current status of the wastewater treatment plant, facilities and processes and capacity in order to adequately serve the community for existing customers as well as long term projected growth.
7. That engineering report has revealed critical elements that must be addressed quickly to prevent failures, compliance issues or unsafe conditions from escalating to reach unacceptable levels of possible permit violations impacting all parties served.

8. The use of the STAG grant will be a direct and immediate benefit to the current residents; allow for compliance as well as future growth and expansion in the underserved areas. It will thus be a responsible use of the funds from taxpayers' dollars. The proposed improvements will affect directly those who pay into the system with a return on that investment through tangible, impactful and daily results of such an investment.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Aldermen of the City of Starkville do find that:

THE APPLICATION FOR A COMMUNITY PROJECT FUNDING GRANT REQUEST FROM THE U.S. HOUSE OF REPRESENTATIVES AND THE UNITED STATES SENATE IS THE PRUDENT AND MOST RESPONSIBLE APPROACH TO CONTINUE TO PROVIDE QUALITY SEWER SERVICE FOR THE RESIDENTS AND CUSTOMERS OF THE STARKVILLE UTILITIES DEPARTMENT AND THAT SUCH AN APPLICATION IS IN LINE WITH THE INTENT OF THE CONGRESSIONAL LEGISLATION.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks for the Board of Aldermen to approve the Resolution, the Board of Aldermen voted after discussion, in favor of the foregoing resolution as follows:

Ward 1	Kim Moreland	Yea
Ward 2	Sandra Sistrunk	Yea
Ward 3	Jeffrey Rupp	Yea
Ward 4	Mike Brooks	Yea
Ward 5	Hamp Beatty	Yea
Ward 6, Vice Mayor	Roy A'. Perkins	Yea
Ward 7	Henry S. Vaughn	Yea

This the 19th day of March, 2024


D. Lynn Spruill, Mayor

Attest


Lesa Hardin, City Clerk



7. CONSIDERATION OF A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2024 (STREET IMPROVEMENTS PROJECT), OF THE CITY OF STARKVILLE, MISSISSIPPI, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,000,000, IN ONE OR MORE FEDERALLY TAXABLE OR TAX-EXEMPT SERIES, TO PROVIDE FUNDS FOR THE AUTHORIZED PURPOSES AS DESCRIBED HEREIN; PRESCRIBING THE FORM AND INCIDENTS OF THE BONDS; PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING FOR THE SALE OF THE BONDS; MAKING PROVISION FOR MAINTAINING THE TAX-EXEMPT STATUS OF THE BONDS; APPROVING AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT PERTAINING TO THE BONDS; ACKNOWLEDGING AND AUTHORIZING THE EXECUTION OF POST ISSUANCE COMPLIANCE PROCEDURES; AND FOR RELATED PURPOSES.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of a Resolution of the Mayor and Board of Aldermen of the City of Starkville, Mississippi, authorizing and directing the issuance of General Obligation Public Improvement Bonds, Series 2024 (Street Improvements Project), of the City of Starkville, Mississippi, in the maximum principal amount of \$5,000,000, in one or more federally taxable or tax-exempt series, to provide funds for the authorized purposes as described herein; prescribing the form and incidents of the bonds; providing for the levy of taxes for the payment of the bonds; providing for the sale of the bonds; making provision for maintaining the tax-exempt status of the bonds; approving and authorizing the distribution of a preliminary official statement; authorizing the execution and distribution of an official statement pertaining to the sale of the bonds; authorizing the execution of a continuing disclosure agreement pertaining to the bonds; acknowledging and authorizing the execution of post issuance compliance procedures; and for related purposes” is enumerated, this consent item is thereby approved.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2024 (STREET IMPROVEMENTS PROJECT), OF THE CITY OF STARKVILLE, MISSISSIPPI, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,000,000, IN ONE OR MORE FEDERALLY TAXABLE OR TAX-EXEMPT SERIES, TO PROVIDE FUNDS FOR THE AUTHORIZED PURPOSES AS DESCRIBED HEREIN; PRESCRIBING THE FORM AND INCIDENTS OF THE BONDS; PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING FOR THE SALE OF THE BONDS; MAKING PROVISION FOR MAINTAINING THE TAX-EXEMPT STATUS OF THE BONDS; APPROVING AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT PERTAINING TO THE BONDS; ACKNOWLEDGING AND AUTHORIZING THE EXECUTION OF POST ISSUANCE COMPLIANCE PROCEDURES; 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:

1. (a) Definitions. In addition to any words and terms elsewhere defined herein, the following words and terms will have the following meanings, unless some other meaning is plainly intended:

“Act” shall mean Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended, and other applicable laws of the State.

“Authorized Purposes” shall mean erecting or purchasing waterworks, gas, electric, and other public utility plants or distribution systems or franchises, and repairing, improving, and extending the same; altering or changing the channels of streams and water courses to control, deflect, or guide the current thereof; 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; protecting the Municipality, its streets, and sidewalks from overflow, caving banks, and other like dangers; purchasing machinery and heavy equipment which will have an expected useful life in excess of 10 years, but specifically not including any motor vehicles weighing less than 12,000 pounds.

“Bond” or “Bonds” shall mean the General Obligation Public Improvement Bonds, Series 2024 (Street Improvements Project), of the Municipality, in the maximum principal amount of \$5,000,000, in one or more federally taxable or tax-exempt series, authorized and directed to be issued in this Bond Resolution.

“Bond Counsel” shall mean Watkins & Eager PLLC, Jackson, Mississippi.

“Bond Insurance Policy” shall mean a municipal bond insurance policy, if any, issued by the Bond Insurer, if any, guaranteeing the scheduled payment of the principal of and interest on the Bonds when due.

“Bond Insurer” shall mean a municipal bond insurance company, if any, guaranteeing the scheduled payment of the principal of and interest on the Bonds when due.

“Bond Resolution” shall mean the resolutions authorizing and directing the issuance of the Bonds, adopted by the Governing Body on May 17, 2022, June 21, 2022, and March 19, 2024.

“Bondholder” or “Holder” shall mean the Registered Owner or Owners of any Bond issued pursuant to this Bond Resolution.

“Business Day” shall mean a day of the year on which banks located in the city in which the principal office of the Paying Agent is located are not required or authorized to remain closed.

“City Clerk” shall mean the City Clerk of the Municipality.

“Code” shall mean the Internal Revenue Code of 1986, as amended, supplemented or superseded.

“Continuing Disclosure Agreement” shall mean the Continuing Disclosure Agreement to be executed by the Municipality and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

“DTC” shall mean The Depository Trust Company, New York, New York.

“Event of Default” shall mean an event of default as described in Section 17 of this Bond Resolution.

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

“Improvement Fund” shall mean the Improvement Fund of the Municipality provided for in Section 13 hereof for the payment of the costs, fees, and expenses incurred by the Municipality in connection with the Authorized Purposes and with the authorization, issuance, sale, validation, and delivery of the Bonds.

“Mayor” shall mean the Mayor of the Municipality.

“Municipality” shall mean the City of Starkville, Mississippi.

“Notice” shall mean the Notice of Bond Sale set out in Section 22 hereof.

“Bond Fund” shall mean the fund of the Municipality provided for in Section 12 hereof for the payment of the principal of and interest on the Bonds, and the payment of fees in connection with the issuance of the Bonds.

“Paying Agent” shall mean any bank, trust company, or other institution designated, whether herein or hereafter, by the Governing Body to make payments of the principal of and interest on the Bonds, to serve as registrar and transfer agent for the registration of owners of the Bonds, and for the performance of other duties as may be herein or hereafter specified by the Governing Body.

“Person” shall mean an individual, partnership, corporation, trust, or unincorporated organization or government or any agency or political subdivision thereof.

“Procedures” shall mean the Post Issuance Compliance Procedures in substantially the form attached hereto as **Attachment A**.

“Purchaser” shall mean the successful bidder for the Bonds, to be hereafter designated by the Governing Body.

“Record Date” shall mean, as to interest payments, the 15th day of the month preceding the dates set for payment of interest on the Bonds and, as to payments of principal, the 15th day of the month preceding the date on which such principal will be due and payable, whether at maturity or upon redemption prior to maturity.

“Record Date Registered Owner” shall mean the Registered Owner as of the Record Date.

“Registered Owner” shall mean the Person whose name will appear in the registration records of the Municipality maintained by the Paying Agent.

“Representation Letter” shall mean the blanket representation letter to DTC pertaining to book-entry obligations of the Municipality.

“Series 2020 Bonds” shall mean the \$5,000,000 General Obligation Public Improvement Bonds, Series 2022, of the Municipality, dated and issued December 6, 2022.

“Subsection 148(f)” shall mean Subsection 148(f) of the Code.

“Subsection 148(f) Regulations” shall mean any regulations promulgated from time to time pursuant to Subsection 148(f).

(b) Number and Gender; Interpretation. Words of the masculine gender will be deemed and construed to include correlative words of the feminine and neuter genders. Unless the context will otherwise indicate, words and terms herein defined will be equally applicable to the plural as well as the singular form of any of such words and terms.

2. On May 17, 2022, the Governing Body adopted a resolution entitled **“RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DECLARING THE INTENTION TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE MUNICIPALITY, TO ISSUE A GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND OF THE MUNICIPALITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK, OR TO ENTER INTO A LOAN AGREEMENT WITH THE MISSISSIPPI DEVELOPMENT**

BANK, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$10,000,000, IN ONE OR MORE FEDERALLY TAXABLE OR TAX-EXEMPT SERIES, TO PROVIDE FUNDS FOR THE PURPOSE OF ERECTING OR PURCHASING WATERWORKS, GAS, ELECTRIC, AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS OR FRANCHISES, AND REPAIRING, IMPROVING, AND EXTENDING THE SAME; ALTERING OR CHANGING THE CHANNELS OF STREAMS AND WATER COURSES TO CONTROL, DEFLECT, OR GUIDE THE CURRENT THEREOF; 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; PROTECTING THE MUNICIPALITY, ITS STREETS, AND SIDEWALKS FROM OVERFLOW, CAVING BANKS, AND OTHER LIKE DANGERS; PURCHASING MACHINERY AND HEAVY EQUIPMENT WHICH WILL HAVE AN EXPECTED USEFUL LIFE IN EXCESS OF 10 YEARS, BUT SPECIFICALLY NOT INCLUDING ANY MOTOR VEHICLES WEIGHING LESS THAN 12,000 POUNDS; DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES” (the “Resolution of Intent”), wherein the Governing Body found, determined, and adjudicated that it is necessary that the Bonds of the Municipality be issued in the amount and for the purpose aforesaid, declared its intention to issue the Bonds, and fixed 5:30 p.m. on June 21, 2022, as the date and hour on which it proposed to authorize the issuance of the Bonds, on or prior to which date and hour any protests to be made against the issuance of such Bonds were required to be filed.

3. As required by law and as directed by the Resolution of Intent, the Resolution of Intent was published once a week for at least 3 consecutive weeks in *The Starkville Daily News*, a newspaper published in and of 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 21 days prior to June 21, 2022, and the last publication having been made not more than 7 days prior to June 21, 2022, said Resolution of Intent having been published in *The Starkville Daily News* on May 25, 2022, June 1, 2022, June 8, 2022, and June 15, 2022, as evidenced by the publisher's affidavit, attached hereto as **Attachment B**.

4. The Governing Body finds, determines, and adjudicates that on or prior to June 21, 2022, at 5:30 p.m., the aforesaid hour and date set for the receipt of protests, no written protest or other objection of any kind or character against the issuance of the Bonds described in the Resolution of Intent had been filed or presented by qualified electors of the Municipality.

5. Pursuant to the Act, the Municipality has previously issued the Series 2022 Bonds payable from the use taxes remitted from the State to the Municipality as a result of the Infrastructure Modernization Act of 2018, House Bill 1, 2018 First Extraordinary Session, and any amendments thereto., codified as Sections 27-67-1 *et seq.*, Mississippi Code of 1972, as amended.

6. The Governing Body is now authorized and empowered by the provisions of the Act to issue the Bonds without an election on the question of the issuance thereof and is authorized to issue bonds registered as to principal and interest in the form and manner hereinafter provided for by Sections 31-21-1 *et seq.*, Mississippi Code of 1972, as amended.

7. The assessed value of all property within the Municipality, according to the last completed assessment for taxation, is \$321,228,788; the Municipality has outstanding bonded indebtedness subject to the 15% debt limit prescribed by the Act in the amount of \$21,506,000, and outstanding bonded and floating indebtedness subject to the 20% debt limit prescribed by the Act (which amount includes the sum set forth above subject to the 15% debt limit), in the amount of \$26,650,000; the issuance of the Bonds hereinafter proposed to be issued, when added to the outstanding bonded indebtedness of the Municipality, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid 15% debt limit, of more than 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 20% debt limit, in excess of 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.

8. The machinery and equipment will not include any motor vehicle weighing less than 12,000 pounds, and the life of the Bonds will not exceed the expected useful life of machinery and equipment financed with the proceeds of the Bonds.

9. It is advisable and in the public interest to authorize the Mayor to arrange for a municipal bond rating for the Bonds in the event that said officer determines that any such municipal bond rating is in the best interests of the Municipality. The Governing Body should authorize the obtaining of such municipal bond rating and the distribution or execution of any legal or financial documents necessary or appropriate for such purpose pertaining to any such municipal bond rating by the Mayor if such officer or officer determines any such municipal bond rating to be in the best interest of the Municipality.

10. It is advisable and in the public interest to authorize the Mayor to arrange for a Bond Insurance Policy in the event that said officer determines that any such Bond Insurance Policy is in the best interests of the Municipality. The Governing Body should authorize the obtaining of such Bond Insurance Policy and the distribution or execution of any legal or financial documents necessary or appropriate for such purpose pertaining to any such Bond Insurance Policy by the Mayor if such officer or officer determines any such Bond Insurance Policy to be in the best interest of the Municipality.

11. 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 Bonds is contingent on a number of future actions by the Municipality. It is necessary to make certain covenants pertaining to the exemption of the interest on the Bonds from federal income taxes since such exemption may depend, in part, upon continuing compliance by the Municipality with certain requirements of the Code.

12. The Bonds are not “private activity bonds” as such term is defined in Section 141 of the Code.

13. The Municipality is a governmental unit with general taxing powers; no obligation which is a part of the issue of the Bonds is a “private activity bond;” 95% or more of the net proceeds of the Bonds are to be used for local governmental activities of the Municipality.

14. The Municipality reasonably expects that not less than 85% of the spendable proceeds of the Bonds will be used to carry out the governmental purposes of the Bonds within a three-year period beginning on the date of issuance of the Bonds.

15. Subject to confirmation in the Notice and in the Bonds, it is necessary to designate the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code.

16. It is now necessary to direct the issuance of and offer for sale the Bonds, in the maximum principal amount of \$5,000,000, out of the authorized maximum principal amount of \$10,000,000.

17. It has now become necessary to make provision for the preparation, execution, issuance, and sale of the Bonds.

18. The Preliminary Official Statement pertaining to the sale of the Bonds should be approved by the Governing Body, and copies thereof distributed to prospective purchasers of the Bonds, substantially in the form attached hereto as **Attachment C**.

19. The execution and distribution of the Official Statement pertaining to the sale of the Bonds should be approved by the Governing Body, and it is necessary and appropriate for the Governing Body to authorize the execution and distribution thereof.

20. It is necessary and appropriate for this Governing Body to approve the Continuing Disclosure Agreement attached to the Preliminary Official Statement and to authorize the execution thereof.

21. The Governing Body desires to approve and adopt the Post Issuance Compliance Procedures, substantially in the form attached hereto as **Attachment A**.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN, ACTING FOR AND ON BEHALF OF THE CITY OF STARKVILLE, MISSISSIPPI, AS FOLLOWS:

SECTION 1. Bond Resolution as Contract. In consideration of the purchase and acceptance of any and all of the Bonds by the Registered Owners thereof, this Bond Resolution will constitute a contract between the Municipality and the Registered Owners from time to time of the Bonds. The pledges made herein and the covenants and agreements herein set forth to be performed on behalf of the Municipality will be for the equal benefit, protection, and security of the Registered Owners of any and all of the Bonds, all of which, regardless of the time or times of their authentication, delivery, or maturity, will be of equal rank without preference, priority, or distinction.

SECTION 2. Amount; Purpose. The Bonds are hereby authorized and ordered to be prepared and issued in the maximum principal amount of \$5,000,000 to provide funds for the Authorized Purposes as authorized by the Act.

SECTION 3. (a) Payments. Payments of interest on the Bonds will be made to the Record Date Registered Owner, and payments of principal will be made without the necessity of presentation and surrender thereof at the principal office of the Paying Agent to the Record Date Registered Owner in lawful money of the United States of America. Interest will be paid on the principal amount of each Bond from the date of such Bond or from the most recent interest payment date to which interest has been paid at the rate of interest per annum set forth therein.

(b) Bond Details. The Bonds will be registered as to both principal and interest; will be dated the date of delivery thereof; will be issued in the denomination of \$5,000 each, or integral multiples thereof up to the amount of a single maturity; will be numbered from 1 upward in the order of issuance; will bear interest, calculated on the 30/360 basis, from the date thereof at the rate or rates specified by further order of the Governing Body, payable on such date as detailed in the Notice, and semiannually thereafter on such dates as detailed in the Notice; and will mature and become due and payable, with option of prior payment, in the years and in the principal amounts as detailed in the Notice.

(c) Prior Redemption. The Bonds shall be subject to redemption prior to their respective maturities at the election of the Municipality as detailed in the Notice and specified by further order of the Governing Body, either in whole or in part on any date, with the maturities and principal amounts thereof to be determined by the Municipality, at the principal amount thereof together with accrued interest to the date fixed for redemption. Notice of each such redemption shall be mailed, postage prepaid, not less than 30 days prior to the redemption date, to all Registered Owners of the Bonds to be redeemed at their addresses as they appear on the registration books of the Municipality kept by the Paying Agent.

SECTION 4. (a) Bonds Registered as Obligations; Registration and Validation Certificate. When the Bonds will have been validated and executed as herein provided, they will be registered as an obligation of the Municipality in the office of the City Clerk in a book maintained for that purpose, and the City Clerk will cause to be imprinted upon or accompany each of the Bonds, over his manual or facsimile signature and manual or facsimile seal, the certificate in substantially the form set out in Section 6 hereof.

(b) Execution. The Bonds will 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 Bonds, other than the signature of an authorized signatory of the Paying Agent hereafter provided for, may be facsimile and will 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 will appear on the Bonds will cease to be such official before the delivery or reissuance thereof, such signature or such facsimile will nevertheless be valid and sufficient for all purposes, the same as if such official had remained in office until delivery or reissuance.

(c) Delivery; Bond Transcript; Legal Opinion. The Bonds will be delivered to the Purchaser upon payment of the purchase price therefor in accordance with the terms and conditions of their sale and award, together with a complete certified transcript of the proceedings had and done in the matter of the authorization, issuance, sale, and validation of the Bonds, and the final, unqualified approving opinion of Bond Counsel.

(d) Items Filed with Paying Agent. Prior to or simultaneously with the delivery by the Paying Agent of any of the Bonds, the Municipality will file with the Paying Agent:

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

(2) an authorization to the Paying Agent, signed by the Mayor and/or the City Clerk, to authenticate and deliver the Bonds to the Purchaser.

(e) Authentication. The Paying Agent acting through its officers, employees, or agents, will authenticate the Bonds and deliver them to the Purchaser thereof upon payment of the purchase price of the Bonds to the Municipality.

(f) Bond Certificates. Certificates, blank as to denomination, rate of interest, date of maturity, and CUSIP number (if any), and sufficient in quantity in the judgment of the Municipality to meet the reasonable transfer and reissuance needs for the Bonds, may be printed and delivered to the Paying Agent in generally-accepted format, and held by the Paying Agent until needed for transfer or reissuance, whereupon the Paying Agent will imprint the appropriate information as to denomination, rate of interest, date of maturity, and CUSIP number (if any) prior to the registration, authentication and delivery thereof to the transferee holder. The Paying Agent is hereby authorized upon the approval of the Governing Body to have printed from time to time as necessary additional certificates bearing the manual or facsimile seal of the Municipality and manual or facsimile signatures of the persons who were the officials of the Governing Body as of the date of original issue of the Bonds.

SECTION 5. (a) Designation of Paying Agent. A Paying Agent for the Bonds, which shall serve as paying agent, registrar, and transfer agent, shall be designated by further resolution of the Governing Body, authorizing the Mayor and/or the City Clerk to approve the engagement thereof.

(b) Paying Agent as Transfer Agent. So long as any of the Bonds remain outstanding, the Municipality will maintain with the Paying Agent records for the registration and transfer of the Bonds. The Paying Agent is hereby appointed registrar for the Bonds, in which capacity the Paying Agent will register in such records and permit to be transferred thereon, under such reasonable regulations as may be prescribed, any Bond entitled to registration or transfer.

(c) Fees and Expenses of Paying Agent. The Municipality will 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 bond 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, will 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.

(d) Change of Paying Agent. (1) A Paying Agent may at any time resign and be discharged of its duties and obligations as Paying Agent by giving written notice to the Municipality at least 60 days in advance, and may be removed as Paying Agent at any time by resolution of the Governing Body delivered to the Paying Agent. The resolution will specify the date on which such removal will take effect and the name and address of the successor Paying Agent, and will 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 will become effective until a successor Paying Agent has been appointed pursuant to this Bond Resolution.

(2) Upon receiving notice of the resignation of a Paying Agent, the Municipality will promptly appoint a successor Paying Agent by resolution of the Governing Body. Any appointment of a successor Paying Agent will become effective on the effective date of the resignation or removal of the predecessor Paying Agent upon acceptance of appointment by the successor Paying Agent. If no successor Paying Agent will have been so appointed and have accepted appointment within 30 days after the notice of resignation, the resigning Paying Agent may petition any court of competent jurisdiction for the appointment of a successor Paying Agent, which court may thereupon, after such notice as it may deem appropriate, appoint a successor Paying Agent.

(3) In the event of a change of Paying Agents, the predecessor Paying Agent will cease to be custodian of any funds held pursuant to this Bond Resolution in connection with its role as such Paying Agent, and the successor Paying Agent will 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 will be fully paid. Every predecessor Paying Agent will deliver to its successor Paying Agent all records of account, registration records, lists of Registered Owners and all other records, documents and instruments relating to its duties as such Paying Agent.

(4) Any successor Paying Agent appointed under the provisions hereof will be a bank, trust company or national banking association 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 will 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, will 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 instruments will, 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 Bonds.

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

(e) Successor Corporation or Association as Paying Agent. 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, will 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 will be satisfactory to the Municipality and eligible under the provisions of this Section.

SECTION 6. Bond Form. The Bonds will be in substantially the following form, with such appropriate variations, omissions, and insertions as are permitted or required by this Bond Resolution:

**UNITED STATES OF AMERICA
STATE OF MISSISSIPPI
CITY OF STARKVILLE, MISSISSIPPI
GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2024
(STREET IMPROVEMENTS PROJECT)**

No. R-_____ \$_____

<u>Rate of Interest</u>	<u>Maturity</u>	<u>Dated Date</u>	<u>CUSIP</u>
_____%	_____, 20__	_____, 20__	_____

Registered Owner: Cede & Co.

Principal Amount: _____ Dollars

The Mayor and Board of Aldermen of the City of Starkville, Mississippi (the “Governing Body” of the “Municipality”), a body politic existing under the Constitution and laws of the State of Mississippi (the “State”), 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, on the maturity date stated above, without the necessity of presentation and surrender of this Bond, at the

principal office of _____, _____, _____, or its successor, as paying agent (the “Paying Agent”) for the \$5,000,000 General Obligation Public Improvement Bonds, Series 2024 (Street Improvements Project), of the Municipality (the “Bonds”), on the maturity date identified above, the principal amount identified above. Payment of the principal amount of this Bond will be made to the Registered Owner hereof whose name will appear in the registration records of the Municipality maintained by the Paying Agent, which will also serve as registrar and transfer agent for the Bonds, as of the 15th day of the calendar month preceding the maturity date hereof.

The Municipality further promises to pay interest, calculated on the 30/360 basis, on such principal amount from the date of this Bond or from the most recent interest payment date to which interest has been paid at the rate of interest per annum set forth above payable on _____, 20__, and semiannually thereafter on _____ 1 and _____ 1 of each year, until said principal sum is paid, to the Registered Owner hereof whose name will appear in the registration records of the Municipality maintained by the Paying Agent as of the 15th day of the calendar month preceding the applicable interest payment date.

All capitalized terms not otherwise defined herein will have the meaning set forth in the resolutions authorizing and directing the issuance of the Bonds adopted by the Governing Body on May 17, 2022, June 21, 2022, and March 19, 2024 (together, the “Bond Resolution”).

Payments of principal of and interest on this Bond will be made by check or draft delivered directly to or mailed on the date on which interest or principal and interest will be due and payable to such Registered Owner at his address as it appears on such registration records. The Registered Owner hereof may change such address by written notice to the Paying Agent by certified mail, return receipt requested, or such other method as may be subsequently prescribed by the Paying Agent, such notice to be received by the Paying Agent not later than the 15th day of the calendar month preceding the applicable principal or interest payment date.

Bonds maturing after _____, 20__, are subject to redemption prior to their respective maturities at the election of the Municipality on and after _____, 20__, either in whole or in part on any date, with the maturities and principal amounts thereof to be determined by the Municipality, at the principal amount thereof together with accrued interest to the date fixed for redemption. Notice of each such redemption shall be mailed, postage prepaid, not less than 30 days prior to the redemption date, to all Registered Owners of the Bonds to be redeemed at their addresses as they appear on the registration books of the Municipality kept by the Paying Agent.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to denomination, number, rate of interest and date of maturity, issued in the aggregate authorized principal amount of \$5,000,000, out of an authorized amount of \$10,000,000, to provide funds for the purpose of erecting or purchasing waterworks, gas, electric, and other public utility plants or distribution systems or franchises, and repairing, improving, and extending the same; altering or changing the channels of streams and water courses to control, deflect, or guide the current thereof; 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; protecting the Municipality, its streets, and sidewalks from overflow, caving banks, and other like dangers; purchasing machinery and

heavy equipment which will have an expected useful life in excess of 10 years, but specifically not including any motor vehicles weighing less than 12,000 pounds (the “Authorized Purposes”).

This Bond is issued under the authority of the Constitution and statutes of the State, including Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended, and by the further authority of proceedings duly had by the Governing Body, including the Bond Resolution.

The Bonds are registered as to both principal and interest and are to be issued or reissued in the denomination of \$5,000 each, or integral multiples thereof up to the amount of a single maturity.

This Bond may be transferred or exchanged by the Registered Owner hereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent, but only in the manner provided by and subject to the limitations in the Bond Resolution, and upon surrender and cancellation of this Bond. Upon such transfer or exchange, a new Bond or Bonds of like aggregate principal amount in authorized denominations of the same maturity will be issued.

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 or on account of principal hereof and interest due hereon and for all other purposes and neither the Municipality nor the Paying Agent will be affected by any notice to the contrary.

The Bonds shall be general obligations of the Municipality payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to rate or amount upon all the taxable property within the geographical limits of the Municipality. To the extent other moneys are not available, the Municipality will levy annually a direct and continuing tax upon all taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, will be adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due; provided, however, that such tax levy for any year shall be abated *pro tanto* to the extent the Municipality on or prior to September 1 of that year has transferred money to the Bond Fund, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds due during the ensuing fiscal year of the Municipality, in accordance with the provisions of the Bond Resolution.

Provided, however, any other funds available to the Municipality which may be lawfully used for payment of the principal of, premium, if any, and interest on the Bonds, and which the Governing Body, in its discretion, may direct to be deposited into the Bond Fund, including, but not limited to, use taxes remitted from the State to the Municipality as a result of the Infrastructure Modernization Act of 2018, House Bill 1, 2018 First Extraordinary Session, and any amendments thereto., codified as Sections 27-67-1 *et seq.*, Mississippi Code of 1972, as amended.

This Bond will not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Resolution until the “Certificate of Registration and Authentication” hereon will have been signed by the Paying Agent, acting through its officers, employees, or agents.

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 the Bonds, in order to make the same legal and binding general obligations 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 Bond, both principal and interest, the full faith and credit of the Municipality are hereby irrevocably pledged.

IN WITNESS WHEREOF, the Municipality has caused this Bond 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 facsimile signatures of said officials adopt as and for their own proper signatures, all as of _____, 20__.

City of Starkville, Mississippi

Mayor

Countersigned:

City Clerk

(seal)

REGISTRATION AND VALIDATION CERTIFICATE

I, the undersigned City Clerk of the City of Starkville, Mississippi, do hereby certify that the within Bond has been duly registered by me as an obligation of said Municipality pursuant to law in a book kept in my office for that purpose, and has been validated and confirmed by Validation Judgment of the Chancery Court of Oktibbeha County, Mississippi, rendered on August 10, 2022.

City of Starkville, Mississippi

(seal)

City Clerk

CERTIFICATE OF REGISTRATION AND AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned Bond Resolution and is one of the \$5,000,000 General Obligation Public Improvement Bonds, Series 2024 (Street Improvements Project), of the City of Starkville, Mississippi.

_____, _____, _____,
as Paying Agent

Authorized Signatory

Date of Registration and Authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____ as Paying Agent to transfer the Bond on the records kept for registration thereof with full power of substitution in the premises.

Signature guaranteed:

(Bank, Trust Company or Paying Agent)

(Authorized Signatory)

NOTICE: Signature(s) must be guaranteed by an institution that is a participant in a Securities Transfer Association recognized signature guarantee program.

NOTICE: The signature to this Assignment must correspond with the Registered Owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Date of Assignment: _____

Insert Social Security Number or Other Tax Identification Number of Assignee: _____

[END OF BOND FORM]

SECTION 7. Replacement of Bond Certificates. In case any Bond will become mutilated or be stolen, destroyed, or lost, the Municipality will, if not then prohibited by law, cause to be authenticated and delivered a new Bond of like date, number, maturity, and tenor in exchange and substitution for and upon cancellation of such mutilated Bond, or in lieu of and in substitution for such Bond stolen, destroyed, or lost, upon the Registered Owner's paying the reasonable expenses and charges of the Municipality in connection therewith, and in case of a Bond stolen, destroyed, or lost, his filing with the Municipality or Paying Agent evidence satisfactory to them that such Bond was stolen, destroyed, or lost, and of his ownership thereof, and furnishing the Municipality or Paying Agent with such security or indemnity as may be required by law or by them to save each of them harmless from all risks, however remote.

SECTION 8. Security for Payment. The Bonds shall be general obligations of the Municipality payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to rate or amount upon all the taxable property within the geographical limits of the Municipality. To the extent other moneys are not available, the Municipality will levy annually a direct and continuing tax upon all taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, will be adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due; provided, however, that such tax levy for any year shall be abated *pro tanto* to the extent the Municipality on or prior to September 1 of that year has transferred money to the Bond Fund, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds due during the ensuing fiscal year of the Municipality, in accordance with the provisions of the Bond Resolution. Provided, however, any other funds available to the Municipality which may be lawfully used for payment of the principal of, premium, if any, and interest on the Bonds, and which the Governing Body, in its discretion, may direct to be deposited into the Bond Fund, including, but not limited to, the use taxes remitted from the State to the Municipality as a result of the Infrastructure Modernization Act of 2018, House Bill 1, 2018 First Extraordinary Session, and any amendments thereto., codified as Sections 27-67-1 *et seq.*, Mississippi Code of 1972, as amended. Should there be a failure in any year to comply with the requirements of this Section, such failure will not impair the right of the Registered Owners of any of the Bonds in any subsequent year to have adequate taxes levied and collected to meet the obligations of the Bonds, both as to principal and interest.

SECTION 9. Certificate of Registration and Authentication. Only such of the Bonds as will have endorsed thereon a "Certificate of Registration and Authentication" in substantially the form hereinabove set forth, duly executed by the Paying Agent, will be entitled to the rights, benefits, and security of this Bond Resolution. No Bond will be valid or obligatory for any purpose unless and until such "Certificate of Registration and Authentication" will have been duly executed by the Paying Agent, which executed certificate will be conclusive evidence of registration, authentication, and delivery under this Bond Resolution. The Paying Agent's "Certificate of Registration and Authentication" on any Bond will be deemed to have been duly executed if signed by an authorized signatory of the Paying Agent, but it will not be necessary that the same signatory sign said certificate on all of the Bonds that may be issued hereunder at any one time.

SECTION 10. (a) Initial Registration. In the event the Purchaser will fail to designate the names, addresses, and social security or tax identification numbers of the Registered Owners

of the Bonds within 30 days of the date of sale, or at such other later date as may be designated by the Municipality, 1 Bond registered in the name of the Purchaser may be issued in the full amount for each maturity. Ownership of the Bonds will be in the Purchaser until the initial Registered Owner has made timely payment and, upon request of the Purchaser within a reasonable time of the initial delivery of the Bonds, the Paying Agent will re-register any such Bond upon its records in the name of the Registered Owner to be designated by the Purchaser in the event timely payment has not been made by the initial Registered Owner.

(b) Registered Owner as Owner. Except as hereinabove provided, the Person in whose name any Bond will be registered in the records of the Municipality maintained by the Paying Agent may be deemed the absolute owner thereof for all purposes, and payment of or on account of the principal of or interest on any Bond will be made only to or upon the order of the Registered Owner thereof, or his legal representative, but such registration may be changed as hereinafter provided. All such payments will be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

SECTION 11. (a) Transfers. Each Bond will be transferable only in the records of the Municipality, upon surrender thereof at the office of the Paying Agent, together with a written instrument of transfer satisfactory to the Paying Agent duly executed by the Registered Owner or his attorney duly authorized in writing. Upon the transfer of any Bond, the Municipality, acting through its Paying Agent, will issue in the name of the transferee a new Bond or Bonds of the same aggregate principal amount and maturity and rate of interest as the surrendered Bond or Bonds.

(b) Paying Agent to Transfer in Accordance with Bond Resolution. In all cases in which the privilege of transferring Bonds is exercised, the Paying Agent, acting through its officers, employees, or agents, will authenticate and deliver Bonds in accordance with the provisions of this Bond Resolution.

(c) Expenses of Transfer. The Municipality or the Paying Agent may require payment by the Registered Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer of Bonds. All other expenses incurred by the Municipality or the Paying Agent in connection with any transfer of Bonds will be paid by the Municipality.

SECTION 12. (a) Bond Fund. The Municipality will maintain with a qualified depository thereof the "Bond Fund," in its name for the payment of the principal of and interest on the Bonds, and the payment of Paying Agents' fees in connection therewith. There will be deposited into the Bond Fund as and when received:

- (1) The accrued interest, if any, received upon delivery of the Bonds;
 - (2) The avails of any of the ad valorem taxes levied and collected pursuant to Section 8 hereof;
 - (3) Any income received from investment of moneys in the Bond Fund;
- and

(4) Any other funds available to the Municipality which may be lawfully used for payment of the principal of and interest on the Bonds, and which the Governing Body, in its discretion, may direct to be deposited into the Bond Fund, including the use taxes remitted from the State to the Municipality as a result of the Infrastructure Modernization Act of 2018, House Bill 1, 2018 First Extraordinary Session, and any amendments thereto., codified as Sections 27-67-1 *et seq.*, Mississippi Code of 1972, as amended.

(b) Payments by City Clerk. As long as any principal of and interest on the Bonds remains outstanding, the City Clerk is hereby irrevocably authorized and directed to withdraw from the Bond Fund sufficient moneys to make the payments herein provided for and to transfer same to the account of the Paying Agent in time to reach said Paying Agent prior to the date on which said interest or principal and interest shall become due, and in accordance with any statutory requirements.

(c) Bond Fund Options. Notwithstanding anything herein to the contrary, the Municipality at its option may maintain one “Bond Fund” for all general obligation bonds of the Municipality, or as many as it will deem to be appropriate.

SECTION 13. Improvement Fund. The principal proceeds, and premium, if any, received upon the sale of the Bonds will be deposited with a qualified depository of the Municipality in a special public improvement fund, the “Improvement Fund,” hereby created, in the name of the Municipality. From the Improvement Fund there will be first paid the costs, fees, and expenses incurred by the Municipality in connection with the authorization, issuance, sale, validation, and delivery of the Bonds. The balance thereof will be held and disbursed for the Authorized Purposes, as authorized by the Act. Any proceeds of the Bonds remaining in the Improvement Fund after the completion of the projects to be financed within the Authorized Purposes shall be transferred to the Bond Fund.

SECTION 14. (a) Payments of Principal. Payment of principal on the Bonds will be made, without the necessity of presentation and surrender of the Bonds at the principal office of the Paying Agent, to the Record Date Registered Owner thereof whose name will appear in the registration records of the Municipality maintained by the Paying Agent as of the Record Date.

(b) Payments of Interest. Payment of each installment of interest on the Bonds will be made to the Record Date Registered Owner thereof. Interest will be payable in the aforesaid manner irrespective of any transfer or exchange of such Bond subsequent to the Record Date and prior to the due date of the interest.

(c) Method of Payment; Change of Address. Principal of and interest on the Bonds will be paid by check or draft delivered directly to or mailed on the date on which interest or principal and interest will be due and payable, or such other method as may be mutually satisfactory to the Paying Agent and Bond Holders, to the Registered Owners at the addresses appearing in the registration records of the Paying Agent. Any such address may be changed by written notice from the Registered Owner to the Paying Agent by certified mail, return receipt requested, or such other method as may be subsequently prescribed by the Paying Agent, such notice to be received by the Paying Agent not later than the 15th day of the calendar month preceding the applicable principal or interest payment date to be effective as of such date.

SECTION 15. Validation. The Bonds have been submitted to validation as provided by Sections 31-13-1 *et seq.*, Mississippi Code of 1972, as amended, an opinion of the State Bond Attorney was delivered on July 7, 2022, and a Validation Judgement was entered on August 10, 2022.

SECTION 16. Validation of Certain Amendments, Revisions, or Supplements. It is specifically provided, notwithstanding the dates set out in this Bond Resolution for the date of the Bonds and the payment dates for principal and interest, that in the event the delivery of the Bonds is delayed by a contest of the validation of the Bonds or otherwise, and the initial Purchaser will decline to take delivery of the Bonds, then the Bonds may be reoffered for sale. In such event, all principal maturities may be adjusted so that such maturities will fall due in the same amounts and intervals as herein provided, but beginning on the next principal payment date following the issuance of the Bonds as provided by the subsequent resolution directing the offer for sale thereof, and continuing through the final payment. The interest payments may also be adjusted accordingly, with interest payments due semiannually, commencing on the next principal payment date or interest payment date (whichever occurs first) following the date of the Bonds. After the validation of the Bonds, no amendment, revision or supplement contemplated by this Section will be cause for the re-submission of the proceedings for the issuance of the Bonds, as amended, revised or supplemented, to any further validation proceedings, it being the intent of this Bond Resolution that any such amendments, revisions or supplements be covered by the initial validation proceeding.

SECTION 17. Events of Default; Remedies. An “Event of Default” as used in this Resolution shall mean any of the following: (a) failure to pay the principal of, premium, if any, or interest on any of the Bonds when such payments will become due, (b) failure to comply with any other of the covenants of the Municipality set out in this Bond Resolution and the continuation thereof for 30 days after written notice specifying such failure will have been given to the Municipality by any Bondholder or (c) filing by the Municipality of a petition under federal bankruptcy laws or a petition seeking composition of indebtedness under any other applicable federal or state laws. Notwithstanding the foregoing, the Municipality's noncompliance with its obligations under Section 20 hereof and the Continuing Disclosure Agreement will not constitute an Event of Default within the meaning of this Section.

The Holders of not less than 25% of the aggregate principal amount of the outstanding Bonds may, upon an Event of Default, by suit, action, mandamus or other proceedings at law or in equity take action to enforce and compel performance by the appropriate official or officials of the Municipality of any or all of the acts or duties to be performed by the Municipality under the provisions of the Act and this Bond Resolution. The Holders of not less than 51% in aggregate principal amount of the Bonds then outstanding may appoint a trustee for the Holders of all outstanding Bonds issued under this Bond Resolution with authority to represent such Bondholders in any legal proceedings for the enforcement and protection of the rights of such Bondholders under this Bond Resolution.

Nothing in this Bond Resolution will, however, affect or impair the right of any Bondholder to enforce the payment of the principal of and interest on any Bond at and after the maturity thereof, or the obligation of the Municipality to pay the principal of and interest on each of the Bonds

issued hereunder to the respective Bondholders thereof at the time and place and in the manner in expressed in the Bonds.

SECTION 18. Preliminary Official Statement. The Governing Body hereby approves the Preliminary Official Statement pertaining to the sale of the Bonds, and the distribution of said Preliminary Official Statement is hereby authorized substantially in the form attached hereto as **Attachment C**.

SECTION 19. Official Statement.

(a) The Governing Body hereby approves and adopts the Official Statement pertaining to the sale of the Bonds in substantially the form of the Preliminary Official Statement with such completions, changes, insertions, and modifications as shall be approved by the officers of the Municipality executing and delivering the same, the execution thereof by such officers to be conclusive evidence of such approval.

(b) The Governing Body hereby approves the execution by the Mayor and the City Clerk of the Official Statement for and on behalf of this Governing Body, and the distribution of such Official Statement pertaining to the sale of the Bonds is hereby approved.

SECTION 20. Continuing Disclosure Agreement. The Governing Body hereby approves and adopts the Continuing Disclosure Agreement attached to the Preliminary Official Statement, and approves and authorizes the execution of said Continuing Disclosure Agreement by the City Clerk of the Municipality for and on behalf of the Municipality in substantially the form attached to the Preliminary Official Statement, with such completions, changes, insertions, and modifications as shall be approved by the officer of the Municipality executing and delivering the same, the execution thereof to be conclusive evidence of such approval.

SECTION 21. (a) Offer for Sale as Provided in Notice. The Bonds will be offered for sale on sealed bids at a meeting of the Governing Body to be held at the place, on the date, and at the hour specified and upon the terms and conditions set out in the Notice in Section 22 hereof. On or before said date and hour, such sealed bids must be filed with the City Clerk at the place specified in the Notice. The Governing Body reserves the right to reject any and all bids submitted, and if all bids are rejected, to sell the Bonds at a private sale at any time within 60 days after the date advertised for the receipt of bids, at a price not less than the highest bid which will have been received at the advertised sale.

(b) Interest Rate Limit; Requirements of Act. In no event will the Bonds be issued at a rate of interest in excess of that allowed in the Notice, and the Bonds will in all other respects comply with the requirements of the Act.

SECTION 22. Notice of Bond Sale: Publication and Form. As required by Section 31-19-25, Mississippi Code of 1972, as amended, the City Clerk is hereby authorized and directed to give the Notice by publishing an advertisement at least two times in the *Starkville Daily News*, a newspaper published in and of general circulation in the Municipality, the first publication thereof to be made at least 10 days preceding the date fixed herein for the receipt of bids. The Notice will be in substantially the following form:

NOTICE OF BOND SALE

\$5,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2024 (STREET IMPROVEMENTS PROJECT) CITY OF STARKVILLE, MISSISSIPPI

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of the City of Starkville, Mississippi (the “Governing Body” of the “Municipality”) will receive bids, which may be in electronic form, for the purchase in its entirety, at not less than par and accrued interest to the date of delivery thereof, of an issue of \$5,000,000 General Obligation Public Improvement Bonds, Series 2024 (Street Improvements Project), of the Municipality (the “Bonds”) on Tuesday, _____, 20__, until the hour of 11:00 a.m. C.D.T.

The City Clerk of the Municipality (the “City Clerk”) will act on behalf of the Governing Body to receive bids at the aforesaid date, time, and place. Immediately following 11:00 a.m. C.D.T., on Tuesday, _____, 20__, the bids will be publicly opened and read, for consideration by the Governing Body at their regular meeting at 5:30 p.m. C.D.T. on Tuesday, _____, 20__. All bids will remain firm for eight hours after the time specified for the opening of bids, and an award of the Bonds, or rejection of bids, will be made by the Governing Body within said period of time.

THE BONDS: The Bonds will be registered as to both principal and interest; will be dated and bear interest, calculated on the 30/360 basis, from _____, 20__; will be issued on _____, 20__; will be delivered in definitive form as registered bonds; will be issued in the denomination of \$5,000 each, or integral multiples thereof up to the amount of a single maturity; will be numbered from 1 upward in the order of issuance; will be payable as to principal at a bank or trust company to be named by the Governing Body in the manner hereinafter provided; and will bear interest, calculated on the 30/360 basis, from the date thereof, payable on _____, 20__, and semiannually thereafter on _____ 1 and _____ 1 of each year, at the rate or rates offered by the successful bidder in its bid in accordance with this Notice of Bond Sale (this “Notice”).

MATURITIES: The Bonds will mature serially, with option of prior payment, on _____ 1 in each of the years and amounts as follows:

<u>YEAR</u>	<u>AMOUNT</u>
2025	\$ _____
2026	\$ _____
2027	\$ _____
2028	\$ _____
2029	\$ _____
2030	\$ _____
2031	\$ _____
2032	\$ _____
2033	\$ _____
2034	\$ _____

REDEMPTION: Bonds maturing after _____, 20__, are subject to redemption prior to their respective maturities at the election of the Municipality on and after _____, 20__, either in whole or in part on any date, with the maturities and principal amounts thereof to be determined by the Municipality, at the principal amount thereof together with accrued interest to the date fixed for redemption. Notice of each such redemption shall be mailed, postage prepaid, not less than 30 days prior to the redemption date, to all Registered Owners of the Bonds to be redeemed at their addresses as they appear on the registration books of the Municipality kept by the Paying Agent (as defined herein).

REVISED MATURITY SCHEDULE AND/OR BID PARAMETERS: The aggregate principal amount of each series of the Bonds (the “Preliminary Aggregate Principal Amount”) and the annual principal amounts of each series of the Bonds (the “Preliminary Annual Principal Amounts”) and collectively, with reference to the Preliminary Aggregate Principal Amounts, the “Preliminary Amounts”) set forth in this Notice may be revised before the viewing of bids for the purchase of the Bonds, as may the bid parameters set forth herein. Any such revisions (in case of revised principal amounts, the “Revised Aggregate Principal Amount”, the “Revised Annual Principal Amounts” and the “Revised Amounts”) WILL BE GIVEN BY NOTIFICATION PUBLISHED ON www.I-dealProspectus.com NOT LATER THAN 4:00 P.M., C.D.T. ON THE DAY PRECEDING THE RECEIPT OF BIDS. In the event that no such revisions are made, the Preliminary Amounts will constitute the Revised Amounts and will remain as stated in this Notice, and the bid parameters shall remain as set for the herein. BIDDERS SHALL SUBMIT BIDS BASED ON THE REVISED AMOUNTS AND BID PARAMETERS, IF ANY. Prospective bidders may request notification of any revisions in the Preliminary Amounts and bid parameters by so advising and emailing Stephens Inc., Ridgeland, Mississippi, the Municipality’s “independent registered municipal advisor” (the “Municipal Advisor”), at max.neely@stephens.com by 12:00 p.m., C.D.T., at least one day prior to the date for receipt of the bids.

CHANGES TO MATURITY SCHEDULE: The Municipality intends, but is not obligated, to adjust the Revised Aggregate Principal Amount of each series of Bonds and the Revised Annual Principal Amount of each series of Bonds in such manner as to produce approximately level debt service in years 2025 to 2044. The Municipality reserves the right to change the Revised Aggregate Principal Amount of each series of Bonds and the Revised Annual Principal Amounts of each series of Bonds after determination of the winning bidder(s), by increasing or decreasing such Revised Aggregate Principal Amounts and such Revised Annual Principal Amounts by up to 30%. The maximum amount of the Bonds will not exceed \$5,000,000. No changes beyond those disclosed above will be made without the consent of the applicable Successful Bidder. Such changes, if any, will determine the final annual principal amount of each maturity of each series of Bonds (the “Final Annual Principal Amounts”) and the final aggregate principal amount of each series of Bonds (the “Final Aggregate Principal Amount”). The dollar amount bid by the successful bidder for each series of Bonds will be adjusted to reflect any adjustments in the Final Aggregate Principal Amount of such series of Bonds. The interest rates specified by the successful bidder for the various maturities at the initial reoffering prices will not change. A SUCCESSFUL BIDDER MAY NOT WITHDRAW ITS BIDS OR CHANGE THE INTEREST RATES BID OR

THE INITIAL REOFFERING PRICES AS A RESULT OF ANY CHANGES MADE TO THE PRINCIPAL AMOUNTS WITHIN THESE LIMITS.

The Municipality anticipates that the Final Annual Principal Amounts of each series of Bonds and the Final Aggregate Principal Amount of each series of Bonds will be communicated to the successful bidder(s) prior to the award of such Bonds. THE DOLLAR AMOUNT BID BY EACH SUCCESSFUL BIDDER FOR THE PURCHASE OF THE BONDS WILL BE ADJUSTED TO REFLECT ANY CHANGE IN THE ANNUAL PRINCIPAL AMOUNTS BASED UPON THE ASSUMPTION THAT THE COUPON RATES, REOFFERING PRICES, AND THE UNDERWRITER'S DISCOUNT (EXCLUDING ORIGINAL ISSUE DISCOUNT/PREMIUM) STATED AS A PERCENTAGE OF THE AGGREGATE PRINCIPAL AMOUNT, AS SPECIFIED BY SUCH SUCCESSFUL BIDDER, WILL NOT CHANGE.

BASIS OF AWARD: If an award is made, the Bonds will be awarded to the bidder whose bid results in the lowest true interest cost to the Municipality for such Bonds as determined by reference to the Revised Aggregate Principal Amounts, prior to post-sale adjustments, as discussed in the paragraph above. The lowest true interest cost will be calculated as that rate which when used in computing the present worth of all payments of principal and interest on the Bonds (compounded semi-annually from the dated date of such Bonds) produces a value equal to the purchase price of such Bonds. Each bidder is required to specify its calculation of the true interest cost resulting from its bid, but such information shall not be treated as part of its proposal. In the event that two or more of the bidders offer to purchase the Bonds at the same lowest true interest cost, the Governing Body shall determine in their sole discretion (but in accordance with fact) which of the bidders shall be awarded such series of Bonds. The Governing Body reserves the right to waive any irregularity or informality in any bid, and to reject any or all bids, and notice of rejection of any bid will be made promptly. Unless all bids are rejected, award of the Bonds will be made by the Governing Body on the sale date.

AUTHORITY AND SECURITY: The Bonds will be issued pursuant to the provisions of Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended, and other applicable laws of the State (together, the "Act"), and the resolutions authorizing and directing the issuance of the Bonds adopted by the Governing Body on May 17, 2022, June 21, 2022, and March 19, 2024 (together, the "Bond Resolution"), and shall be general obligations of the Municipality payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to rate or amount upon all the taxable property within the geographical limits of the Municipality. To the extent other moneys are not available, the Municipality will levy annually a direct and continuing tax upon all taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, will be adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due; provided, however, that such tax levy for any year shall be abated *pro tanto* to the extent the Municipality on or prior to September 1 of that year has transferred money to the Bond Fund (as defined in the Bond Resolution), or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds due during the ensuing fiscal year of the Municipality, in accordance with the provisions of the Bond Resolution. Provided, however, any other funds available to the Municipality which may be lawfully used for payment of the principal of, premium, if any, and interest on the Bonds, and which the Governing Body, in its discretion, may direct to be deposited into the Bond Fund, including, but not limited to, use taxes remitted from the State to the

Municipality as a result of the Infrastructure Modernization Act of 2018, House Bill 1, 2018 First Extraordinary Session, and any amendments thereto, codified as Sections 27-67-1 *et seq.*, Mississippi Code of 1972, as amended.

PURPOSE: The Bonds are being issued to provide funds for the purpose of erecting or purchasing waterworks, gas, electric, and other public utility plants or distribution systems or franchises, and repairing, improving, and extending the same; altering or changing the channels of streams and water courses to control, deflect, or guide the current thereof; 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; protecting the Municipality, its streets, and sidewalks from overflow, caving banks, and other like dangers; purchasing machinery and heavy equipment which will have an expected useful life in excess of 10 years, but specifically not including any motor vehicles weighing less than 12,000 pounds (the “Authorized Purposes”).

FORM OF BIDS: Bids should be addressed to the Governing Body and should be plainly marked “Bid for \$5,000,000 General Obligation Public Improvement Bonds, Series 2024 (Street Improvements Project), of the City of Starkville, Mississippi.” All bids should be submitted in substantially the form prepared by the Municipality as the Official Bid Form. A copy of the Official Bid Form may be obtained from the City Clerk at l.hardin@cityofstarkville.org, from Stephens Inc., Ridgeland, Mississippi (the “Municipal Advisor”), at max.neely@stephens.com, or from Watkins & Eager PLLC, Jackson, Mississippi (“Bond Counsel”) at bdavis@watkinseager.com. All bids submitted in electronic form should be delivered via email to the Municipal Advisor at max.neely@stephens.com.

Electronic bids for the Bonds must be submitted to PARITY® via the BiDCOMP Competitive Bidding System. An electronic bid made through the facilities of BiDCOMP/PARITY® shall be deemed an offer to purchase in response to this Notice and shall be binding upon the bidder as if made by a signed sealed written bid made to the Municipality. To the extent any instructions or directions set forth in BiDCOMP/PARITY® conflict with the terms of this Notice, this Notice shall prevail. The Municipality shall not be responsible for any malfunction or mistake made by or as a result of the use of electronic bidding facilities. The use of such facilities is at the sole risk of the bidders. Subscription to I-Deal's BiDCOMP/PARITY® Competitive Bidding System by a bidder is required in order to submit an electronic bid. The Municipality will not confirm any subscription or be responsible for the failure of any prospective bidder to subscribe. Both written bids and electronic bids must be unconditional and received by the Municipality and/or BiDCOMP/PARITY®, respectively, on or before 11:00 a.m., C.D.T., on Tuesday, _____, 2024, as stated above. The Municipality is not liable for any costs incurred in the preparation, delivery, acceptance, or rejection of any bid.

All bids not in electronic form should be sealed and delivered to the City Clerk at her office in the City Hall located at 110 West Main Street in the Municipality.

INTEREST RATE AND BID RESTRICTIONS: The Bonds will not bear a greater overall maximum interest rate to maturity than 11% per annum, nor will the interest rate for any one maturity exceed 11% per annum. No Bond will bear more than 1 rate of interest; each Bond will bear interest, calculated on the 30/360 basis, from its date to its stated maturity date at the interest

rate specified in the bid; all Bonds of the same maturity will bear the same rate of interest from date to maturity; and the lowest interest rate specified will not be less than 70% of the highest interest rate specified. Each interest rate specified in any bid must be a multiple of 1/8th of 1% or 1/10th of 1% and a 0% rate of interest cannot be named.

GOOD FAITH DEPOSIT: Each bid must be accompanied by a wire transfer, cashier's check, certified check, or exchange, issued or certified by a bank, payable to the "Mayor and Board of Aldermen of the City of Starkville, Mississippi," in the amount of \$100,000 as a guaranty that the bidder will carry out its contract and purchase the Bonds if its bid be accepted. All wire transfers, cashier's checks, certified checks, or exchanges of unsuccessful bidders will be returned immediately after award of the Bonds. If the successful bidder fails to purchase the Bonds pursuant to its bid and contract, then the amount of such good faith deposit will be retained by the Municipality as liquidated damages for such failure. No interest will be allowed on the amount of the good faith deposit.

DTC BOOK-ENTRY: Unless specifically declined by the purchaser, the Bonds are being initially offered as registered in the name of Cede & Co., as Registered Owner and nominee for The Depository Trust Company, New York, New York ("DTC") under DTC's Book-entry system of registration. Purchasers of interests in the Bonds (the "Beneficial Owners") will not receive physical delivery of bond certificates and ownership by the Beneficial Owners of the Bonds will be evidenced by book-entry. As long as Cede & Co. is the Registered Owner of the Bonds as nominee of DTC, payments of principal and interest will be made directly to such Registered Owner which will in turn remit such payments to the DTC participants for subsequent disbursement to the Beneficial Owners.

AWARD OF BONDS: If an award of the Bonds is made, the Bonds will be awarded to the bidder whose bid results in the lowest true interest cost to the Municipality. The lowest true interest cost of the Bonds will be calculated as that rate which when used in computing the present worth of all payments of principal and interest on the Bonds (compounded semi-annually from the dated date of the Bonds) produces a value equal to the purchase price of the Bonds. For the purpose of calculating the true interest cost, the principal amount of any term bonds scheduled for mandatory sinking fund redemption (if any) shall be treated as a serial maturity in each year. Each bidder is required to specify its calculation of the true interest cost resulting from its bid, but such information shall not be treated as part of its proposal. All bids will remain firm for eight hours after the time specified for the opening of bids, and an award of the Bonds, or rejection of bids, will be made by the Governing Body within said period of time, and the Governing Body will give a verbal notice to the winning bidder, if any, within approximately one hour of such decision..

RIGHT OF REJECTION, CANCELLATION: The Governing Body reserves the right to reject any or all bids submitted, as well as to waive any irregularity or informality in any bid. The successful bidder will have the right, at its option, to cancel its agreement to purchase the Bonds if the Bonds are not tendered for delivery within 60 days from the date of sale thereof, and in such event the Governing Body will return to said bidder its good faith deposit. The Governing Body will have the right, at its option, to cancel its agreement to sell the Bonds if within 5 days after the tender of the Bonds for delivery the successful bidder will not have accepted delivery of and paid for the Bonds, and in such event the Governing Body will retain the successful bidder's good faith deposit as liquidated damages as hereinabove provided.

PAYING AGENT, TRANSFER AGENT, AND REGISTRAR: The initial payment agent for the Bonds will be _____, _____, _____ (the "Paying Agent"). The Governing Body's approval of the Paying Agent shall be contingent on a determination as to the willingness and ability of the Paying Agent to perform the duties of registrar and transfer agent and on the satisfactory negotiation of service fees. The Paying Agent shall be subject to change by order of the Governing Body under the conditions and in the manner provided in the Bond Resolution under which the Bonds are issued. Both principal of and interest on the Bonds will be payable by check or draft mailed to Registered Owners of the Bonds as of the fifteenth day of the month preceding the maturity date for such principal or interest payment at the addresses appearing in the registration records of the Municipality maintained by the Paying Agent. The Bonds will be transferable only upon the books of the Paying Agent, and payment of principal at maturity shall be conditioned on the proper presentation and surrender of the Bonds to the Paying Agent.

DELIVERY: The successful bidder must designate within 30 days of the date of sale, or at such other later date as may be designated by the Governing Body, the names and addresses of the Registered Owners of the Bonds and the denominations in which the Bonds of each maturity are to be issued. If the successful bidder fails to submit such information within the required time, one Bond may be issued for each maturity in the full amount maturing on that date registered in the name of the successful bidder. The Bonds will be delivered at a place to be designated by the purchaser and without cost to the purchaser, and payment therefor will be made in immediately available funds.

CUSIP NUMBERS: Unless specifically declined by the purchaser, the Municipal Advisor will request that the CUSIP Service Bureau assign CUSIP identification numbers to the Bonds, which numbers will be printed on the Bonds. The successful bidder will be responsible for the costs of assigning CUSIP numbers to the Bonds. Neither the failure to print a CUSIP number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with this Notice.

LEGAL OPINION; CLOSING DOCUMENTS: The Bonds are offered subject to the unqualified approval of the legality thereof by Bond Counsel. In the opinion of Bond Counsel, interest on the Bonds is exempt from federal and Mississippi income taxes under existing laws, regulations, rulings, and judicial decisions with such exceptions as will be described in the Official Statement for the Bonds. A copy of the opinion of Bond Counsel, together with the usual closing papers, including a no-litigation certificate dated the date of delivery of the Bonds, evidencing that no litigation is pending in any way affecting the legality of the Bonds or the taxes to be levied for the payment of the principal thereof and interest thereon, and a transcript of the proceedings relating to the Bonds will be delivered to the successful bidder without charge. The Municipality will pay for all legal fees and will pay for the printing and validation of the Bonds.

BONDS AS "QUALIFIED TAX-EXEMPT OBLIGATIONS": The Municipality [has/has not] designated the Bonds as "qualified tax-exempt obligations" within the meaning and for purposes of Section 265(b)(3) of the Code.

FURTHER INFORMATION: The Municipality has prepared a Preliminary Official Statement which it deems, for purposes of S.E.C. Rule 15(c)2-12, to be final and complete as of its date except for the omission of the offering prices, interest rates, and any other terms of the

Bonds depending on such matters, and the identity of the underwriters, subject to revision, amendment and completion in a final Official Statement. By submission of its bid, the successful bidder will be deemed to have certified that it has obtained and reviewed the Preliminary Official Statement. Upon the award of the Bonds, the Municipality will publish an Official Statement in substantially the same form as the Preliminary Official Statement, subject to minor additions, deletions, and revisions as required to complete the Preliminary Official Statement.

ISSUE PRICE: The successful bidder shall assist the Municipality in establishing the issue price of the Bonds and shall execute and deliver to the Municipality at the closing for the Bonds an “issue price” or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, in a form reasonably required by the Municipality and Bond Counsel. The Municipality intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the “competitive sale requirements”) because: (a) the Municipality shall disseminate this Notice to potential underwriters in a manner that is reasonably designed to reach potential underwriters; (b) all bidders shall have an equal opportunity to bid; (c) the Municipality may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and (d) the Municipality anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice. Any bid submitted pursuant to this Notice shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. In the event that the competitive sale requirements are not satisfied, the Municipality shall advise the winning bidder. The Municipality shall treat the first price at which 10% of a maturity of the Bonds (the “10% test”) is sold to the public as the issue price on that maturity applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The winning bidder shall advise the Municipality if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The Municipality will not require bidders to comply with the “hold-the-offering-price rule” and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds. If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the Municipality the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing of the Bonds has occurred, until the 10% test has been satisfied as to the Bonds of that maturity or until all Bonds of that maturity have been sold. By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as

directed by the winning bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires. Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for the purposes of this Notice. Further, for purposes of this Notice: (a) “public” means any person other than an underwriter or a related party, (b) “underwriter” means (A) any person that agrees pursuant to a written contract with the Municipality (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public), (c) a purchaser of any of the Bonds is a “related party” to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or Interests by one entity of the other), and (d) “sale date” means the date that the Bonds are awarded by the Municipality to the winning bidder.

CONTINUING DISCLOSURE: In order to assist bidders in complying with S.E.C. Rule 15(c)2-12(b)(5), the Municipality will undertake, pursuant to the Bond Resolution and a Continuing Disclosure Agreement, to provide annual reports and notices of certain events. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the Official Statement. Failure of the Municipality to deliver the Continuing Disclosure Agreement at the time of issuance and delivery of the Bonds will relieve the successful bidder from its obligation to purchase the Bonds.

MUNICIPAL BOND INSURANCE: The Municipality has provided information to prospective bond insurance companies in order to qualify the Bonds under their respective optional bidding programs. If the successful bidder or bidders for the Bonds desires to purchase a municipal bond insurance policy insuring payment of all or a portion of the debt service payable on the Bonds, the successful bidder or bidders does so at its own risk and its own expense. The obligation of the successful bidder to pay for the Bonds shall not be conditioned on the issuance of a municipal bond insurance policy. The Municipality will cooperate with the successful bidder in obtaining such insurance, but the Municipality will not enter into any additional agreements with a bond insurer. Without limiting the generality of the foregoing, the successful bidder will be responsible

for all costs, expenses, and charges associated with the issuance of such insurance, including but not limited to the premium for the bond insurance policy.

**By order of the Mayor and Board of Aldermen of the City of Starkville, Mississippi,
on March 19, 2024.**

City of Starkville, Mississippi

/s/ Lesa D. Hardin, City Clerk

Publication Instructions:

Starkville Daily News

_____, 20____, and _____, 20____

[END OF FORM OF NOTICE]

SECTION 23. Proof of Publication. The City Clerk will obtain from the publisher of the aforesaid newspaper the customary publisher's affidavit proving publication of the Notice for the times and in the manner required by law, and such proof of publication will be filed in the City Clerk's office and exhibited before the Governing Body at the hour and date aforesaid.

SECTION 24. Continuing Disclosure. The Municipality hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement. Notwithstanding any other provision of this Bond Resolution, failure of the Municipality to comply with the Continuing Disclosure Agreement will not be considered an Event of Default pursuant to Section 17 hereof; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Municipality to comply with its obligations under this Section.

SECTION 25. Book-Entry Only System. Notwithstanding anything herein to the contrary, the Bonds will be initially issued in the form of a separate, single and fully registered Bond for each of the maturities thereof. In such case, upon initial issuance, the ownership of each such Bond will be registered in the Bond Register in the name of Cede & Co., as nominee of DTC, and except as provided in Section 26 hereof, all of the outstanding Bonds will be registered in the Bond Register in the name of Cede & Co., as nominee of DTC.

With respect to Bonds registered in the Bond Register in the name of Cede & Co., as nominee of DTC, the Municipality and the Paying Agent will have no responsibility or obligation to any participant for whom DTC is a security depository nominee ("DTC participants") or to any Person on behalf of whom such a DTC participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the Municipality and the Paying Agent will have no responsibility or obligation with respect to (a) the accuracy of the records of DTC, Cede & Co. or any DTC participant with respect to any ownership interest in the Bonds, (b) the delivery to any DTC participant or any other Person, other than a Registered Owner, as shown in the Bond Register, of any notice with respect to the Bonds, including any notice of redemption, or (c) the payment to any DTC participant or any other Person, other than a Registered Owner, as shown in the Bond Register, of any amount with respect to principal of, premium, if any, or interest on the

Bonds. Notwithstanding any other provision of this Bond Resolution to the contrary, the Municipality and the Paying Agent will be entitled to treat and consider the Person in whose name each Bond is registered in the Bond Register as the absolute owner of such Bond for the purpose of payment of principal, premium, if any, and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent, will pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Registered Owners, as shown in the Bond Register as provided in this Bond Resolution, or their respective attorneys duly authorized in writing, and all such payments will be valid and effective to fully satisfy and discharge the Municipality's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the Bond Register, will receive a Bond certificate evidencing the obligation of the Municipality to make payments of principal, premium, if any, and interest pursuant to this Bond Resolution. Upon delivery by DTC to the Paying Agent of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Bond Resolution with respect to interest checks or drafts being mailed to the Registered Owner at the close of business on the Record Date, the words "Cede & Co." in this Bond Resolution will refer to such new nominees of DTC.

SECTION 26. Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Municipality and the Paying Agent determine that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter or that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the Municipality and the Paying Agent will (a) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC participants of the appointment of such successor securities depository and transfer one or more separate Bond certificates to such successor securities depository or (b) notify DTC and DTC participants of the availability through DTC of Bond certificates and transfer one or more separate Bond certificates to DTC participants having Bonds credited to their DTC accounts. In such event, the Bonds will no longer be restricted to being registered in the Bond Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Registered Owners transferring or exchanging Bonds will designate, in accordance with the provisions of this Bond Resolution.

SECTION 27. Payments and Notices to Cede & Co. Notwithstanding any other provision of this Bond Resolution to the contrary, so long as any of the Bonds is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bond and all notices with respect to such Bond will be made and given, respectively, in the manner provided in the Representation Letter.

SECTION 28. Non-arbitrage Bond Covenants; Non-arbitrage and Federal Tax Certificate. (a) The Municipality covenants and certifies to and for the benefit of the owners of the Bonds that it will neither take any action nor omit to take any action nor make any investment or use of the proceeds from the issue and sale of the Bonds, including amounts treated as proceeds, if any, which will cause the Bonds to be classified as "arbitrage bonds" within the meaning of Section 148 of

the Code, and any regulations thereunder as such may be applicable to the Bonds, at the time of such action, investment, or use.

(b) (1) The Governing Body has made the findings indicating that no rebate relating to the Bonds will be required to be made under the Code. However, in the event it is subsequently determined for any reason that rebates should be made on the Bonds, then the Municipality will take all actions necessary in order to comply with the requirements of paragraphs (2) and (3) of Subsection 148(f) in order that none of the Bonds will be treated as an “arbitrage bond” pursuant to paragraph (1) of Subsection 148(f), including payment of all amounts, if any, required to be paid to the United States of America in accordance with and within the time limits prescribed in Subsection 148(f) and the Subsection 148(f) Regulations, the making of any and all calculations, computations, and filings required pursuant to Subsection 148(f) and the Subsection 148(f) Regulations, and the maintenance of all such records as may be required pursuant to Subsection 148(f) and the Subsection 148(f) Regulations.

(2) In order to effectuate the foregoing covenants, the Municipality hereby covenants and certifies that: (A) prior to delivery of the Bonds, it will have received written instructions from “nationally-recognized bond counsel” with respect to specific actions which will, under Subsection 148(f) and such regulations as may have been promulgated prior to delivery of the Bonds, assure compliance with such covenants; and (B) the Municipality will comply with such instructions until the Municipality will have received from “nationally-recognized bond counsel” written advice that continued compliance with such instructions is not necessary in order to avoid adversely affecting the tax-exempt status of the Bonds or alternative written instructions with respect to certain actions which will assure compliance with the covenants set forth above, in which event the Municipality will thereafter comply with all such alternative instructions.

(c) The Municipality will not intentionally use any portion of the proceeds (within the meaning of Subsection 148(a) of the Code and any regulations promulgated pursuant thereto) of the Bonds to acquire higher yielding investments (as defined in Subsection 148(a) of the Code and all regulations promulgated pursuant thereto) or to replace funds which were used directly or indirectly to acquire higher yielding investments, except to the extent specifically permitted pursuant to Section 148 of the Code and any regulations promulgated thereunder.

(d) The Municipality will not purchase or acquire any investment property with proceeds (within the meaning of Section 148 of the Code) of the Bonds in a manner or for a price which would cause any of the Bonds to be or become an “arbitrage bond” within the meaning of Section 148 of the Code and all regulations promulgated thereunder, including, without limitation, to the extent prescribed by applicable regulations, investments (regardless of yield) which do not comply with the provisions of any regulations intended to assure that obligations are acquired at their “market price” or “fair market value.”

(e) The Mayor and/or the City Clerk are hereby authorized to execute a “non-arbitrage and federal tax certificate” in connection with the sale and delivery of the Bonds, setting forth the reasonable expectations of the Municipality with respect to the investment and use of proceeds of the Bonds and also setting forth certain covenants, stipulations, and certifications with respect to the investment and expenditures of the proceeds of the Bonds, and the Municipality will comply with all certifications, stipulations, and covenants set forth in such certificate. In addition,

such officials are authorized to make such elections on behalf of the Municipality as are necessary or appropriate under the Code or the Subsection 148(f) Regulations.

SECTION 29. Private Activity Bond Covenants; Tax Covenants. (a) The Municipality will take such actions as may be necessary in order to assure that the Bonds are not “private activity bonds” within the meaning of Section 141 of the Code.

(b) No more than 10% of the Bond proceeds will be used, directly or indirectly, in a trade or business carried on by any person other than a governmental unit.

(c) No more than 10% of any property with respect to which all or any part of the Bond proceeds will be used, directly or indirectly, in a trade or business carried on by any person other than a governmental unit.

(d) None of the Bond proceeds will be 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 Bond proceeds.

(e) The amount of Bond proceeds used with respect to any private business use which is related to a governmental use of such Bond proceeds will not exceed the amount of Bond proceeds which are used for the governmental use to which such private business use relates.

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

(g) In no event will the payment of the principal of or the interest on more than 10% of the proceeds of the Bonds be (under the terms of the Bond 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.

(h) 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 of America, 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 Bonds, (2) were or are to be sold pursuant to the same plan of financing as the financing plan for the Bonds and (3) are payable directly or indirectly by the Municipality or from the source from which the Bonds are payable. The Municipality covenants and certifies that there are no additional facts or circumstances which may further evidence that the Bonds are part of any other issue of obligations.

(i) The Municipality covenants and certifies that no payment of principal of or interest on the Bonds is or will be guaranteed (in whole or in part, directly or indirectly) by the United States of America, or any agency or instrumentality thereof or any entity with statutory authority to borrow from the United States of America. The Municipality represents, warrants, and covenants that none of the bond proceeds will be: (1) 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 of America or any agency or instrumentality thereof or any entity with statutory authority to borrow from the United States of America; or (2) 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: (A) the investment of the bond proceeds 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 Bonds are being issued; (B) investments of a bona fide debt service fund (within the meaning of Subparagraph 3(B) of Subsection 149(b) of the Code); (C) investments of a reserve which meets the requirements of Subsection 148(d) of the Code; (D) investments in bonds issued by the Treasury of the United States of America; or (E) other investments permitted under regulations promulgated by the Internal Revenue Service pursuant to Subsection 149(b) of the Code.

(j) The Municipality covenants and certifies that, notwithstanding any provision of this Bond Resolution or the rights of the Municipality 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 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 limitation, the preparation and filing of any statements required to be filed by it in order to maintain such exclusion.

SECTION 30. When Computations, Deposits, or Rebate Payments Are Not Required. In the event it is determined the Bonds do not meet the requirements of paragraph (4) of Subsection 148(f), but in the event the Municipality receives an opinion of “nationally-recognized bond counsel” to the effect that any of the computations, deposits, or payments referenced herein are not required to be made in order to maintain the tax-exempt status of interest on the Bonds, the Municipality need not make such computations, deposits, or payments.

SECTION 31. Covenant Regarding Hedge Bonds. The Municipality reasonably expects that not less than 85% of the spendable proceeds of the Bonds will be used to carry out the governmental purposes of the Bonds within a three-year period beginning on the date of issuance of the Bonds. No more than 50% of the proceeds of the Bonds will be invested in non-purpose investments (as defined in Section 148(f)(6)(A) of the Code) having a substantially guaranteed yield for four years or more.

SECTION 32. Bonds as “Qualified Tax-Exempt Obligations”. Subject to confirmation in the Notice and in the Bonds, the Bonds are hereby designated as a portion of the \$10,000,000 of “qualified tax-exempt obligations” for calendar year 2024 within the meaning and for the purposes of Section 265(b)(3) of the Code.

SECTION 33. Modification or Amendment. (a) No material modification or amendment of this Bond Resolution or of any resolution amendatory hereof or supplemental hereto, may be made without the consent in writing of the Holders of 2/3rds or more in principal amount of the Bonds then outstanding; provided, however, that no modification or amendment will permit a change in the maturity of the Bonds or a reduction in the rate of interest thereon, or affect the unconditional promise of the Municipality to levy taxes in an amount sufficient to pay the interest and principal on the Bonds, as the same mature and become due, or reduce such percentage of

Holders of the Bonds required above for such modification or amendment without the consent of the Holders of all of the Bonds.

(b) The foregoing will not be construed to prohibit supplemental amendments of this Bond Resolution without the consent of Bondholders for the following purposes:

(1) to add to the covenants and agreements of the Municipality herein contained other covenants and agreements thereafter to be observed and performed by the Municipality, provided that such other covenants and agreements will not either expressly or implicitly limit or restrict any of the obligations of the Municipality contained in this Bond Resolution;

(2) to cure any ambiguity or to cure, correct or supplement any defect or inconsistent provision contained in this Bond Resolution or in any supplemental resolution or to make any provisions with respect to matters arising under this Bond Resolution or any supplemental resolution for any other purpose if such provisions are necessary or desirable and are not inconsistent with the provisions of this Bond Resolution or any supplemental resolution and do not adversely affect the interests of the Holders of the Bonds; or

(3) to subject to the pledge herein contained additional revenues or receipts.

(c) Notwithstanding any provision herein to the contrary, this Bond Resolution may be amended by resolution of the Municipality prior to the delivery of any of the Bonds with the consent of the Purchaser.

SECTION 34. Payments Due on Days Other Than Business Days. In any case where the date of maturity of interest on or principal of the Bonds or the date fixed for redemption of any Bonds, or the date on which any funds are required to be deposited into a fund pursuant hereto, will be in the city in which the principal office of the Paying Agent is located a day other than a Business Day, then payment of interest or principal, and premium, if any, or deposit into the funds pursuant hereto, need not be made on such date but will be made on the next succeeding Business Day with the same force and effect as if made on the date of maturity or the date fixed for redemption, or the date fixed for deposit into a fund, and no interest will accrue for the period after such date.

SECTION 35. Severability; Ministerial Changes. (a) If any section, paragraph, clause, or provision of this Bond Resolution shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any other provision hereof.

(b) In the event the Bonds are delivered in a year other than is shown as the year identifying the series of the Bonds, then the year identifying the series of the Bonds shall be changed to the year of delivery thereof.

SECTION 36. Post Issuance Compliance Procedures. The Municipality hereby approves and adopts the Post Issuance Compliance Procedures, substantially in the form set out in **Attachment A** hereto.

SECTION 37. Bond Insurance. The Mayor is hereby authorized within his discretion to arrange for an "Insurance Policy Commitment" from a Bond Insurer for a Bond Insurance Policy. The fees and expenses of said Insurance Policy Commitment and Bond Insurance Policy may be paid for by the Municipality and may be paid for by prospective bidders for the Bonds and the Purchaser of the Bonds. The Mayor is further authorized to execute and deliver the Insurance Policy Commitment for the provision of the Bond Insurance Policy and any additional documents and certificates which are required by the Bond Insurer to provide credit enhancement in connection with the issuance of the Bonds. Any reasonable changes, insertions, and omissions, as may be required by the Bond Insurer as conditions to the issuance of its Bond Insurance Policy, to any documents are to be approved by the Mayor, such approval being hereby authorized and the execution of the Insurance Policy Commitment for said Bond Insurance Policy being conclusive evidence of such approval. In anticipation of the issuance of the Insurance Policy Commitment by the Bond Insurer for its Bond Insurance Policy, the Municipality hereby approves (1) the engagement of the Bond Insurer and (2) the references to said Bond Insurer, the Bond Insurance Policy, and the documents related to the issuance of the 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 Bond Insurance Policy.

SECTION 38. Municipal Bond Rating. The Mayor is hereby authorized within his discretion to arrange for a municipal bond rating. The fees and expenses of said municipal bond rating shall be paid for by the Municipality. The Mayor is further authorized to execute and deliver any required documents for the provision of the municipal bond rating and any additional documents and certificates which are required by the municipal bond rating agency or agencies. Any reasonable changes, insertions, and omissions, as may be required by the municipal bond rating agency or agencies as conditions to the issuance of its municipal bond rating, to any documents are to be approved by the Mayor, such approval being hereby authorized and the execution of the documents related to such municipal bond rating being conclusive evidence of such approval. In anticipation of the municipal bond rating by the municipal bond rating agency or agencies, the Municipality hereby approves (1) the engagement of the municipal bond rating agency or agencies and (2) the references to said municipal bond rating agency or agencies and the documents related to the issuance of the Bonds in all documents associated therewith and the deletion of said references if the municipal bond rating agency or agencies should not provide the municipal bond rating.

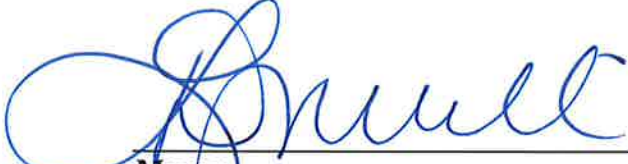
SECTION 39. Repealer; Effective Date. All orders, resolutions, or proceedings of the Governing Body in conflict with any provision hereof will be, and the same are hereby repealed, rescinded, and set aside, but only to the extent of such conflict. For cause, this Bond Resolution will become effective upon the adoption hereof.

Following the reading of the foregoing resolution and discussion thereof, Alderman Jeffery Rupp moved and Alderman Mike Brooks seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Alderman Hamp Beatty	voted: Yea
Alderman Mike Brooks	voted: Yea
Alderman Kim Moreland	voted: Yea
Alderman Roy A'. Perkins	voted: Yea
Alderman Jeffrey Rupp	voted: Yea
Alderwoman Sandra C. Sistrunk	voted: Yea
Alderman Henry N. Vaughn, Sr.	voted: Yea

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 day, March 19, 2024.

City of Starkville, Mississippi


Mayor

ATTEST:


City Clerk



Attachment A

Post Issuance Compliance Procedures

PROCEDURES FOR POST-ISSUANCE COMPLIANCE TAX-EXEMPT FINANCINGS

\$5,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2024 CITY OF STARKVILLE, MISSISSIPPI

General

The purpose of these Procedures for Post-Issuance Compliance, Tax-Exempt Financings (the “Procedures”) is to ensure that the tax-exempt financings of the City of Starkville, Mississippi (the “Municipality” or the “Issuer”) remain in compliance with the following federal tax requirements:

- Record retention
- Arbitrage yield restriction and rebate
- Proper and timely use of bond proceeds and bond-financed property
- Timely return filings
- Corrective actions
- Other general requirements

These Procedures apply to any obligations to which Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended, and any Treasury Regulations promulgated thereunder (together, as applicable, the “Code”) apply. The Issuer shall comply with any requirements set forth in the Code and subsequent rulings and other advice published by the Internal Revenue Service (the “Service” or the “IRS”), as such authorities may apply to the Issuer and its obligations.

The “Financing”

There are different types of obligations that can evidence a tax exempt loan including but not limited to bonds, notes, obligations, leases, or installment sales transactions. This document refers to “bonds” but applies to all of these types of transactions and all such debt instruments.

Responsible Parties

The Issuer designates the City Clerk of the Municipality (the “City Clerk”) and the Director of Finance of the Municipality (the “Director of Finance”) as the primary persons responsible for compliance with this policy (together, the Responsible Parties”). The Responsible Parties will coordinate efforts with the Board and parties working with the Issuer on financings and the operation of bond financed facilities to ensure that any actions taken with respect to bond financed facilities will be in compliance with the requirements of the Code and rulings of the IRS.

General Recordkeeping

The Issuer will maintain a copy of the following documents on file at all times:

- Audited Financial Statements for each years that tax-exempt bonds are outstanding
- Reports of any examinations by the IRS of the Issuer or its tax-exempt financings

for, or in relation to conduit transactions with, the Issuer

With respect to each issue of tax-exempt bonds, the Issuer hereby requires, and each Issuer agrees to retain, the following for the life of the bonds plus three years:

- Financing transcript
- Minutes and resolution(s) authorizing the issue
- Certifications of issue price
- Any formal elections (e.g., election to employ an accounting methodology other than specific tracing)
- Appraisals, demand surveys, and/or feasibility studies for bond-financed property
- Government grant documentation related to construction, renovation, or purchase of bond-financed facilities
- Municipality or bank statements regarding investment and expenditures of bond funds
- Any agreement listed in “Private Business Use” (below) that relates to a bond financed facility

Separate Bank Account

Many of the Code provisions related to tax exempt bonds pertain to how bond proceeds are invested, and when such bond proceeds are spent. The Issuer will establish a separate bank account or trust fund for bond proceeds and keep records for any such account showing:

- All expenditures on the bond-financed property
- Investment of bond proceeds

Investments and Arbitrage Compliance

Many of the Code provisions deal with restrictions if bond proceeds are invested at a yield higher than the yield on the bonds. The Responsible Parties are responsible for monitoring such investments, and taking steps to ensure compliance with the yield restriction requirements of Section 148(a) of the Code and the rebate requirements of section 148(f) of the Code. Such monitoring includes, but is not limited to:

- tracking the allocation of bond proceeds to expenditures for compliance with any temporary period and spending exceptions, no less frequently than annually
- ensuring that any forms required to be filed with the IRS relating to arbitrage or rebate and any payments required pursuant thereto are filed in a timely manner
- ensuring that “fair market value” is used with respect to the purchase and sale of investments

Additionally, the Responsible Parties shall monitor compliance with rebate and yield restriction rules on an annual basis.

With respect to each issue of tax-exempt bonds, the Issuer agrees to retain the following for the life of the bonds plus three years:

- Documentation of allocations of investments of bond proceeds and calculations of investment earnings
- Documentation for investments of bond proceeds related to:

- a) Investment contracts (e.g., guaranteed investment contracts)
 - b) Credit enhancement transactions (e.g., bond insurance contracts)
 - c) Financial derivatives (e.g., swaps, caps, etc.)
 - d) Bidding of financial products
- Documentation regarding arbitrage compliance, including:
 - a) Computation of bond yield
 - b) Computation of rebate and yield reduction payments
 - c) Form 8038-T, *Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate*
 - d) Form 8038-R, *Request for Recovery of Overpayments Under Arbitrage Rebate Provisions*

Expenditures and Assets

The Code generally requires that at least 85% of bond proceeds are to be expended on the project within three years of the date the bonds are issued.

The Responsible Parties are responsible for oversight of the expenditure of bond proceeds, including monitoring whether such expenditures are made in a timely manner for the purposes for which the bonds were authorized. The Responsible Parties will ensure that all proceeds of a bond issue are allocated to expenditures by the later of 18 months after the expenditure was made or the date the project is placed in service (and in no event, later than 60 days after (i) the fifth anniversary of the issue date or (ii) retirement of the issue).

With respect to each issue of tax-exempt bonds, the Issuer shall retain the following for the life of the bonds plus three years:

- Documentation of allocations of bond proceeds to expenditures (e.g., allocation of bond proceeds for expenditures for the construction, renovation or purchase of facilities)
- Documentation of allocations of bond proceeds to bond issuance costs
- Copies of all requisitions, draw schedules, draw requests, invoices, bills, and cancelled checks related to bond proceeds spent during the construction period
- Copies of all contracts entered into for the construction, renovation or purchase of bond-financed facilities
- Records of expenditure reimbursements incurred prior to issuing bonds for bond-financed facilities
- List or schedule of all bond-financed facilities or equipment
- Depreciation schedules for bond-financed depreciable property
- Documentation of any purchase or sale of bond-financed assets

Private Business Use

The legal and tax restrictions on private use of tax-exempt bond-financed property are set forth in detail in the applicable federal tax certificate executed in connection with the issue of tax-exempt bonds.

Generally, private use results from the sale or lease of tax-exempt bond-financed property or the granting of special legal entitlements to a private business or the Federal government. Private

business use can also result from contracts that permit private business activities to be conducted using bond-financed property or from research performed in a tax-exempt bond-financed facility for private parties or the Federal government.

Any material agreement that permits a private business or the Federal government to use tax-exempt bond-financed property should be reviewed by bond counsel prior to execution. Annually, a general review of the use of tax-exempt bond-financed facilities should be conducted. Tax-exempt bond-financed property should not be sold or leased without first consulting with bond counsel.

Corrective Action

A corrective action may be required if, for example, it is determined that bond proceeds were not properly expended, the Issuer is not in compliance with the arbitrage requirements imposed by the Code or the Issuer has taken a deliberation action that results in impermissible private business use (e.g., sale or lease of bond-financed property) or entering a management contract with a private company for that facility. If the Issuer determines or is advised that corrective action is necessary with respect to any issue of its tax-exempt obligations, the Issuer will in a timely manner:

- seek to enter into a closing agreement under the Tax-Exempt Bonds Voluntary Closing Agreement Program described in Notice 2001-60 (or any successor notice thereto)
- take remedial action described under Section 1.141-12 of the Code
- take such other action as recommended by bond counsel

Internal Revenue Service Examination of Bonds

In the event that bonds issued by the Issuer are selected for examination by the IRS, the Issuer shall retain qualified and experienced counsel to represent the Issuer and shall work with such counsel to provide such documents and information requested by the IRS as are in the possession of the Issuer.

Policy Supplemental to all Existing Policies

This Policy is supplemental to all existing policies of the Issuer.

Dated: _____, 20__

City of Starkville, Mississippi

City Clerk

Director of Finance

(seal)

Attachment B

Proof of Publication of Resolution of Intent

Starkville Daily News

May 25, 2022; June 1, 2022; June 8, 2022; and June 15, 2022

AFFP

RESOLUTION OF THE MAYOR

Affidavit of Publication

STATE OF MISSISSIPPI }
COUNTY OF OKTIBBEHA } SS

Mollie Moore, being duly sworn, says:

That she is Classified Clerk of the Starkville Daily News, a daily newspaper of general circulation, printed and published in Starkville, Oktibbeha County, Mississippi; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

May 25, 2022, June 01, 2022, June 08, 2022, June 15, 2022

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Mollie Moore

Classified Clerk

Subscribed to and sworn to me this 15th day of June 2022.

Lindsey S. Massie

Lindsey S. Massie, Notary Public, Oktibbeha County, Mississippi

My commission expires: July 22, 2022

00001631 00097480

Melinda Ryan
Watkins & Eager, PLLC (SDN)
P.O. Box 650
Jackson, MS 39205



RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DECLARING THE INTENTION TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE MUNICIPALITY, TO ISSUE A GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND OF THE MUNICIPALITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK, OR TO ENTER INTO A LOAN AGREEMENT WITH THE MISSISSIPPI DEVELOPMENT BANK, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$10,000,000, IN ONE OR MORE FEDERALLY TAXABLE OR TAX-EXEMPT SERIES, TO PROVIDE FUNDS FOR THE PURPOSE OF ERECTING OR PURCHASING WATERWORKS, GAS, ELECTRIC, AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS OR FRANCHISES, AND REPAIRING, IMPROVING, AND EXTENDING THE SAME; ALTERING OR CHANGING THE CHANNELS OF STREAMS AND WATER COURSES TO CONTROL, DEFLECT, OR GUIDE THE CURRENT THEREOF; 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; PROTECTING THE MUNICIPALITY, ITS STREETS, AND SIDEWALKS FROM OVERFLOW, CAVING BANKS, AND OTHER LIKE DANGERS; PURCHASING MACHINERY AND HEAVY EQUIPMENT WHICH WILL HAVE AN EXPECTED USEFUL LIFE IN EXCESS OF 10 YEARS, BUT SPECIFICALLY NOT INCLUDING ANY MOTOR VEHICLES WEIGHING LESS THAN 12,000 POUNDS; DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION; 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:

It is necessary and in the public interest to issue debt obligations of the Municipality to provide funds for the purpose of (i) erecting or purchasing waterworks, gas, electric, and other public utility plants or distribution systems or franchises, and repairing, improving, and extending the same; altering or changing the channels of streams and water courses to control, deflect, or guide the current thereof; 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; protecting the Municipality, its streets, and sidewalks from overflow, caving banks, and other like dangers; purchasing machinery and heavy equipment which will have an expected useful life in excess of 10 years, but specifically not including any motor vehicles weighing less than 12,000 pounds (the "Authorized Purposes"); (ii) funding a capitalized interest account, if necessary; and, (iii) paying the costs of the authorization, issuance, sale, validation, and delivery of the debt obligations (together, the "Project").

The Municipality is authorized by Sections 2133301 et seq., Mississippi Code of 1972, as amended (the "Municipal Improvements Act"), to issue general obligation public improvement bonds of the Municipality for the Project in the maximum aggregate principal amount of \$10,000,000, in one or more federally taxable or tax-exempt series (the "Bonds"), and for which purpose there are no other available funds on hand.

The assessed value of all taxable property within the Municipality, according to the last completed assessment for taxation, is \$298,238,298. The Municipality has outstanding bonded indebtedness subject to the 15% debt limit proscribed by the Municipal Improvements Act, in the amount of \$23,907,000, and outstanding bonded and floating indebtedness subject to the 20% debt limit proscribed by the Municipal Improvements Act (which amount includes the sum set forth above subject to the 15% debt limit), in the amount of \$24,730,842. The issuance of the bonded indebtedness hereinafter proposed to be issued, when added to the outstanding bonded indebtedness of the Municipality, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid 15% debt limit, of more than 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 20% debt limit, in excess of 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.

Under the provisions of the Municipality Improvements Act, Sections 31-25-1 et seq., Mississippi Code of 1972, as amended (the "Bank Act"), and other applicable laws of the State of Mississippi (the "State"), the Municipality is authorized to undertake activities for the Project and to provide for the payment of the costs thereof, or any portion of such costs, by issuing a general obligation public improvement bond or general obligation public improvement bonds of the Municipality in the maximum aggregate principal amount of \$10,000,000, in one or more federally taxable or tax-exempt series (the "Qualified Obligation"), for sale to the Mississippi Development Bank (the "Bank"), or entering into a loan agreement and obtaining a loan from the Bank for the Project in the maximum aggregate principal amount of \$10,000,000, in one or more federally taxable or tax-exempt series (the "Loan").

The Municipality reasonably expects that it will incur expenditures for the Project for which the Municipality will advance internal funds prior to the issuance of the Bonds, the Qualified Obligation, or the Loan, and that it should declare its official intent to reimburse itself for all or a portion of such expenditures of 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 OF THE MUNICIPALITY AS FOLLOWS:

This resolution is adopted pursuant to the Municipal Improvements Act, the Bank Act, and other applicable laws of the State (together, the "Act").

- The Governing Body, acting for and on behalf of the Municipality, does hereby declare its intention to issue and sell the Bonds or the Qualified Obligation or enter into the Loan, pursuant to the Act.

SECTION 3. The Bonds or the Qualified Obligation, if issued, will be general obligations payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a tax to be levied annually, if necessary, 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 Bonds according to the terms thereof. The Loan, if issued, will be payable from the legally available revenues of the Municipality. Other funds available to the Municipality which may be lawfully used for payment of the principal of and interest on the Bonds, Qualified Obligation, or the Loan, if issued, include, but are not limited to, use taxes remitted from the State to the Municipality as a result of the Infrastructure Modernization Act of 2018, House Bill 1, 2018 First Extraordinary Session.

- Pursuant to Section 1.150-2 of the Treasury Regulations (the "Reimbursement Regulations"), the Governing Body hereby declares its official intent to reimburse expenditures made for the Project prior to the issuance of the Bonds, the Qualified Obligation, or the Loan with the proceeds of the Bonds, the Qualified Obligation, or the Loan, to the extent permitted by the Reimbursement Regulations.

- The Governing Body proposes to direct the issuance of the Bonds, the Qualified Obligation, or the Loan in the amount, for the purpose, and secured as aforesaid, at a meeting of the Governing Body to be held at its regular meeting place and time at City Hall located at 110 West Main Street in the Municipality on Tuesday, June 21, 2022, at 5:30 p.m., or at some meeting held subsequent thereto. If 20%, or 1,500, whichever is less, of the qualified electors of the Municipality shall file with the City Clerk of the Municipality a written protest against the issuance of the Bonds, the Qualified Obligation, or the Loan on or before the aforesaid date and hour, then the Bonds, the Qualified Obligation, or the Loan shall not be issued unless authorized at an election to be called and held as provided by law on the question of the issuance of the Bonds, the Qualified Obligation, or the Loan. If no sufficient protest is filed, then the Bonds, the Qualified Obligation, or the Loan may be issued without an election on the question of the issuance thereof at any time within a period of 2 years after the date above specified.

- This resolution shall be published once a week for at least 3 consecutive weeks in the Starkville Daily News, a newspaper published in the Municipality 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 of this resolution shall be made not less than 21 days prior to the date fixed herein for the issuance of the Bonds, the Qualified Obligation, or the Loan, and the last publication shall be made not more than 7 days prior to such date.

The City Clerk shall be and is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and have the same before the Governing Body on the date and hour specified in Section 5 hereof.

If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

Following the reading of the foregoing resolution and discussion thereof, Alderman Hamp Beatty moved and Alderman Jeffrey Rupp seconded the motion to adopt the

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

Alderman Hamp Beatty	voted: Aye
Alderman Mike Brooks	voted: Aye
Alderman Ben Carver	voted: Aye
Alderman Roy A. Perkins	voted: Aye
Alderman Joffrey Rupp	voted: Aye
Alderman Sandra C. Sistrunk	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 this day, May 17, 2022.

City of Starkville, Mississippi

/s/Lynn Spruill

Mayor

ATTEST:

/s/Lesa Hardin

City Clerk

Publication Instructions:

Starkville Daily News

May 25, 2022; June 1, 2022; June 8, 2022; and June 15, 2022

Attachment C

Preliminary Official Statement

This Preliminary Official Statement and certain of the information contained herein is in a form deemed final for purposes of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (except for the omission of certain information permitted to be omitted under Rule 15c2-12(b)(1)). This Preliminary Official Statement and the information contained herein are subject to completion or amendment. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or a solicitation of an offer to buy, nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

PRELIMINARY OFFICIAL STATEMENT DATED MARCH 21, 2024

NEW ISSUE-BOOK-ENTRY ONLY

UNDERLYING RATING: _____ (Moody's)
(See "BOND RATING" herein)

In the opinion of Bond Counsel, under existing laws, regulations, rulings, and judicial decisions, and assuming the accuracy of certain representations and continuous compliance with certain covenants described herein, interest on the Bonds (defined below) is excludable from gross income under federal income tax laws pursuant to Section 103 of the Internal Revenue Code of 1986, as amended. Bond Counsel is further of the opinion that under existing law, interest on the Bonds earned by the respective owners thereof is exempt from State of Mississippi income taxes. For a more complete description, see "TAX MATTERS" herein.

\$5,000,000

GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2024 (STREET IMPROVEMENTS PROJECT) CITY OF STARKVILLE, MISSISSIPPI

DATED: Date of Delivery.

DUE: _____ 1, as shown below

The City of Starkville, Mississippi (the "Municipality") is issuing its \$5,000,000 General Obligation Public Improvement Bonds, Series 2024 (Street Improvements Project) (the "Bonds") (a) to provide funds for the Authorized Purposes (as defined herein), and (b) to pay the costs of authorization, issuance, sale, validation, and delivery of the Bonds. See "THE BONDS – Purpose and Authorization" herein for more information regarding the purposes of the Bonds.

The Bonds are issuable as fully-registered bonds in the denomination of \$5,000 or any integral multiple thereof in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds under a book-entry-only system maintained by DTC through brokers and dealers who are, or act through, DTC participants. Purchasers will not be entitled to receive physical delivery of the Bonds. For so long as any purchaser is the beneficial owner of a Bond, such purchaser must maintain an account with a broker or dealer who is, or acts through, a DTC participant in order to receive payment of principal of and interest on such Bond. The Bonds mature in each of the years and in the amounts, and bear interest at the rates as set forth on the inside cover page. Interest on the Bonds is payable semiannually each _____ 1 and _____ 1, commencing _____, 20____, _____, _____, _____, will serve as the Registrar and Paying Agent for the Bonds.

The principal of the Bonds will be payable upon maturity at the corporate trust office of the Paying Agent and interest on the Bonds will be paid by check to the Paying Agent dated the due date and mailed or delivered on or before the Business Day prior to each Interest Payment Date to the Registered Owners of record as of the close of business on the most recent Record Date or, at the written election of the Registered Owner of \$1,000,000 or more in aggregate principal amount of Bonds delivered to the Paying Agent at least one Business Day prior to the Record Date for which such election will be effective, by wire transfer to such Registered Owner or by deposit into the account of such Registered Owner if such account is maintained by the Paying Agent.

The Bonds are being offered for sale in accordance with the official Notice of Bond Sale dated April 4, 2023 (the "Notice of Bond Sale").

Sealed or electronic bids for the Bonds will be received until the hour of 11:00 a.m., C.D.T., on Tuesday, _____, 2024, by the Municipality as described in the Notice of Bond Sale herein. The City Clerk will act on behalf of the Governing Body to receive sealed bids at the aforesaid date, time, and place.

The Bonds [are/are not] being offered as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986.

This cover page contains certain information for quick reference only. It is not a summary of the issue. Investors should read the entire Official Statement to obtain information essential to the making of an informed investment decision.

The Bonds are offered subject to the final approval of the legality thereof by Watkins & Eager PLLC, Jackson, Mississippi, as Bond Counsel, and Mitchell, McNutt & Sams, Columbus, Mississippi, as Counsel to the Municipality. Stephens Inc., Ridgeland, Mississippi, is serving as the Independent Registered Municipal Advisor to the Municipality in connection with the issuance of the Bonds. It is expected that the Bonds will be available for delivery in book type and entry-only form delivered to DTC, on or about _____, 2024.

Interest payable on _____, 20__, and semiannually thereafter on _____ 1 and _____ 1 of each year. The Bonds, in registered form and in the denomination of \$5,000 each, or integral multiples thereof up to the amount of a single maturity, will mature on _____ 1, with option of prior payment, in the years and principal amounts as follows:

Maturity Schedule

Year of Maturity	Principal Amount	Interest Rate
2025	\$_____	_____ %
2026	\$_____	_____ %
2027	\$_____	_____ %
2028	\$_____	_____ %
2029	\$_____	_____ %
2030	\$_____	_____ %
2031	\$_____	_____ %
2032	\$_____	_____ %
2033	\$_____	_____ %
2034	\$_____	_____ %

For purposes of compliance with Rule 15c2-12 (“Rule 15c2-12”) of the U.S. Securities and Exchange Commission, this document, as the same may be supplemented or corrected by the City of Starkville, Mississippi (the “Municipality”), from time to time (collectively, the “Official Statement”), may be treated as an “Official Statement” with respect to the Bonds described herein that is deemed final as of the date hereof (or as of the date of any such supplement or correction) by the Municipality. The Official Statement, when further supplemented by a Final Official Statement specifying the interest rates, principal amounts, in the aggregate and per maturity, and delivery dates of the Bonds, together with any other information required by law, shall constitute a “Final Official Statement” of the Municipality with respect to the Bonds, as that term is defined in Rule 15c2-12. Any addendum or amendment shall, on and after the date thereof, be fully incorporated herein and made a part hereof by reference.

This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of the Bonds by any person in any jurisdiction in which it is unlawful to make such offer, solicitation, or sale. No dealer, broker, salesperson, or other person has been authorized by the Mayor and Board of Aldermen of the Municipality (the “Governing Body”) to give any information or to make any representation, other than as contained in this Official Statement, in connection with the offering described herein, and if given or made, such other information or representation must not be relied upon as having been authorized by the Governing Body. This Official Statement is submitted in connection with the sale of the Bonds described herein, and may not be reproduced, used, or relied upon, in whole or in part, for any other purpose.

CERTAIN INFORMATION CONTAINED IN THIS OFFICIAL STATEMENT MAY HAVE BEEN OBTAINED FROM SOURCES OTHER THAN RECORDS OF THE MUNICIPALITY AND, WHILE BELIEVED TO BE RELIABLE, IS NOT GUARANTEED AS TO COMPLETENESS OR ACCURACY. THE INFORMATION AND EXPRESSIONS OF OPINION IN THIS OFFICIAL STATEMENT ARE SUBJECT TO CHANGE, AND NEITHER THE DELIVERY OF THIS OFFICIAL STATEMENT NOR ANY SALE MADE HEREUNDER SHALL CREATE ANY IMPLICATION THAT THERE HAS BEEN NO CHANGE IN THE AFFAIRS OF THE MUNICIPALITY SINCE THE DATE HEREOF.

Reference herein to laws, rules, regulations, resolutions, agreements, reports, and other documents do not purport to be comprehensive or definitive. All references to laws, rules, regulations, agreements, reports, and other documents are qualified in their entirety by reference to the particular laws, rules, regulations, agreements, reports, and other documents, the full text of which may contain qualifications of and exceptions to statements made herein. Where full texts have not been included as appendices to this Official Statement, they will be furnished on request.

The Bonds will not be registered under the Securities Act of 1933, as amended, or any state securities law, and the same will not be listed on any stock or other securities exchange. Neither the U.S. Securities and Exchange Commission nor any other federal, state, or other governmental entity or agency will have passed upon the accuracy or adequacy of this Official Statement or approved the Bonds for sale. Any representation to the contrary is a criminal offense.

IN MAKING AN INVESTMENT DECISION, INVESTORS MUST RELY ON THEIR OWN EXAMINATION OF THE MUNICIPALITY AND THE TERMS OF THE OFFERING, INCLUDING THE MERITS AND RISKS INVOLVED. THESE SECURITIES HAVE NOT BEEN RECOMMENDED BY ANY FEDERAL OR STATE SECURITIES COMMISSION OR REGULATORY AUTHORITY. FURTHERMORE, THE FOREGOING AUTHORITIES HAVE NOT CONFIRMED THE ACCURACY OR DETERMINED THE ADEQUACY OF THIS DOCUMENT. ANY REPRESENTATION TO THE CONTRARY IS A CRIMINAL OFFENSE.

**CAUTIONARY STATEMENTS REGARDING
FORWARD-LOOKING STATEMENTS IN
THIS OFFICIAL STATEMENT**

This Official Statement contains statements which should be considered “forward-looking statements,” meaning they refer to possible future events or conditions. Such statements are generally identifiable by the use of the future tense or by terms such as “may,” “intend,” “will,” “expect,” “forecast,” “project,” “anticipate,” “estimate,” “plan,” “budget,” “believe,” “should,” “strategy,” “position,” or the negative of such terms or variations of such words or similar expressions. In particular, any statements, express or implied, concerning future operating results or the ability to generate funds to service indebtedness are forward-looking statements. Investors are cautioned that reliance on any of those forward-looking statements involves risks and uncertainties and that, although the Governing Body believes that the assumptions on which those forward-looking statements are based are reasonable, any of those assumptions could prove to be inaccurate. Those forward-looking statements, including forecasts, projections, and estimates, are based on currently available information, expectations, estimates, assumptions, and projections, and the Governing Body’s judgment about future expenses of operations and general economic conditions. The forward-looking statements are not guarantees of future performance. Actual results may vary materially and adversely from what is contained in a forward-looking statement. Factors which may cause results different from those expected or anticipated include, among others, increases in costs of operation, decreases in levels of State financial support, general economic and business conditions, and various other events, conditions, and circumstances, many of which are beyond the control of the Municipality. As a result, the forward-looking statements based on those assumptions also could be incorrect, and actual results may differ materially and adversely from any results indicated or suggested by those assumptions.

Although the Municipality believes in making any such forward-looking statement, and its expectations are based on assumptions considered reasonable by the Municipality, any such forward-looking statement involves uncertainties and is qualified in its entirety by reference to factors both identified within this Official Statement and from publicly available sources about trends in municipal government that could cause the actual financial operating results of the Municipality to differ materially and adversely from those contemplated in such forward-looking statements.

Any forward-looking statement speaks only as of the date such statement is made, and the Municipality undertakes no obligation to update any forward-looking statement in this Official Statement to reflect events or circumstances after the date of this Official Statement or to reflect the occurrence of unanticipated events. New factors arise or emerge from time to time, and it is not possible for the Municipality to predict all such factors, nor can it assess the impact of each such factor or the extent to which any factor, or combination of factors, may cause results to differ materially and adversely from those contained in any forward-looking statement.

TABLE OF CONTENTS

CITY OFFICIALS AND PROFESSIONALS.....	1
INTRODUCTION	1
THE BONDS	1
Purpose and Authorization.....	1
Security	2
Redemption	2
1995 Constitutional Amendment	2
CONTINUING DISCLOSURE.....	3
AUDITORS	4
MISCELLANEOUS AND LEGAL INFORMATION	4
No Default on Securities	4
No Bond Proceeds for Current Operating Expenses.....	4
Legal Proceedings	4
Bond Insurance	5
Sovereign Immunity.....	5
Validation.....	5
Approval of Legal Proceedings	5
Tax Matters.	6
Impact of COVID-19 on the Municipality.....	8
Cyber Security Management.....	9
Miscellaneous	10

**APPENDIX A – ECONOMIC AND DEMOGRAPHIC INFORMATION OF THE
MUNICIPALITY**

**APPENDIX B –COMBINED BUDGETS FOR PUBLICATION FOR THE FISCAL
YEAR ENDED SEPTEMBER 30, 2023, AND THE FISCAL YEAR
ENDING SEPTEMBER 30, 2024**

**APPENDIX C – AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR
ENDED SEPTEMBER 30, 2022**

APPENDIX D – FORM OF BOND COUNSEL OPINION

APPENDIX E – FORM OF CONTINUING DISCLOSURE AGREEMENT

APPENDIX F – NOTICE OF BOND SALE

APPENDIX G – BOND RESOLUTION

CITY OF STARKVILLE, MISSISSIPPI

BOARD OF ALDERMEN

**Hamp Beatty
Mike Brooks
Kim Moreland
Roy A'. Perkins
Jeffrey Rupp
Sandra C. Sistrunk
Henry N. Vaughn, Sr.**

MAYOR

Lynn Spruill

CITY CLERK

Lesa Hardin

ATTORNEY FOR CITY OF STARKVILLE

**Berkley N. Huskison, Esq.
Mitchell McNutt & Sams, P.A.
Columbus, Mississippi**

WATKINS, WARD AND STAFFORD, PLLC

**CERTIFIED PUBLIC ACCOUNTANTS
Starkville, Mississippi**

WATKINS & EAGER PLLC

**Jackson, Mississippi
Bond Counsel**

STEPHENS INC.

**Ridgeland, Mississippi
Municipal Advisor**

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OFFICIAL STATEMENT

\$5,000,000

GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2024 (STREET IMPROVEMENTS PROJECT) CITY OF STARKVILLE, MISSISSIPPI

INTRODUCTION

The purpose of this Official Statement is to set forth certain information in connection with the sale of the General Obligation Public Improvement Bonds, Series 2024 (Street Improvements Project), dated and issued _____, 2024, in the principal amount of \$5,000,000 (the “Bonds”), of the City of Starkville, Mississippi (the “Municipality”).

Reference is made to the Act as hereinafter defined, the Bond Resolution as hereinafter defined, and any and all modifications and amendments thereof for a description of the nature and extent of the security for the Bonds, the pledge of tax revenues for the payment of the principal of and interest on the Bonds, the nature and extent of said pledge and the terms and conditions under which the Bonds are issued.

THE BONDS

Purpose and Authorization. The Bonds are being issued to provide funds for the purpose of providing funds for erecting or purchasing waterworks, gas, electric, and other public utility plants or distribution systems or franchises, and repairing, improving, and extending the same; altering or changing the channels of streams and water courses to control, deflect, or guide the current thereof; 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; protecting the Municipality, its streets, and sidewalks from overflow, caving banks, and other like dangers; purchasing machinery and heavy equipment which will have an expected useful life in excess of 10 years, but specifically not including any motor vehicles weighing less than 12,000 pounds (the “Authorized Purposes”).

The Bonds will be issued pursuant to the provisions of Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended, and other applicable laws of the State (together, the “Act”), and resolutions adopted by the Mayor and Board of Aldermen (the “Governing Body”) on May 17, 2022, June 21, 2022, and March 19, 2024, authorizing and directing the issuance of the Bonds (together, the “Bond Resolution”).

In order to issue the Bonds, the Governing Body adopted a resolution declaring its intention to issue the Bonds and gave notice of such intention by publication of said resolution in a newspaper published and of general circulation in the Municipality. If 20%, or 1,500, whichever had been less, of the qualified electors of the Municipality had filed a written protest against the issuance of the Bonds on or before the date specified in said resolution, an election on the question of the issuance of the Bonds would have been held. June 21, 2022, was set by the Governing Body as the date on or before which written protest was required to have been filed.

No written protest having been received on or before said date, the Governing Body is now authorized and empowered by the Act to issue the Bonds without the necessity of calling and holding an election on the question of the issuance thereof.

Security. The Bonds shall be general obligations of the Municipality payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to rate or amount upon all the taxable property within the geographical limits of the Municipality. To the extent other moneys are not available, the Municipality will levy annually a direct and continuing tax upon all taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, will be adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due; provided, however, that such tax levy for any year shall be abated *pro tanto* to the extent the Municipality on or prior to September 1 of that year has transferred money to the Bond Fund (as defined in the Bond Resolution), or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds due during the ensuing fiscal year of the Municipality, in accordance with the provisions of the Bond Resolution.

Provided, however, any other funds available to the Municipality which may be lawfully used for payment of the principal of, premium, if any, and interest on the Bonds, and which the Governing Body, in its discretion, may direct to be deposited into the Bond Fund, including, but not limited to, use taxes remitted from the State to the Municipality as a result of the Infrastructure Modernization Act of 2018, House Bill 1, 2018 First Extraordinary Session, and any amendments thereto, codified as Sections 27-67-1 *et seq.*, Mississippi Code of 1972, as amended. Should there be a failure in any year to comply with the requirements of this Section, such failure will not impair the right of the Registered Owners of any of the Bonds in any subsequent year to have adequate taxes levied and collected to meet the obligations of the Bonds, both as to principal and interest.

Redemption. Bonds maturing after _____ 1, 20__, are subject to redemption prior to their respective maturities at the election of the Municipality on and after _____ 1, 20__, either in whole or in part on any date, with the maturities and principal amounts thereof to be determined by the Municipality, at the principal amount thereof together with accrued interest to the date fixed for redemption. Notice of each such redemption shall be mailed, postage prepaid, not less than 30 days prior to the redemption date, to all Registered Owners of the Bonds to be redeemed at their addresses as they appear on the registration books of the Municipality kept by the Paying Agent (as defined herein). If less than all of the outstanding Bonds of a maturity are to be redeemed, the particular Bonds to be redeemed shall be selected by the Paying Agent by lot or random selection in such manner as it shall deem fair and appropriate. The Paying Agent may provide for the selection of portions of the principal of the Bonds (in integral multiples of \$5,000), and for all purposes of this Bond Resolution, all provisions pertaining to the redemption of the Bonds shall relate, in the case of any Bond redeemed or to be redeemed only in part, to the portion of the principal of such Bond which has been or is to be redeemed.

1995 Constitutional Amendment. The qualified electors of the State of Mississippi (the “State”) voted in a general election held on November 7, 1995, to amend the Mississippi Constitution of 1890 to add the following new Section 172A (the “Amendment”):

SECTION 172A. Neither the Supreme Court nor any inferior court of this state shall have the power to instruct or order the state or any political subdivision thereof, or an official of the state or any political subdivision, to levy or increase taxes.

The Amendment does not affect the underlying obligation to pay the principal of and interest on the Bonds as they mature and become due nor does it affect the obligation to levy a tax sufficient to accomplish that purpose. However, even though it appears that the Amendment was not intended to affect bondholders' remedies in the event of a payment default, it potentially prevents bondholders from obtaining a writ of mandamus to compel the levying of taxes to pay the principal of and interest on the Bonds in a court of the State. It is not certain whether the Amendment would affect the right of a federal court to direct the levy of a tax to satisfy a contractual obligation. Other effective remedies are available to the bondholders in the event of a payment default with respect to the Bonds. For example, bondholders can seek a writ of mandamus to compel the Municipality to use any legally available moneys to pay the debt service on the Bonds, and if such writ of mandamus is issued and public officials fail to comply with such writ, then such public officials may be held in contempt of court. In addition, pursuant to the Mississippi Constitution §175, all public officers who are guilty of willful neglect of duty may be removed from office.

Book-Entry System. The Bonds will be available to purchasers under the Book-Entry System maintained by The Depository Trust Company, New York, New York (“DTC”), which will act as securities depository for the Bonds. Purchasers will not be entitled to receive physical delivery of the Bonds. For so long as any purchaser is a beneficial owner of a Bond, such purchaser must maintain an account with a broker or dealer who is, or acts through, a DTC participant in order to receive payment of principal of and interest on such Bonds.

In the event the Bonds are no longer held under the Book-Entry System, bond certificates registered in the name of DTC or its nominee will be cancelled and the Municipality will execute and deliver Bonds to the Beneficial Owners as shown on the records of the DTC Participants. See **Appendix G** for a description of the payment, registration, transfer, and exchange provisions for the Bonds if the Book-Entry System is discontinued.

CONTINUING DISCLOSURE

The Municipality will enter into a Continuing Disclosure Agreement for the benefit of holders of the Bonds wherein the Municipality will agree to provide annually its audited financial statements and certain financial information and operating data relating to the Municipality (the “Annual Report”), and to provide notices through the Electronic Municipal Market Access (“EMMA”) system established by the Municipal Securities Rulemaking Board (the “MSRB”) (or such other system as may be subsequently authorized by the MSRB). The Annual Report and notices of material events will be filed by the Municipality through the EMMA system (or such other system as may be subsequently authorized by the MSRB). The specific nature of the information to be contained in the Annual Report or the notices of material events and the other provisions of the Continuing Disclosure Agreement are set forth in **Appendix E**. A failure by the Municipality to comply with the Continuing Disclosure

Agreement must be reported in accordance with the Rule 15c2-12 (the “Rule”) promulgated by the Securities and Exchange Commission of the United States of America and must be considered by any broker, dealer, or municipal securities dealer before recommending the purchase or sale of the Bonds in the secondary market. Consequently, such a failure may adversely affect the transferability and liquidity of the Bonds and their market price.

The Municipality is responsible for making continuing disclosure filings, which include annual reports containing certain financial information and operating data relating to the Municipality and audited financial statements for each fiscal year. Pursuant to prior written disclosure undertakings, the Municipality is responsible for filing its annual reports and audited financial statements within 12 months of the end of its fiscal year of September 30. The Municipality has consistently timely filed its annual reports containing certain financial information and operating data relating to the Municipality. The Municipality has failed in recent fiscal years to timely file its audited financial statements for the fiscal years September 30, 2018, to September 30, 2022, and has filed notices of failure to timely file audited financial statements when applicable. The Municipality has filed its audited financial statements for the fiscal year ended September 30, 2022, on _____, 2024.

The Municipality's intention is to file the information required under the continuing disclosure undertaking for the Bonds and its prior obligations in a complete and timely manner and has retained an independent agent to monitor compliance throughout the term of the Bonds.

AUDITORS

The financial statements of the City as of September 30, 2022, have been audited by Watkins, Ward and Stafford, PLLC, Certified Public Accountants, Starkville, Mississippi, independent certified public accountants, as set forth in their report attached as **Appendix C**. Watkins, Ward and Stafford, PLLC, has not performed any procedures relating to this Official Statement.

MISCELLANEOUS AND LEGAL INFORMATION

No Default on Securities. No securities of the Municipality have been in default as to principal or interest payments or in any other material respect at any time in at least the last 25 years. No principal or interest on any obligation of the Municipality is past due.

No Bond Proceeds for Current Operating Expenses. No proceeds from the sale of securities (except tax anticipation notes issued against revenues of a current fiscal year) have been used for current operating expenses at any time in at least the last ten years.

Legal Proceedings. There are no pending legal proceedings which might be expected to affect the Municipality's ability to fulfil its obligations to the Registered Owners of the Bonds.

Municipal Bond Insurance Policy. Pursuant to the Bond Resolution, the Governing Body has authorized prospective bidders, at their sole expense, to obtain a municipal Bond Insurance Policy (as defined and described in the Bond Resolution) to guarantee the payments of the principal of and interest on the Bonds.

Sovereign Immunity. In 1982, in *Pruett v. City of Rosedale*, the Mississippi Supreme Court (the “Supreme Court”) abolished the judicial common law doctrine of sovereign immunity, effective July, 1984, and invited a legislative response by creation of statutory sovereign immunity. In 1984, the Legislature enacted a tort claims act (the “Tort Claims Act”) that gave statutory sovereign immunity to the State and its political subdivisions, and then provided for a limited and capped waiver of that immunity.

The Tort Claims Act, as amended, provides a broad statutory sovereign immunity for acts and omissions of governmental entities, whether governmental, proprietary, discretionary or ministerial, including for breach of an implied contract, and without regard to whether a fee, charge or other consideration was paid. The Tort Claims Act waives this statutory sovereign immunity up to certain maximum limits of liability, except for specified circumstances; the maximum liability arising out of a single occurrence is \$500,000 for claims arising on or after July 1, 2001. Attorney fees and punitive damages are not allowed unless otherwise specifically authorized by law; trial of claims arising under the Tort Claims Act shall be conducted without a jury; a claimant must exhaust his administrative remedies before he files suit, and he must file within one year after the cause of action arises; governmental entities and their employees acting within the course and scope of their employment shall not be liable for any claims under specified circumstances; all political subdivisions must purchase liability insurance or set up self-insurance reserves sufficient to cover risks of claims under the Tort Claims Act; all governmental entities may purchase liability insurance in excess of the maximum liability and immunity shall be waived to the extent of the excess liability insurance; and any two or more political subdivisions may enter into agreement to pool liabilities through insurance or self-insurance reserves.

Under existing law, the defense of sovereign immunity would not be available to the Municipality against a claim for payment, when due, of principal of or interest on the Bonds.

Validation. Pursuant to Sections 31-13-1 *et seq.*, Mississippi Code of 1972, as amended, the Bonds have been submitted to validation as provided by Sections 31-13-1 *et seq.*, Mississippi Code of 1972, as amended, an opinion of the State Bond Attorney was delivered on July 7, 2022, and a Validation Judgement was entered on August 10, 2022.

Approval of Legal Proceedings. All legal matters in connection with the authorization and issuance of the Bonds are subject to the final approval of the legality thereof by Watkins & Eager PLLC, Jackson, Mississippi (“Bond Counsel”). Copies of such opinion will be available at the time of delivery of the Bonds. No representation is made to the Registered Owners of the Bonds that Bond Counsel has verified the accuracy, completeness, or fairness of the statements in the Official Statement and Bond Counsel assumes no responsibility to the Registered Owners of the Bonds except for the matters set forth in such opinion.

TAX MATTERS

Tax Exemption.

State Tax Exemption. Bond Counsel is further of the opinion that under and pursuant to the Act, the Bonds and interest thereon are exempt from all income taxes imposed by the State and any county, municipality, and other political subdivision of the State.

Exclusion from Gross Income Pursuant to Section 103 of the Internal Revenue Code. The Internal Revenue Code of 1986, as amended (the “Code”), and the applicable regulations promulgated thereunder (the “Regulations”), include requirements which the Municipality must continue to meet after the issuance of the Bonds in order that interest on the Bonds not be included in gross income for federal income tax purposes. The Municipality's failure to meet these requirements may cause interest on the Bonds to be included in gross income for federal income tax purposes retroactive to their date of issuance. The Municipality has covenanted in the Bond Resolution to comply with the requirements of the Code in order to maintain the exclusion of interest on the Bonds from gross income for federal income tax purposes.

In the opinion of Bond Counsel, assuming compliance by the Municipality with the tax covenants referred to above, under existing statutes, regulations, rulings, and court decisions, interest on the Bonds is excludable from gross income of the owners thereof for federal income tax purposes and interest on the Bonds is not an item of tax preference for purposes of the federal alternative minimum tax; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Code) for the purpose of computing the alternative minimum tax imposed on corporations for tax years beginning after December 31, 2022.

The opinion of Bond Counsel described in the preceding paragraph is subject to the condition that the Municipality comply with all requirements of the Code and the Regulations, including, without limitation, certain limitations on the use, expenditure, and investment of the proceeds of the Bonds and the obligation to rebate certain earnings on investments of proceeds to the United States of America, that must be satisfied subsequent to the issuance of the Bonds in order that interest thereon be, or continue to be, excludable from gross income for federal income tax purposes. The Municipality has covenanted to comply with each such requirement. Failure to comply with certain of such requirements may cause the interest on the Bonds to be includable in gross income for federal income tax purposes retroactive to the date of issuance of the Bonds.

Section 265(b)(1) of the Code provides that financial institutions may not deduct the portion of their otherwise allowable interest expense allocable to tax exempt obligations acquired after August 7, 1986 (other than “qualified tax-exempt obligations” as defined in Section 265(b)(3) of the Code). The Municipality [has/has not] designated the Bonds as “qualified tax-exempt obligations” pursuant to Section 265(b)(3)(B) of the Code.

Bond Counsel will not address or opine with respect to any federal tax consequences arising with respect to the Bonds, other than its opinion with respect to the exclusion of interest on the Bonds from gross income for federal income tax purposes pursuant to Section 103 of the

Code and its opinion that the Bonds are not “specified private activity bonds.” Prospective investors, particularly those who may be subject to special rules, are advised to consult their own tax advisors regarding the federal tax consequences of owning and disposing of the Bonds, as well as any tax consequences arising under the laws of any state or other taxing jurisdiction.

Original Issue Premium. Bonds purchased, whether at original issuance or otherwise, for an amount greater than their principal amount payable at maturity (or, in some cases, at their earlier call date) (the “Series 2024 Premium Bonds”) will be treated as having amortizable bond premium. No deduction is allowable for the amortizable bond premium in the case of bonds, like the Series 2024 Premium Bonds, the interest on which is excluded from gross income for federal income tax purposes. However, the amount of tax-exempt interest received, and a holder's basis in a Series 2024 Premium Bond, will be reduced by the amount of amortizable bond premium properly allocable to such holder. Holders of Series 2024 Premium Bonds should consult their own tax advisors with respect to the proper treatment of amortizable bond premium in their particular circumstances.

Future Federal Legislation. The federal government is considering various legislative proposals for reducing the federal budget deficit and the federal debt and promoting economic growth, and some of these proposals, if enacted, could affect the tax-exempt status and/or market price or marketability of state and local bonds, such as the Bonds. In addition, future legislative proposals, if enacted into law, clarification of the Code or court decisions may cause interest on the Bonds to be subject, directly or indirectly and retroactively, to federal income taxation or to be subject to or exempted from state income taxation, or otherwise prevent holders from realizing the full current benefit of the tax status of such interest. The introduction or enactment of any such future legislative proposals, clarification of the Code or court decisions may also affect the market price for, or marketability of, the Bonds. Prospective purchasers of the Bonds should consult their own tax advisors regarding any pending or proposed federal or state tax legislation, regulations or litigation, as to which Bond Counsel expresses no opinion.

In addition, prospective purchasers of the Bonds should consult their own tax advisors as to the applicability and effect on their federal income taxes of the federal alternative minimum tax, the environmental tax, the branch profits tax and the tax on passive investment income of corporations, as well as the applicability and effect of any other collateral federal income tax consequences.

United States Bankruptcy Code. The undertakings of the Municipality should be considered with reference to Chapter 9 of the Bankruptcy Code, 11 U.S.C. §§ 901, *et. seq.*, as amended, and other laws affecting creditors’ rights and certain public bodies generally. Chapter 9 permits a municipality, political subdivision, public agency, or other instrumentality of a State that is insolvent or unable to meet its debts as such debts mature to file a petition in the United States Bankruptcy Court for the purpose of effecting a plan to adjust its debts; directs such a petitioner to file with the court a list of its creditors; provides that the filing of the petition under that Chapter operates as a stay of the commencement or continuation of any judicial or other proceeding against the petitioner; directs a petitioner to file a plan for the adjustment of its debts; permits the petitioner in its plan to modify the rights to payment of its creditors; and provides that the plan must be accepted in writing by or on behalf of creditors of each impaired class of

claims holding at least two-thirds in amount and more than one-half in number of the creditors which have accepted or rejected the plan. The plan may be confirmed notwithstanding the negative vote of one or more classes of claims if the court finds that the plan is in the best interest of creditors, is feasible, and is fair and equitable with respect to the dissenting classes of creditors. A petitioner has the right to reinstate indebtedness under its plan according to the original maturity schedule of such indebtedness notwithstanding any provision in the documents under which the indebtedness arose relating to the insolvency or financial condition of the debtor before the confirmation of the plan, the commencement of a case under the Bankruptcy Code, or the appointment of or taking possession by a trustee in a case under the Bankruptcy Code or by a receiver or other custodian prior to the commencement of a case under the Bankruptcy Code.

Impact of COVID-19 on the Municipality. The outbreak of COVID-19, a respiratory disease caused by a new strain of coronavirus, which was first detected in China and has since spread to other countries, including the United States, the State, and the Municipality, has been declared a pandemic by the World Health Organization.

The outbreak of the disease has affected travel, commerce, and financial markets globally and is widely expected to affect economic growth worldwide. The COVID-19 outbreak is altering the behavior of businesses and people in a manner that is having negative effects on global and local economies, including the State and the Municipality. In addition, financial markets in the United States and globally have seen significant declines and volatility attributed to concerns over COVID-19. Continued declines or volatility in the financial markets may constrain market access and credit availability to borrowers, including governmental entities such as the State and the Municipality.

On January 31, 2020, the Secretary of Health and Human Services declared COVID-19 a “public health emergency,” under Section 319 of the Public Health Service Act (42 U.S.C. 247d). On March 13, 2020, President Donald J. Trump declared the COVID-19 outbreak a “national emergency,” which, among other effects, allows the executive branch to disburse disaster relief funds to address the COVID-19 pandemic and related economic dislocation. On March 27, 2020, the Congress of the United States passed and President Trump signed the Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”), a \$2 trillion relief package related to responding to the COVID-19 outbreak and its impacts on the economy of the United States.

On March 24, 2020, Mississippi Governor Tate Reeves issued Executive Order No. 1463 pursuant to Section 33-15-11(b)17, Mississippi Code of 1972, as amended, declaring a State of Emergency, and issued a Supplement to Executive Order No. 1463 on March 26, 2020. On April 1, 2020, the Governor issued Executive Order No. 1466 implementing a statewide shelter-in-place, with exemptions for certain essential activities. On April 17, 2020, the Governor issued Executive Order No. 1473, extended the statewide shelter-in-place until Monday, April 27, 2020. On April 23, 2020, the Governor issued Executive Order No. 1476 implementing school closures for the remainder of the current academic year. On April 24, 2020, the Governor issued Executive Order No. 1477 establishing the statewide safer-at-home order through May 11, 2020, to balance the interests of protecting public health while reopening portions of the economy of the State. On May 8, 2020, the Governor issued Executive Order No. 1480 extending the statewide safer-at-home order through May 25, 2020, and stating certain social distancing

guidelines that be adhered to in order to safely reopen certain categories of businesses. On May 28, 2020, the Governor issued Executive Order 1492 to establish the “Safe Return” protocols for restarting the economy of the State. As of 11:59 p.m. on November 20, 2021, the Governor allowed all Executive Orders declaring a COVID-19 State of Emergency related to expire. The Executive Orders and Supplements to the Executive Orders are available for review at www.sos.ms.gov. The Department of Health and Human Services declared that the federal Public Health Emergency for COVID-19, declared under Section 319 of the Public Health Service Act, to expire at the end of the day on May 11, 2023.

The finances of the Municipality may be materially adversely affected by the continued spread of COVID-19, which could affect ad valorem tax and sales collections of the Municipality, therefore potentially impacting the ability of the Municipality to pay the principal of and interest on the Bonds. The impact of the outbreak on the operations and economy of the Municipality cannot be predicted due to the dynamic nature of the outbreak, including uncertainties relating to its duration and severity, as well as what actions may be taken by governmental authorities and other institutions to attempt to contain or mitigate its impact. The financial projections contained in this Official Statement have not been updated to reflect any potential impact of the COVID-19 outbreak.

Cyber Security Management. The Municipality, like many other public and private entities, relies on a large and complex technology environment to conduct its operations and faces multiple cyber security threats including, but not limited to, hacking, phishing, viruses, malware, and other attacks on its computing and other digital networks and systems (collectively, “Systems Technology”). As a recipient and provider of sensitive information, the Municipality may be the target of cyber security incidents that could result in adverse consequences to the Municipality and its Systems Technology, requiring a response action to mitigate the consequences. The Municipality has in place daily backup processes to help mitigate the eventuality of these risks. The Municipality has structured its “technology” environment based upon best practice Zero Trust standards to mitigate these risks. Cyber security incidents could result from unintentional events or from deliberate attacks by unauthorized entities or individuals attempting to gain access to the Municipality's Systems Technology for the purposes of misappropriating assets or information or causing operational disruption and damage. The Municipality has implemented certain controls, including data and network security measures, malware protection, security configuration, website filtering and protection, and user training, to mitigate the risk of cyber security breaches from internal sources or activities. The Municipality has personnel policies in place for the Municipality's computer systems and networks detailing the security of the systems by only designated personnel and password securities in place by user. The Municipality also maintains insurance against cyber security incidents, up to a coverage maximum of \$_____. Despite the Municipality's measures to safeguard its network infrastructure, there are no guarantees that such measures will be successful.

Independent Registered Municipal Advisor. Stephens Inc., Ridgeland, Mississippi is serving as the Independent Registered Municipal Advisor (the “IRMA”) to the Municipality in connection with the issuance of the Bonds. Stephens, Inc., in its capacity as the IRMA, has relied on the opinion of Bond Counsel and has not verified and does not assume any responsibility for the information, covenants, and representations contained in any of the legal documents with respect to the federal or state income tax status of the Bonds or the possible

impact of any present, pending, or future actions taken by any legislative or judicial bodies. The information set forth herein has been obtained from the Municipality and other sources believed to be reliable but has not been independently verified by the IRMA.

The IRMA has reviewed the information in this Official Statement in accordance with, and as part of, its responsibilities to the Municipality and, as applicable, to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the IRMA does not guarantee the accuracy or completeness of such information.

Underwriting. The Bonds have been purchased by _____, _____, _____ (the “Underwriter”), at competitive sale from the Municipality for resale. The Underwriter has agreed to purchase the Bonds at the purchase price of \$_____, calculated at par of \$_____, plus a premium of \$_____, less Underwriter’s discount of \$_____. The initial public offering yields of the Bonds are set forth on the inside front cover of this Official Statement and may be changed from time to time by the Underwriter. The Underwriter may also allow a concession from the public offering prices to certain dealers. The Underwriter has received no fee from the Municipality for underwriting the Bonds. If the Bonds are sold at the public offering yields as set forth on the inside front cover of this Official Statement, the Underwriter anticipates total selling compensation of \$_____ for the Bonds.

Registrar and Paying Agent. _____, _____, _____, is acting as Registrar and Paying Agent for the Bonds (the “Paying Agent”). The Paying Agent has not provided, or undertaken to determine, the accuracy of, any of the information contained in this Official Statement and makes no representation or warranty, express or implied, as to (i) the accuracy or completeness of such information; (ii) the validity of the Bonds; or (iii) the tax exempt status of the interest on the Bonds.

Bond Rating. As noted on the cover page of this Official Statement, Moody’s Investors Service, Inc. (“Moody’s”) has assigned the Bonds the rating of “_____.” Such rating reflects only the view of Moody’s, and an explanation of the significance of such rating may be obtained from Moody’s. The Municipality makes no representation as to the appropriateness of the rating. The Municipality has furnished to Moody’s certain information and materials regarding the Bonds. Generally, Moody’s will base the rating on such information and materials, and on investigations, studies, and assumptions furnished to and obtained and made by Moody’s. There is no assurance that such a rating will remain unchanged for any given period of time or that the rating may not be lowered or withdrawn entirely by Moody’s, if, in its judgment, circumstances warrant. Any such downward revision or withdrawal of a rating may have an adverse effect on the market price of the Bonds.

Miscellaneous. The references, excerpts and summaries of all documents referred to herein do not purport to be complete statements of the provisions of such documents, and reference is directed to all such documents for full and complete statements of all matters of fact relating to the Bonds, the security for the payment of the Bonds and the rights and obligations of the Registered Owners thereof.

The information contained in this Official Statement has been taken from sources considered reliable, but is not guaranteed. To the best of our knowledge, information in this

Official Statement does not include any untrue statement of material fact; nor does the information omit the statement of any material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.

The Municipality has prepared this Official Statement which it deems, for purposes of the Rule, to be final and complete except for the omission of the offering prices, interest rates, and any other terms of the Bonds depending on such matters, and the identity of the underwriters, subject to revision, amendment and completion in a final Official Statement. By submission of its bid, the successful bidder will be deemed to have certified that it has obtained and reviewed this Official Statement. Upon the sale and award of the Bonds, the Municipality will publish an Official Statement in substantially the same form as this Official Statement subject to minor additions, deletions, and revisions as required to complete this Official Statement. If requested, the Municipality will furnish a reasonable number of copies of the Official Statement to the successful bidder of the Bonds without charge within seven business days after the sale and award of the bid. By submission of its bid, the successful bidder will be deemed to have agreed to supply to the Municipality all necessary pricing information and any underwriter identification determined by the Municipality to be necessary for the Official Statement within 24 hours after the sale and award of the Bonds.

A copy of this Official Statement may be obtained from:

Lesa Hardin
City Clerk
City of Starkville, Mississippi
lhardin@cityofstarkville.org
(662) 323-2525

or

Brad C. Davis, Esq.
Bond Counsel
Watkins & Eager PLLC
bdavis@watkinseager.com
(601) 965-1988

City of Starkville, Mississippi

/s/ Lynn Spruill

Mayor

/s/ Lesa Hardin

City Clerk

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Appendix A

Economic and Demographic Information of the Municipality

Appendix B

**Combined Budgets for Publication
For the Fiscal Year Ended September 30, 2023,
and For the Fiscal Year Ending September 30, 2024**

Appendix C

Audited Financial Statements for the Fiscal Year Ended September 30, 2022

Appendix D

Form of Bond Counsel Opinion

_____, 2024

To Whom It May Concern:

We have acted as bond counsel in connection with the issuance by City of Starkville, Mississippi (the “Municipality”), of its \$5,000,000 General Obligation Public Improvement Bonds, Series 2024 (Street Improvements Project), dated and issued _____, 2024 (the “Bonds”). We have examined the law and such certified proceedings and other papers as we deem necessary to render this opinion, including Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended, and other applicable laws of the State (together, the “Act”), and resolutions adopted by the Mayor and Board of Aldermen of the Municipality (the “Governing Body”) on May 17, 2022, June 21, 2022, and March 19, 2024, authorizing and directing the issuance of the Bonds (together, the “Bond Resolution”).

As to questions of fact material to our opinion we have relied upon the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation, and we express no opinion relating to the accuracy, completeness or sufficiency of any offering material relating to the Bonds.

Based upon the foregoing, we are of the opinion, under existing law, as follows:

1. The Bonds shall be general obligations of the Municipality payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to rate or amount upon all the taxable property within the geographical limits of the Municipality. To the extent other moneys are not available, the Municipality will levy annually a direct and continuing tax upon all taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, will be adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due; provided, however, that such tax levy for any year shall be abated *pro tanto* to the extent the Municipality on or prior to September 1 of that year has transferred money to the Bond Fund (as defined in the Bond Resolution), or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds due during the ensuing fiscal year of the Municipality, in accordance with the provisions of the Bond Resolution. Provided, however, any other funds available to the Municipality which may be lawfully used for payment of the principal of, premium, if any, and interest on the Bonds, and which the Governing Body, in its discretion, may direct to be deposited into the Bond Fund, including, but not limited to, use taxes remitted from the State to the Municipality as a result of the Infrastructure Modernization Act of 2018, House Bill 1, 2018 First Extraordinary Session, and any amendments thereto, codified as Sections 27-67-1 *et seq.*, Mississippi Code of 1972, as amended

2. Under existing law, regulations and court decisions, as presently interpreted and construed, interest on the Bonds is excludable from gross income of the owners thereof for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), and interest on the Bonds is not treated as a specific item of tax preference under Section 57 of the Code in calculating the alternative minimum tax imposed by Section 55 of the Code; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Code) for the purpose of computing the alternative minimum tax imposed on corporations for tax years beginning after December 31, 2022.

3. The Governing Body has covenanted in the Bond Resolution and in the Municipality’s federal tax certificate of even date herewith that the Municipality will not make any use of the gross proceeds of the Bonds or amount that may be treated as proceeds of the Bonds or do or take or omit to take any other action that would cause: (i) the Bonds to be “arbitrage bonds” as such term is defined in Section 148(a) of the Code and the regulations promulgated thereunder; (ii) the interest on the Bonds to be includable in the gross income of the Registered Owners for federal income taxation purposes; or (iii) the interest on the Bonds to be treated as an item of tax preference under Section 57(a)(5) of the Code. Failure of the Municipality to comply with such covenants could result in the interest on the Bonds being subject to federal income tax from the date of issue.

4. In rendering the foregoing opinion, Bond Counsel has assumed the continuing compliance by the Municipality with the tax covenants and representations in the Bond Resolution and the representations in the Municipality’s federal tax certificate. These requirements relate to, *inter alia*, the use and investment of the gross proceeds of the Bonds, the use of any facility, equipment, or improvement financed or refinanced directly or indirectly with the proceeds of the Bonds, and rebate to the United States Treasury of specified arbitrage earnings, if any. Bond Counsel has not undertaken to determine (or to inform any person) whether any actions taken (or not taken) or events occurring (or not occurring) after the date of issuance of the Bonds have resulted in a failure of the Municipality to comply with its covenants. Failure of the Municipality to comply with such covenants could result in the interest on the Bonds becoming subject to federal income tax from the date of issue. Owners of the Bonds should consult their own tax advisors as to the applicability and effect on their federal income taxes and the effect of any other collateral federal income tax consequences.

5. The Bonds [are/are not] “qualified tax-exempt obligations” as such term is used in Section 265(b)(3) of the Code.

6. We express no opinion regarding other federal tax consequences arising with respect to the Bonds.

7. Under existing statutes, regulations, and court decisions as presently interpreted and construed, interest on the Bonds earned by the respective owners thereof is excludable from gross income for purposes of computing income taxes imposed by the State.

8. It is understood that the rights of the owners of the Bonds and the enforceability of the Bonds and the Bond Resolution may be subject to bankruptcy, insolvency, reorganization,

moratorium, and other similar law affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable, and that the enforcement thereof may be subject to the exercise of judicial discretion in appropriate cases.

9. In this opinion letter issued in our capacity as Bond Counsel, we are opining only upon those matters set forth herein, and we are not passing upon the accuracy, adequacy or completeness of the Official Statement or any other statements made in connection with any offer or sale of the Bonds or upon any federal or state tax consequences arising from the receipt or accrual of interest on or the ownership or disposition of the Bonds, except those specifically addressed herein.

10. In rendering the foregoing opinions, we have assumed the accuracy and truthfulness of all public records and of all certificates, resolutions, documents and other proceedings examined by us that have been executed or certified by public officials acting within the scope of their official capacities and have not verified the accuracy or truthfulness thereof. We also have assumed the genuineness of the signatures appearing upon such public records, certifications, resolutions, documents and proceedings. This opinion letter is issued as of the date hereof and we assume no obligation to revise or supplement this opinion letter to reflect any facts or circumstances that may hereafter come to our attention or any changes in law that may hereafter occur.

Respectfully submitted,

WATKINS & EAGER PLLC

Appendix E

Form of Continuing Disclosure Agreement

CONTINUING DISCLOSURE AGREEMENT OF THE CITY OF STARKVILLE, MISSISSIPPI

This Continuing Disclosure Agreement (the “Disclosure Certificate”) is executed and delivered by the City of Starkville, Mississippi (the “Municipality”), in connection with the issuance of its \$5,000,000 General Obligation Public Improvement Bonds, Series 2024 (Street Improvements Project), dated and issued _____, 2024 (the “Bonds”). The Bonds are being issued pursuant to Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended, and other applicable laws of the State (together, the “Act”), and resolutions adopted by the Mayor and Board of Aldermen (the “Governing Body”) on May 17, 2022, June 21, 2022, and March 19, 2024 (together, the “Bond Resolution”).

The Municipality covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Agreement is being executed and delivered by the Municipality for the benefit of the Bondholders and Beneficial Owners and in order to assist the Participating Underwriters in complying with S.E.C. Rule 15c2-12(b)(5) (as further defined herein).

SECTION 2. Definitions. In addition to the definitions set forth in the Bond Resolution which apply to any capitalized term used in this Disclosure Agreement unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“Annual Report” means any Annual Report provided by the Municipality pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

“Beneficial Owner” means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries) or (b) is treated as the owner of any Bonds for federal income tax purposes.

“Dissemination Agent” means a banking institution or other person or entity appointed by resolution of the Municipality as the Dissemination Agent hereunder, or any successor Dissemination Agent designated in writing by the Municipality and which has provided the Municipality a written acceptance of such designation.

“EMMA” means MSRB’s Electronic Municipal Market Access system on the MSRB Website.

“Financial Obligation” means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term Financial Obligation shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

“Listed Event” means any of the events listed in Section 5 of this Disclosure Certificate.

“MSRB” means the Municipal Securities Rulemaking Board established under the 1933 Securities Act, as amended, or any successor thereto.

“MSRB Website” means www.emma.msrb.org.

“National Repository” means (a) MSRB’s EMMA, and (b) in the future, any successor repository or repositories prescribed by the SEC for the purpose of serving as repository under the Rule.

“Official Statement” means the Official Statement dated _____, 2024, pertaining to the Bonds.

“Participating Underwriter” means any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

“Repository” means each National Repository and the State Repository.

“Required Electronic Format” means the electronic format then prescribed by the SEC or the MSRB pursuant to the Rule.

“Rule” means Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“State” means the State of Mississippi.

“State Repository” means any public or private repository or entity designated by the State as a state repository for the purpose of the Rule and recognized as such by the Securities and Exchange Commission. As of the date of this Disclosure Certificate, there is no State Repository.

“Submission Date” means the date on which the Annual Report is submitted to the Repositories pursuant to Section 3 of this Disclosure Certificate, which shall be a date not later than 12 months after the end of the Municipality’s fiscal year (presently September 30), commencing with the report for the 2024 fiscal year.

SECTION 3. Provision of Annual Reports.

(a) The Municipality shall, or shall cause the Dissemination Agent to, not later than the Submission Date, provide to each Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the Municipality may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the Municipality’s fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5.

(b) Not later than 15 Business Days prior to the Submission Date, the Municipality shall provide the Annual Report to the Dissemination Agent (if other than the Municipality). If the Municipality is unable to provide to the Repositories an Annual Report by the Submission Date, the Municipality shall send a notice to each Repository or the Municipal Securities Rulemaking Board and the State Repository, if any, in substantially the form attached as “Exhibit A.”

(c) The Dissemination Agent shall:

(1) determine each year prior to the Submission Date the name and address of each National Repository and the State Repository, if any; and

(2) if the Dissemination Agent is other than the Municipality, file a report with the Municipality certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, stating the date it was provided and listing all the Repositories to which it was provided.

SECTION 4. Content of Annual Reports. The Municipality's Annual Report shall contain or include by reference (a) financial information of the type included in the subsections of the Official Statement entitled “Assessed Valuation,” “Tax Levy Per \$1,000 Valuation,” “Ad Valorem Tax Collections,” and “Diversions from the State to the Municipality regarding Use Tax Collections,” and (b) the audited financial statements of the Municipality for the prior fiscal year, prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board. If the Municipality's audited financial statements are not available by the Submission Date, the audited financial statements shall be filed in the same manner as the Annual Report. Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the Municipality or related public entities, which have been submitted to each of the Repositories or the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The Municipality shall clearly identify each such other document so included by reference.

SECTION 5. Reporting of Significant Events. The Municipality shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds, in a timely manner not in excess of 10 business days after the occurrence thereof:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;

- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) modifications to rights of security holders, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution, or sale of property securing repayment of the securities, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership, or similar event of the Municipality;
- (13) consummation of a merger, consolidation, or acquisition involving the Municipality, the sale of all or substantially all of the assets of the Municipality other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms; and
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) incurrence of a Financial Obligation (as defined herein and in the Rule) of the Municipality, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Municipality, any of which may affect security holders, if material; and
- (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Municipality, any of which reflect financial difficulties.

The events listed above are quoted from the Rule and some may not be applicable to the Municipality or the Bonds.

SECTION 6. Termination of Reporting Obligation. The Municipality's obligations under this Disclosure Agreement shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the Municipality shall give notice of such termination in the manner as for a Listed Event under Section 5.

SECTION 7. Dissemination Agent. The Municipality may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the Municipality pursuant to this Disclosure Certificate. From the date hereof until such time (if any) that the Municipality appoints a Dissemination Agent, or if a Dissemination Agent appointed by the Municipality resigns or is discharged and the Municipality does not appoint a successor Dissemination Agent, the Municipality, acting through the City Clerk of the Municipality, shall carry out the duties of the Dissemination Agent under this Disclosure Certificate.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Municipality may amend this Disclosure Agreement and any provision of this Disclosure Agreement may be waived, only if (1) the amendment or waiver is made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in identity, nature, or status of the Municipality, (2) the agreement, as amended, would have complied with the Rule at the date of sale of the Bonds, taking into account any amendments or interpretations of the Rule as well as any change in circumstance, and (3) the Municipality receives an opinion of nationally recognized bond counsel to the effect that the amendment or waiver does not materially impair the interests of the holders and beneficial owners of the Bonds. A copy of any amendment will be filed in a timely manner with each Repository.

SECTION 9. Additional Information. Nothing in this Disclosure Agreement shall be deemed to prevent the Municipality from disseminating any other information, using the means of dissemination set forth in this Disclosure Agreement or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the Municipality chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the Municipality shall have no obligation under this Disclosure Agreement to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the Municipality to comply with any provision of this Disclosure Certificate, any Bondholder or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Municipality to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Agreement shall not be deemed an Event of Default under the Bond Resolution, and the sole remedy under this Disclosure Agreement in the event of any failure of the Municipality to comply with this Disclosure Agreement shall be an action to compel performance.

SECTION 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the Municipality agrees to indemnify and save the Dissemination Agent, its officers, directors, employees, and agents, harmless against any loss, expense, and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties

hereunder, including the costs and expenses (including attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the Municipality under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

SECTION 12. Beneficiaries. This Disclosure Agreement shall inure solely to the benefit of the Municipality, the Dissemination Agent, the Participating Underwriters and the Bondholders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Date: March 21, 2024

City of Starkville, Mississippi

(seal)

City Clerk

EXHIBIT A

**NOTICE TO REPOSITORIES OF
FAILURE TO FILE ANNUAL REPORT**

Name of Municipality: City of Starkville, Mississippi

Name of Issue: \$5,000,000 General Obligation Public Improvement Bonds, Series
2024 (Street Improvements Project)

Date of Issuance: _____, 2024

NOTICE IS HEREBY GIVEN that the Municipality has not provided an Annual Report with respect to the above-referenced Bonds as required by the Bond Resolution. The Municipality anticipates that the Annual Report will be filed by _____, 20__.

Date: _____, 20__

Appendix F

Notice of Bond Sale

Appendix G

Bond Resolution

8. CONSIDERATION TO APPOINT JOE FRATESI, THE SOLE APPLICANT, AS WARD 1 PLANNING AND ZONING COMMISSIONER.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of appointing Joe Fratesi, Ward 1, to the Planning and Zoning Commission for the remainder of the unexpired term, due to expire on June 30, 2027” is enumerated, this consent item is thereby approved.

9. CONSIDERATION OF CALLING FOR TWO PUBLIC HEARINGS TO AMEND THE UNIFIED DEVELOPMENT CODE.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of calling for two public hearings to amend the Unified Development Code” is enumerated, this consent item is thereby approved.

10. CONSIDERATION TO APPROVE THE ADVERTISING FOR THE LAMPKIN / MONTGOMERY INTERSECTION IMPROVEMENT PROJECT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval to advertise for the Lampkin/Montgomery Intersection Improvement Project which will include curb extensions, a new sidewalk connection, wider sidewalks, and ADA ramps on the northwest, northeast, and southwest corners of the intersection” is enumerated, this consent item is thereby approved.

11. CONSIDERATION OF APPROVING THE LETTER AGREEMENT WITH NEEL-SCHAFER, INC. FOR PROFESSIONAL SERVICES RELATED TO THE STARK-HOSPITAL EXTENSION PROJECT IN AN HOURLY, NOT-TO-EXCEED AMOUNT OF \$10,000.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of the letter agreement with Neel-Schaffer, Inc. for professional services related to the Stark-Hospital Extension project in an hourly, not-to-exceed amount of \$10,000” is enumerated, this consent item is thereby approved.

12. CONSIDERATION OF ACCEPTING THE LOW TERM BID FROM FALCON CONTRACTING CO., LLC AND THE FIRST ALTERNATE TERM BID FROM GREGORY COMPANIES, LLC DBA MURPHREE PAVING FOR THE 2024 TERM BID CONTRACT FOR ANNUAL ASPHALT OVERLAYS AND AUTHORIZATION FOR THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT WITH THE LOW BIDDER AND FIRST ALTERNATE BIDDER.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of the low term bid from Falcon Contracting Co., LLC and the first alternate term bid from Gregory Companies, LLC DBA Murphree Paving for the 2024 Term Bid Contract for Annual Asphalt Overlays and authorization for the Mayor to execute a construction contract with the low bidder and first alternate bidder” is enumerated, this consent item is thereby approved.



2406 Term Bid Contract for Annual Asphalt Overlays
Bid Tabulation
March 5, 2024, 2:00 P.M.

Item No.	Description	Estimated Qty	Unit	Engineer's Estimate		APAC-Mississippi, Inc.		Falcon Contracting Co., LLC		Gregory Companies, LLC DBA Murphree Paving		Southern Paving, LLC*	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1.0	Provide Hot Mix Asphalt, ST, 19mm Mix (FOB at Plant)	500	TON	\$ 110.00	\$ 55,000.00	\$ 107.00	\$ 53,500.00	\$ 107.00	\$ 53,500.00	\$ 107.00	\$ 53,500.00	\$ -	\$ -
2.0	Provide Hot Mix Asphalt, ST, 12.5mm Mix (FOB at Plant)	400	TON	\$ 110.00	\$ 44,000.00	\$ 112.00	\$ 44,800.00	\$ 112.00	\$ 44,800.00	\$ 112.00	\$ 44,800.00	\$ -	\$ -
3.0	Provide Hot Mix Asphalt, ST, 9.5mm Mix (FOB at Plant)	6300	TON	\$ 110.00	\$ 693,000.00	\$ 117.00	\$ 737,100.00	\$ 117.00	\$ 737,100.00	\$ 117.00	\$ 737,100.00	\$ -	\$ -
4.0	Provide Ultra-Thin Asphalt (UTA), 4.75mm Mix (FOB at Plant)	200	TON	\$ 130.00	\$ 26,000.00	\$ 110.00	\$ 22,000.00	\$ 110.00	\$ 22,000.00	\$ 110.00	\$ 22,000.00	\$ -	\$ -
Table 1 Total =				\$ 818,000.00		Table 1 Total =		\$ 857,400.00		Table 1 Total =		Table 1 Total =	

Item No.	Description	Estimated Qty	Unit	Engineer's Estimate		APAC-Mississippi, Inc.		Falcon Contracting Co., LLC		Gregory Companies, LLC DBA Murphree Paving		Southern Paving, LLC*	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1.1	Cold Milling of Asphalt (0" to 4" thick)	60000	SY	\$ 7.50	\$ 450,000.00	\$ 6.50	\$ 390,000.00	\$ 4.00	\$ 240,000.00	\$ 4.39	\$ 263,400.00	\$ -	\$ -
2.1	Provide Material & Install Asphalt for Tack Coat	7000	GAL	\$ 8.00	\$ 56,000.00	\$ 4.00	\$ 28,000.00	\$ 3.50	\$ 24,500.00	\$ 3.00	\$ 21,000.00	\$ -	\$ -
3.1	Hot Mix Asphalt, ST, 19mm Mix For Patching (material supplied at plant)	500	TON	\$ 180.00	\$ 90,000.00	\$ 335.00	\$ 167,500.00	\$ 100.00	\$ 50,000.00	\$ 111.65	\$ 55,825.00	\$ -	\$ -
4.1	Hot Mix Asphalt, ST, 12.5mm Mix For Leveling (material supplied at plant)	400	TON	\$ 65.00	\$ 26,000.00	\$ 115.00	\$ 46,000.00	\$ 49.00	\$ 19,600.00	\$ 97.68	\$ 39,072.00	\$ -	\$ -
5.1	Hot Mix Asphalt, ST, 9.5mm Mix For Overlaying (material supplied at plant)	6300	TON	\$ 65.00	\$ 409,500.00	\$ 65.00	\$ 409,500.00	\$ 49.00	\$ 308,700.00	\$ 42.08	\$ 265,104.00	\$ -	\$ -
6.1	Ultra-Thin Asphalt (UTA), 4.75mm Mix 1/2" - 1" thickness (material supplied at plant)	200	TON	\$ 65.00	\$ 13,000.00	\$ 115.00	\$ 23,000.00	\$ 50.00	\$ 10,000.00	\$ 73.70	\$ 14,740.00	\$ -	\$ -
Table 2 Total =				\$ 1,044,500.00		Table 2 Total =		\$ 652,800.00		Table 2 Total =		Table 2 Total =	
Total Base Bid (Table 1 & 2) =				\$ 1,862,500.00		Total Base Bid (Table 1 & 2) =		\$ 1,510,200.00		Total Base Bid (Table 1 & 2) =		Total Base Bid (Table 1 & 2) =	
								PRIMARY LOW BID		FIRST ALTERNATE			

*Southern Paving's bid was not read due to not filling out Table 1.

I certify that this is a correct tabulation of all bids received for this Project on the date stated above.

Steph Karlehn

Signature

13. APPROVAL TO ACCEPT THE LOW TERM BID FROM T. L. WALLACE CONSTRUCTION, INC. AND THE FIRST ALTERNATE TERM BID FROM PAVEMENT RESTORATIONS, INC. FOR THE 2024 TERM BID CONTRACT FOR PAVEMENT SURFACE TREATMENTS AND AUTHORIZATION FOR THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT WITH THE LOW BIDDER AND FIRST ALTERNATE BIDDER.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of the low term bid from T. L. Wallace Construction, Inc. and the first alternate term bid from Pavement Restorations, Inc. for the 2024 Term Bid Contract for Pavement Surface Treatments and authorization for the Mayor to execute a construction contract with the low bidder and first alternate bidder” is enumerated, this consent item is thereby approved. The bid tabulation follows this page.

14. CONSIDERATION TO ADVERTISE FOR BIDS FOR THE OLD MAYHEW ROADWAY IMPROVEMENT PROJECT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval to advertise for bids for the Old Mayhew Roadway Improvement Project” is enumerated, this consent item is thereby approved.

15. CONSIDERATION TO ENTER INTO AN AGREEMENT WITH INDEPENDENT CONTRACTOR MARK SHAW AS AN ENGINEERING INSPECTOR IN THE CITY ENGINEERING & STARKVILLE UTILITIES DEPARTMENTS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval to enter into an agreement with Independent Contractor Mark Shaw as an Engineering Inspector on an as needed basis at \$50.00 per hour in the City Engineering & Starkville Utilities Departments” is enumerated, this consent item is thereby approved.

16. ACCEPTANCE OF FEBRUARY 2024 FINANCIAL STATEMENTS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “acceptance of the February 2024 Financial Statements” is enumerated, this consent item is thereby approved.

17. CONSIDERATION OF NAMING RENASANT BANK AS THE CITY BANK DEPOSITORY FOR APRIL 1, 2024 THROUGH MARCH 31, 2026.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval to name Renasant Bank as the Municipal Depository for the City of Starkville as advertised in accordance with in MS Code sections 27-105-305; 27-105-353; and 27-105-363” is enumerated, this consent item is thereby approved.

18. CONSIDERATION OF THE ACCEPTANCE OF THE FISCAL YEAR 9-30-2022 AUDIT OF THE CITY OF STARKVILLE AS PRESENTED BY WATKINS, WARD & STAFFORD, CPAS, PLLC.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “acceptance of the fiscal year 9-30-2022 audit of the City of Starkville as presented by Watkins, Ward & Stafford, CPAS, PLLC” is enumerated, this consent item is thereby approved.



ENGINEERING DEPARTMENT
CITY HALL, 110 W. MAIN STREET
STARKVILLE, MISSISSIPPI 39759-2944

24007 Term Bid Contract for Annual Pavement Surface Treatments
Bid Tabulation
March 6, 2024, 2:00 P.M.

Item No.	Description	Estimated Qty	Unit	Engineer's Estimate		Pavement Restorations, Inc.		TL Wallace Construction, Inc.	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Fog Seal (Rejuvenating)	10000	SY	\$ 2.15	\$ 21,500.00	\$ 2.75	\$ 27,500.00	\$ 1.20	\$ 12,000.00
2	Fog Seal (Less Tracking)	10000	SY	\$ 2.15	\$ 21,500.00	\$ 2.75	\$ 27,500.00	\$ 1.20	\$ 12,000.00
3	Micro-Surfacing	50000	SY	\$ 4.50	\$ 225,000.00	\$ 5.89	\$ 294,500.00	\$ 4.80	\$ 240,000.00
4	Micro-Surfacing (High Polymer Modified)	50000	SY	\$ 4.50	\$ 225,000.00	\$ 6.11	\$ 305,500.00	\$ 5.00	\$ 250,000.00
5	Scrub Seal	30000	SY	\$ 4.50	\$ 135,000.00	\$ 4.95	\$ 148,500.00	\$ 4.40	\$ 132,000.00
6	Crack Sealing, Type 1	10000	LF	\$ 2.50	\$ 25,000.00	\$ 2.00	\$ 20,000.00	\$ 2.65	\$ 26,500.00
7	Crack Sealing, Type 2	10000	LF	\$ 2.50	\$ 25,000.00	\$ 1.75	\$ 17,500.00	\$ 1.60	\$ 16,000.00
8	Mastic Crack Sealing	6000	LF	\$ 3.50	\$ 21,000.00	\$ 3.50	\$ 21,000.00	\$ 7.85	\$ 47,100.00
Total Base Bid				\$ 699,000.00		Total Base Bid \$ 862,000.00		Total Base Bid \$ 735,600.00	
						FIRST ALTERNATE		PRIMARY LOW BID	

I certify that this is a correct tabulation of all bids received for this Project on the date stated above.



Signature

19. CONSIDERATION FOR TYLER DAVIS TO TRAVEL TO COLUMBUS, GA TO ATTEND THE SWIFT WATER RESCUE TECHNICIAN COURSE AT AN APPROXIMATE COST OF \$900.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval for Tyler Davis to travel to Columbus, GA to attend the Swift Water Rescue Technician Course on April 7-10, 2024 at an approximate advance cost of \$900” is enumerated, this consent item is thereby approved.

20. CONSIDERATION TO HIRE DAVID JELINEK AS A CIVIL ENGINEER CO-OP IN THE ENGINEERING DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval to hire David Jelinek as a Civil Engineer Co-Op in the Engineering Department” is enumerated, this consent item is thereby approved.

21. CONSIDERATION TO HIRE TYRONE HASLETT AS A RESERVE POLICE OFFICER IN THE STARKVILLE POLICE DEPARTMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval to hire Tyrone Haslett as a Reserve Police Officer in the Starkville Police” is enumerated, this consent item is thereby approved.

22. CONSIDERATION OF THE DISCIPLINE RECOMMENDED BY SANITATION DIRECTOR CHRIS SMILEY AS A RESULT OF I.A.#03192024 FOR A STARKVILLE SANITATION WORKER.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of the discipline recommended by Sanitation Director Chris Smiley as a result of I.A.#03192024 for a Starkville Sanitation Worker” is enumerated, this consent item is thereby approved.

23. CONSIDERATION OF APPROVAL OF THE LOW BID FROM ECON CONSTRUCTION, INC. IN THE AMOUNT OF \$999,442.00 FOR THE JL KING PARK SPLASHPAD EXPANSION PROJECT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of the lower bid from Econ Construction, Inc. in the amount of \$999,442.00 for the JL King Park Splashpad Expansion Project” is enumerated, this consent item is thereby approved.

22027 - JL King Park Splashpad Expansion Bid Tabulation -

Item No.	Description	Estimate	Econ Construction, Inc.	Paradigm Contractors, LLC	Stewart Environmental Construction, Inc.
1	Base Bid	\$ 700,000.00	\$ 872,342.00	\$ 1,092,000.00	\$ 1,325,960.00
2	Add Alternate No. 1	\$ 120,000.00	\$ 127,100.00	\$ 150,000.00	\$ 121,968.50
	Base + Add Alt. No. 1 Total:	\$ 820,000.00	\$ 999,442.00	\$ 1,242,000.00	\$ 1,447,928.50

24. CONSIDERATION OF APPROVING THE QUOTE FROM MAGCOR VIA STATE CONTRACT #8200069093 IN THE AMOUNT OF \$26,711.00 FOR TABLES AND CHAIRS FOR THE NEW NEEDMORE CENTER.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of the quote from MAGCOR via State Contract #8200069093 in the amount of \$26,711.00 for tables and chairs for the new Needmore Center” is enumerated, this consent item is thereby approved.

25. CONSIDERATION FOR CORPORAL BRANDON GLADNEY TO ATTEND THE REID TECHNIQUE OF INVESTIGATIVE INTERVIEW AND ADVANCED INTERROGATION COURSE HELD AT THE IRONDALE CIVIC CENTER IN IRONDALE, AL APRIL 2ND-5TH, 2024 AT A TOTAL ADVANCED COST NOT TO EXCEED \$1,230.00 FOR COURSE AND LODGING.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval for Corporal Brandon Gladney to attend the Reid Technique of Investigative Interview and Advanced Interrogation course held at the Irondale Civic Center in Irondale, AL April 2nd-5th, 2024 at a total cost not to exceed \$1,230 for course and lodging” is enumerated, this consent item is thereby approved.

26. CONSIDERATION FOR ANIMAL CONTROL OFFICER TAYLOR NOLAND TO ATTEND THE ANNUAL TRAINING CONFERENCE HOSTED BY THE HUMANE SOCIETY OF THE UNITED STATES BEING HELD IN SAN ANTONIO, TEXAS MAY 15TH THROUGH 18TH, 2024 WITH AN ESTIMATED ADVANCE COST OF \$700.00.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of for Animal Control Officer Taylor Noland to attend the annual training conference hosted by The Humane Society of The United States being held in San Antonio, Texas with an estimated advance cost of \$700” is enumerated, this consent item is thereby approved.

27. CONSIDERATION TO APPLY FOR A 100% REIMBURSABLE GRANT IN THE AMOUNT OF \$107,793.75 FROM THE FY25 MS DEPARTMENT OF HOMELAND SECURITY IN THE AREA OF SWAT AND LPR EQUIPMENT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval to apply for a 100% reimbursable grant in the amount o \$107,793.75 from the FY25 MS Dept of Homeland Security in the area of SWAT and LPR equipment” is enumerated, this consent item is thereby approved.

28. CONSIDERATION TO PURCHASE TWO 60” EXMARK LAZER E SERIES ZERO TURN MOWERS AND ONE 60” EXMARK RADIUS S SERIES ZERO TURN MOWER FROM EVERGREEN AG AT A TOTAL COST OF \$29,009.00 FROM STATE CONTRACTS 412378702 AND 412843927.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval to purchase two Exmark Lazer E Series zero turn mowers and one Exmark Radius S series zero turn mower from Evergreen Ag at a total cost of \$29,009.00 from state contracts 412378702 AND 412843927” is enumerated, this consent item is thereby approved.

29. CONSIDERATION OF ACCEPTING THE LOW BID AND ALTERNATES FOR THE AZALEA LANE ELEVATED WATER TANK REHABILITATION PROJECT FROM G & L TANK SANDBLASTING AND COATINGS LLC IN THE AMOUNT OF \$409,115.00 AND AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of the low bid and alternates for the Azalea Lane Elevated Water Tank Rehabilitation Project from G & L Tank Sandblasting and Coatings LLC in the amount of \$409,115.00 and authorizing the Mayor to execute a construction contract” is enumerated, this consent item is thereby approved.

Three bids received: G & L Tank Sandblasting and Coatings LLC - \$409,115.00 / Tank Pro Inc. - \$435,454.00 and Traveler’s Casualty and Surety Company of America \$465,750.00.

30. CONSIDERATION TO ACCEPT THE LOWEST QUOTE FROM ANIXTER FOR FLIR INFRARED CAMERA FOR SUBSTATION AND THREE PHASE TRUCK LINE DISTRIBUTION INSPECTIONS IN THE AMOUNT OF \$6,928.50.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval of the lowest quote from Anixter for Flir Infrared Camera for substation and three phase truck line distribution inspections in the amount of \$6,928.50” is enumerated, this consent item is thereby approved.

Three quotes received: Anixter - \$6,928.50, Butler and Land Technologies -\$7,679.04 and Flir - \$7,999.00

31. CONSIDERATION FOR STARKVILLE UTILITIES TO EXECUTE A POSTAGE METER RENEWAL AGREEMENT WITH QUADIENT LEASING USA, INC. FOR \$217.15 MONTHLY FOR THIRTY-SIX (36) MONTHS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval to execute postage meter renewal agreement with Quadient Leasing USA, Inc. for \$217.15 monthly for thirty-six (36) months” is enumerated, this consent item is thereby approved.

32. CONSIDERATION FOR THE MAYOR TO EXECUTE A CONTRACT RENEWAL WITH CHEMPRO SERVICE FOR HERBICIDE SPRAYING FOR UTILITY EASEMENTS.

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, and adopted by the Board to approve the March 19, 2024 Official Agenda, and to accept items for consent, whereby the “approval to execute a contract renewal with ChemPro Service for herbicide spraying for utility easements” is enumerated, this consent item is thereby approved. The ChemPro contract follows this page.

ANNOUNCEMENTS AND COMMENTS:

MAYOR’S COMMENTS:

Mayor Spruill recognized encouraged everyone to attend the upcoming Women’s NIT Basketball Tournament being held at Mississippi State.

BOARD OF ALDERMEN COMMENTS: None

CITIZEN COMMENTS:

Alvin Turner, Ward 7, expressed being grateful for the recent street overlays.

PUBLIC APPEARANCE: None

CONSTRUCTION CONTRACT

This Contract made and entered into this 19th day of March, 2024,

by and between CHEMPRO SERVICES.

party of the first part, hereinafter called the CONTRACTOR and THE CITY OF STARKVILLE, MISSISSIPPI, through its governing body, and authorized representative, party of the second part, hereinafter called the OWNER,

WITNESSETH THAT THE PARTIES HERETO do mutually agree as follows:

1. The CONTRACTOR shall, in a good and workmanlike manner and at his own cost and expenses, furnish all labor, materials, plant, and equipment necessary for complete construction described as follows:

CITY OF STARKVILLE HERBICIDE SPRAYING – STARKVILLE UTILITIES EASEMENT SPRAYING

2. It is expressly understood and agreed by the parties hereto that the Table of Contents; Proposal Form; Construction Contract; General Conditions; Special Notes, and Stipulations; City of Starkville Herbicide Map; as well as any other items attached hereto, the accompanying drawings and interpretations and all additional instructions and drawings in explanation of all details and changes which may be furnished to the CONTRACTOR as provided herein, are each and all, by reference hereto, incorporated herein and together with this Construction Contract constitute the Contract.
3. The CONTRACTOR shall begin work under this contract on or before a date to be specified in a written "Notice to Proceed" and shall faithfully execute and fully complete all work hereunder within the time allotted in the attached proposal.
4. In consideration of the faithful performance by the CONTRACTOR of all terms, conditions, and covenants of the Contract to the satisfaction of the OWNER, the OWNER shall pay and the CONTRACTOR shall receive the lump sum prices stipulated in the Contractor's Proposal as full compensation for all work furnished and installed by the CONTRACTOR under this contract. Payments for said work shall be due and payable as follows:
5. Payment for work performed by the CONTRACTOR shall be made as follows:

On the first day of each month, or as soon thereafter as possible, the CONTRACTOR shall prepare and submit to the ENGINEER for approval a duly certified estimate of the work performed during the preceding calendar month, and the value thereof. The estimate shall include all labor and materials incorporated in the work. Upon the approval of the estimate by the ENGINEER, and not later than the twenty-fifth day of each calendar month, the OWNER shall pay to the CONTRACTOR ninety percent (90%) of the value of the estimate.

6. Upon the completion by the CONTRACTOR of all work covered by the Contract and prior to final payment to the CONTRACTOR for the work performed, the CONTRACTOR shall deliver to the OWNER releases of all liens and of rights to claim any liens, in a form satisfactory to the OWNER, from all material suppliers and subcontractors furnishing labor and materials for the project, and an affidavit, in a form satisfactory to the OWNER, to the effect that all labor used on or for the construction of the project has been paid.
7. Neither the inspection of the ENGINEER or OWNER or any of their employees, nor any decision, interpretation, order, measurements, or certificate by the ENGINEER or OWNER, nor any order by the OWNER for payment of money, nor any payment for or acceptance of the whole or any part of the work by the ENGINEER or OWNER, nor any extension of time, nor any possession taken by the OWNER, or of any right to damages herein provided, nor shall any waiver of any breach of the Contract be held to be a waiver of any subsequent breach. Any remedy provided in this Contract shall be taken and construed as cumulative; that is, in addition to each and every other remedy herein provided, and in addition to all other suits, actions, or legal proceedings, the OWNER shall also be entitled as of rights to writ if injunction against any breach of any of the provisions of the contract.
8. The CONTRACTOR shall indemnify and hold harmless the City and its agents and employees from and against all claims, damages, losses, and expenses, including but not limited to, attorney fees, arising out of or resulting from performance of the work, provided such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death or injury to or destruction of property including loss of use resulting there from, by acts or omissions of the CONTRACTOR, or anyone directly or indirectly employed or engaged by them, including any and all subcontractors, or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this paragraph.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed and have hereto set their hands on the day and year first above written.

WITNESS:

Lisa Hardin

The City of Starkville, Mississippi

OWNER

BY: [Signature]

D. Lynn Spruill, Mayor

CONTRACTOR

ADDRESS

ATTEST:

BY: _____
(President-Partner-Owner)

(In the event the CONTRACTOR is a Corporation, his Corporation Seal shall be affixed.)

GENERAL CONDITIONS

Standard General Conditions of the Construction Contract shall be as provided by the Engineers Joint Contract Documents Committee (EJCDC). Copies are on file at City Hall and will be furnished upon written request from contractor.

PUBLIC HEARINGS:

PUBLIC HEARING AND CONSIDERATION OF SE 24-01: A REQUEST FOR A SPECIAL EXCEPTION TO ALLOW FOR A DETACHED DWELLING TO BE PLACED AT 122 YELLOW JACKET DRIVE IN A C ZONING.

City Planner Daniel Havelin presented SE 24-01. The applicant, Sarah Tadlock, is requesting a Special Exception to build a single detached house at 122 Yellow Jacket Drive in a C (Commercial) zoning district. The Use Chart in Section 13.3 of the Unified Development Code requires a Special Exception for “Detached, Dwelling” in a C zoning district. Section 13.3.4 of the Unified Development Code also requires that the Special Exception meet the additional standards for that use.

Mayor Spruill opened the Public Hearing. There being no comments, the Mayor closed the Public Hearing.

33. CONSIDERATION OF SE 24-01: A REQUEST FOR A SPECIAL EXCEPTION TO ALLOW FOR A DETACHED DWELLING TO BE PLACED AT 122 YELLOW JACKET DRIVE IN A C ZONING.

Upon the motion of Alderman Rupp, duly seconded by Alderman Moreland, for the Board of Aldermen to approve SE 24-01: a request for a Special Exception to allow for a detached dwelling to be placed at 122 Yellow Jacket Drive in a C zoning, the Board voted as follows:

Alderman Kim Moreland	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	Voted: Nay
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Nay

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

PUBLIC HEARING AND CONSIDERATION OF UE 24-01: A REQUEST FOR A SPECIAL EXCEPTION TO ALLOW FOR A MONUMENT SIGN TO BE PLACED AT THE HUB BUILDING LOCATED AT 301 UNIVERSITY DRIVE IN A T-5D ZONING DISTRICT.

City Planner Daniel Havelin presented UE 24-01: a request for a Special Exception to allow for a monument sign to be placed at The Hub building located at 301 University Drive in a T-5D zoning district. On behalf of Mississippi State University, the applicant, Matthew Pea with CPLA, is requesting a Special Exception to allow a monument sign to be placed at The Hub building located at 301 University Drive in a T-5D zoning district. The HUB is currently renovating the front entrance plaza along University Drive. As part of this renovation, a new monument sign is being proposed. The applicant seeks a Use Exception to place a monument sign in a T-5D zoning district on a corner lot. In a T-5D zoning district, monument signs are only permitted on corner lots with a Use Exception if the existing building exceeds the maximum setback for that zoning district. The existing building exceeds the maximum setback of fifteen feet. Monument signs are also limited to six feet in height and a maximum of sixty square feet. The proposed monument sign meets all size and setback requirements.

Mayor Spruill opened the Public Hearing.

Alvin Turner noted the building has been getting a lot of attention lately and asked what it will be used when it is finished.

There being no additional comments from the general public, the Mayor closed the Public Hearing.

34. CONSIDERATION OF UE 24-01: A REQUEST FOR A SPECIAL EXCEPTION TO ALLOW FOR A MONUMENT SIGN TO BE PLACED AT THE HUB BUILDING LOCATED AT 301 UNIVERSITY DRIVE IN A T-5D ZONING DISTRICT.

Upon the motion of Alderman Rupp, duly seconded by Alderman Moreland, for the Board of Aldermen to approve UE 24-01: a request for a Special Exception to allow for a monument sign to be placed at The Hub building located at 301 University Drive in a T-5D zoning district, the Board voted as follows:

Alderman Kim Moreland	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	Voted: Nay
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.

SECOND PUBLIC HEARING AND CONSIDERATION UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING LOCATED AT 201 RUTH ROAD, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION COULD OCCUR.

City Code Enforcement Officer Sarah Perez presented the property for consideration. Initial inspection of 201 Ruth Rd, Starkville, MS 39759, with the parcel number 159J-00-028.01, was performed by Code Enforcement Officer Sarah Perez on Thursday, January 4, 2024, and re-inspection on Saturday, January 20, 2024 by Code Enforcement Officer Sarah Perez. Both inspections contained conditions not suitable for public health and safety such as, multiple holes in the side of the structure, water damage, roof damage, and overall upkeep of the property being neglected and natural deterioration over time. An administrative warrant was issued on Saturday, January 20, 2024, and executed on Sunday, January 21, 2024, at approximately 14:46 hrs. Photographs were taken of the outside of the structure, as well as some taken through windows and open doors.

Public Notices of the first public hearing were posted on the front entrance window at City Hall on Wednesday, February 7, 2024. Notification letters of the public hearing were sent on Wednesday, February 7, 2024, to the property tax payer/owner Dwight Prisock and Roberta Prisock, 64 Lakeside Dr, Starkville, MS 39759, and also to the mailing address for the subject property.

Public Notices of the first public hearing were posted on the subject property and a third inspection of the property was done on Thursday, February 8, 2024, showing that no attempts to resolve the issues have been made.

The fourth inspection was done by Officer Sarah Perez before submission of documents on Thursday, February 22, 2024 at approximately 14:41 hrs.

The first public hearing was conducted on Tuesday, March 5, 2024.

Public Notices of the second public hearing were posted at City Hall and on the subject property and a fifth inspection of the property was done on Wednesday, March 6, 2024, showing that no attempts to resolve the issues have been made. The final inspection was done by Officer Sarah Perez.

A nuisance shall be a condition or situation that results in an interference with the use and enjoyment of public and private property. To protect the health, safety, and welfare of the public, maintaining, using, placing, depositing, leaving, or permitting of any item or action classified as a nuisance shall not be permitted.

16.1.1 General Nuisance

Nuisance shall include but not be limited to:

- A. Accumulation of noxious weeds and other rank vegetation.
- B. Accumulations of rubbish, trash, refuse, junk and other abandoned materials, metals, lumber or other things.
- C. Any condition which provides harborage for rats, mice, snakes and other vermin.
- D. Any structure or equipment, as defined and regulated by the adopted technical codes of Section 17, which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.
- E. All unauthorized noises and vibrations, including animal noises.
- F. All obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.
- G. The carcasses of animals or fowl not disposed of within a reasonable time after death.
- H. The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery or industrial wastes or other substances.
- I. Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.
- J. Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.
- K. The creation of dense smoke, noxious fumes, gas, soot, or cinders in unreasonable quantities.

2014 7005
Recorded in the Above
Deed Book 3 Page
10-24-2014 12:05:45 PM
Monica W. Banks
Oktibbeha County, MS

Prepared by:
H. Scott Ross
Attorney At Law
Ross Kelley & Martin, PLLC
P.O. Box 332
West Point, Mississippi 39773
(662) 494.2593

Return to:
H. Scott Ross
Attorney At Law
P.O. Box 332
West Point, Mississippi 39773
(662) 494.2593

STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and 00/100 Dollars, (\$10.00) cash in hand paid and
other good and valuable considerations the receipt and sufficiency of which is hereby acknowledged ,

ROBERTA F. PRISOCK
1287 Lakeside Drive
Starkville, Mississippi 39759

does hereby convey and warrant to

ROBERTA F. PRISOCK and
DWIGHT R. PRISCOK
1287 LAKESIDE DRIVE
STARKVILLE, MISSISSIPPI 39759
770-330-3890

as joint tenants with full rights of survivorship and not as tenants in common, the following described real property
located and situated in Oktibbeha County, Mississippi, to-wit:

(See Exhibit A attached) (Pages 4-6)

INDEXING INSTRUCTIONS: **All of Lots 24, 25, and 26 of Claytonville Village**
 Subdivision, S32, T19N, R15E, Oktibbeha County,
 Mississippi.

SUBJECT TO all prior mineral reservations, if any, and also subject to easements for public utilities and
rights of way for public roadways, whether the same appear of record or not, if any.

WITNESS my signature this the 24th, day of October, 2014.

The photographs below were taken from the public view at the city road by Officer Sarah Perez at the first inspection on Thursday, January 4, 2024, at approximately 11:45 hrs.

(CALL CARD)

Call #	24-000402	Dispatcher	STEENWYK, G		
Date/Time	01/04/2024 11:45:22	Disposition	REPORT		
Type	CODE ENFORCEMENT	Zone			
How Rcvd	OFFICER INITIATED				
Sent To Dispatch					
Location Address					
201 RUTH ROAD					
Officer Information					
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
STEENWYK, G	11:45:22	11:45:22	11:45:59		
Notes					
1/4/2024 11:45:40 AM	STEENWYK, G				
					PHOTOS TAKEN FROM ROAD



(NORTH SIDE OF PROPERTY)



(EAST SIDE OF PROPERTY)



(SOUTH SIDE OF PROPERTY)



Violation Notice issued pages 1-3, Friday, January 19, 2024.



FIRST NOTICE OF VIOLATION

Dwight Prisock
64 LAKE SIDE RD
Starkville, MS 39759

Case No. 24-000008
Issued: January 19, 2024

VIOLATION LOCATION

201 Ruth Rd
Starkville, MS

LEGAL DESCRIPTION

An inspection of the above referenced property was made on January 19, 2024. As a result of this inspection, the violation(s) described on page two of this document were observed.

This is your official notice that you will need to bring the property into compliance no later than January 29, 2024.

If you do not bring this property into compliance, then the city will issue a citation and / or abate this nuisance and file a lien against this property for the cost of the abatement.

Your cooperation in this matter is greatly appreciated. If we can be of further assistance to you, or can answer any questions regarding this matter, please contact this office at (662) 323-4847.

Issued By:

Sarah Perez, Code Enforcement Officer

RECIPIENTS: Dwight Prisock

Violations Listing

Dilapidated Structures (MCA Section 21-19-11)

Reported By: Sarah Perez on Jan 19, 2024 at 2:21 PM

Property or parcel of land determined to be menace to public health, safety and welfare.

CORRECTION	DESCRIPTION
------------	-------------

Remove Dilapidated Structure

REQUIRED

It is the duty of person(s) in violation to comply by removing dilapidated structures.



The photographs below were taken from the public view at the city road by Officer Sarah Perez at the second inspection on Saturday, January 20, 2024, at approximately 09:34 hrs. The photographs show that no apparent change has been made to change the appearance of the property.

(CALL CARD)

Call #	24-002182	Dispatcher	Perez, S
Date/Time	01/20/2024 09:34:15	Disposition	REPORT
Type	CODE ENFORCEMENT	Zone	
How Rcvd	OFFICER INITIATED		
Sent To Dispatch			
Location Address	201 RUTH RD		
Officer Information			
Badge - Name	Dispatched	Arrived	Cleared
Perez, S	09:34:15	09:34:15	09:36:09
De-Assign	Case Number		
Notes			
1/20/2024 9:35:57 AM Perez, S	PHOTOS TAKEN FROM THE PUBLIC VIEW SHOWING NO CHANGES HAVE BEEN MADE TO THE STRUCTURE		

(NORTH SIDE OF PROPERTY)



(SOUTH SIDE OF PROPERTY)



(EAST SIDE OF PROPERTY)



An Administrative Inspection Warrant was issued on Saturday, January 20, 2024.

ADMINISTRATIVE INSPECTION WARRANT

This day personally appeared before me, the undersigned judicial officer of the City of Starkville, Oktibbeha County, Mississippi, Code Enforcement Officer Sarah Perez, known to be a credible person, who after being first duly sworn, depose and say:

1. That affiants have good reason to believe and do believe that certain things hereinafter described as now being concealed in or about the following place in this county:

The entire house including any locked or secured rooms or compartments at 201 Ruth Rd., Starkville, Oktibbeha County, Mississippi and any out buildings on the property to include a garage and storage facilities.

2. That the place described above is occupied and controlled by:
Dwight Priscock and unknown persons

3. That said things particularly described as follows:
Any and all evidence of structural damage and dilapidated conditions that are unfit for human habitation and a menace to the public health, safety, and welfare.

4. That possession of the above said described things is in itself unlawful (or the public has a primary interest in, or primary right to possession of the above described things), in that said things are:

**IN VIOLATION OF STARKVILLE UNIFIED DEVELOPMENT CODE SECTION 16.1.1
SUB SECTION D. (GENERAL NUISANCE), AS WELL AS 2020 MISSISSIPPI CODE
21-19-11(HEALTH, SAFETY, AND WELFARE).**

5. The facts tending to establish the following grounds for issuance of an Administrative Inspection Warrant are set forth in the affidavit with attached sheet headed Underlying Facts and Circumstances, which were reviewed by this court. This court, having examined and considered said affidavit and attachment, and also having heard and considered the evidence in support thereof from the affiants named therein does find that probable cause for the issuance of a search warrant does exist. THEREFORE, you are hereby commanded to proceed at any time in the day or night to the place described above and search forthwith said place for the things specified above, making known to the person or persons occupying or controlling said place, if any, your purpose and authority for so doing, and if the things specified above be found there to seize them, leaving a copy of this warrant and a receipt for the things taken; and bring the things seized before the court instant; and prepare a written inventory of the items seized, and have then and there this writ, with your proceedings noted therein.
6. Do not interpret this writ as limiting your authority to seize all contraband and things the possession of which in itself is unlawful which you find incident to your search, or as limiting your authority to make otherwise valid arrest at the place described above.

Witness my hand on this the 20 day of January 2024.


Municipal Court Judge

The Administrative Inspection Warrant was executed on Sunday, January 21, 2024, at approximately 14:46 hrs. Photographs were taken of the outside of the structure, as well as some

photographs taken through windows and open doors. A copy of the warrant was left with the tenant Mr. Sylvester Dollinson, who lives at 201 Ruth Rd Apt. 1. Mr. Dollinson was identified by his MS DL.

(CALL CARD)

Call #	24-002290		Dispatcher	EWING, F	
Date/Time	01/21/2024 14:46:16		Disposition	REPORT	
Type	CODE ENFORCEMENT		Zone		
How Rcvd	OFFICER INITIATED				
Sent To Dispatch					
Location Address					
201 RUTH DR					
STARKVILLE, MS 39759					
Officer Information					
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	14:46:16	14:46:16	15:17:56		
CARRITHERS, S	14:54:14	14:54:17	15:52:09		24010187
Notes					
1/21/2024 2:46:48 PM	PEREZ, S	CASE #24-000008			
1/21/2024 2:54:05 PM	PEREZ, S	SERVING ADMINISTRATIVE WARRANT FOR PHOTOGRAPHS OF DILAPIDATED STRUCTURES ON THE PROPERTY			
1/21/2024 3:00:21 PM	EPPS, J	LETS Warrant Query submitted.			

(NORTH SIDE OF PROPERTY)







(SOUTH SIDE OF PROPERTY)



Photographs below were taken through the south side window of unit 5



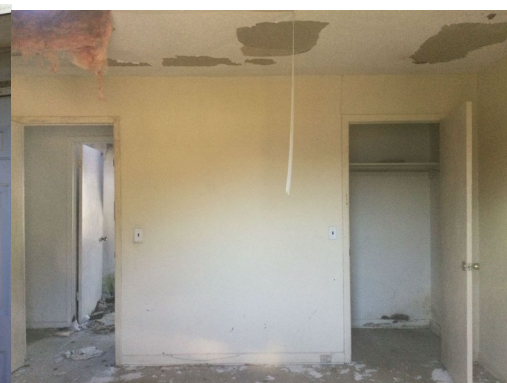
Photographs below were taken through the south side window of unit 4



Photographs below were taken through the south side window of unit 3



Photographs below were taken through the south side window of unit 2



(EAST SIDE OF PROPERTY)



Certified letter of notice of violation and a copy of the warrant were sent to the property owner on Monday, January 22, 2024.

(NOTICE OF VIOLATION)



(ADMINISTRATIVE WARRANT)



Photographs below were taken by Officer Sarah Perez on Wednesday, February 7, 2024. The first public hearing notices were mailed to the property owner via certified mail and posted in the front window at City Hall. Also posted on the property on Thursday, February 8, 2024.

(PDF OF THE PUBLIC HEARING NOTICE)

Dewight Prisock and Roberta Prisock
64 Lakeside Dr.
Starkville, MS 39759

NOTICE

PARCEL NUMBER: 159J-00-028.01

201 Ruth Rd. Starkville, MS 39759

Please take notice, pursuant to Mississippi Code Ann. § 21-19-11, a public hearing shall occur on **March 5, 2024**, before the Starkville Board of Aldermen at 5:30 PM in the Municipal Courtroom of City Hall located at 110 West Main Street for the purpose of determining whether the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community. The property owner and all interested persons are invited and encouraged to attend.

An adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of two (2) years after final adjudication without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

If, at such hearing, the City shall adjudicate the property or parcel of land to be a menace to the public health, safety, and welfare of the community, the City, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The City may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed \$1,500 or 50% of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property.

If you have any questions or seek additional information, contact Starkville's Police Department
Code Enforcement Officer Sarah Perez or Officer Gabriel Steenwyk (662)323-4847

Public Hearing notice mailed to the property owner on Wednesday, February 7, 2024
(CALL CARD) & (PHOTOS OF CERTIFIED MAIL SENT)

Call # 24-004226
 Date/Time 02/07/2024 15:28:04
 Type CODE ENFORCEMENT
 How Rcvd OFFICER INITIATED
 Sent To Dispatch

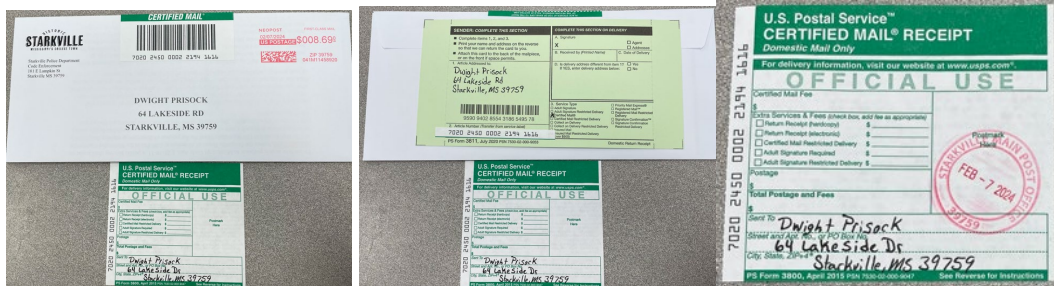
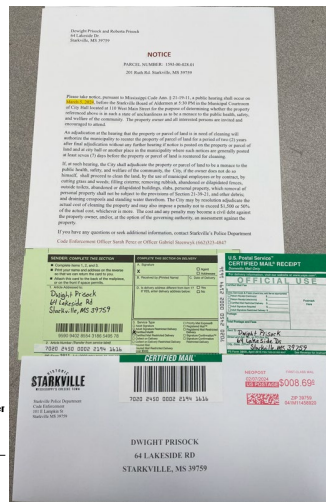
Location Address
 POST OFFICE

Dispatcher PEREZ, S
 Disposition REPORT
 Zone

Officer Information
 Badge - Name Dispatched Arrived Cleared De-Assign Case Number
 PEREZ, S 15:28:04 15:28:04 15:50:30

Notes

2/7/2024 3:50:08 PM PEREZ, S MAILING CERTIFIED LETTERS OF NOTICE FOR PUBLIC HEARING ON CASE #S 24-000008, 24-000009, 24-00010, AND 24-00011



(POSTED AT CITY HALL IN WINDOW OF THE FRONT ENTRANCE)

Call # 24-004221
 Date/Time 02/07/2024 15:10:06
 Type CODE ENFORCEMENT
 How Rcvd OFFICER INITIATED
 Sent To Dispatch

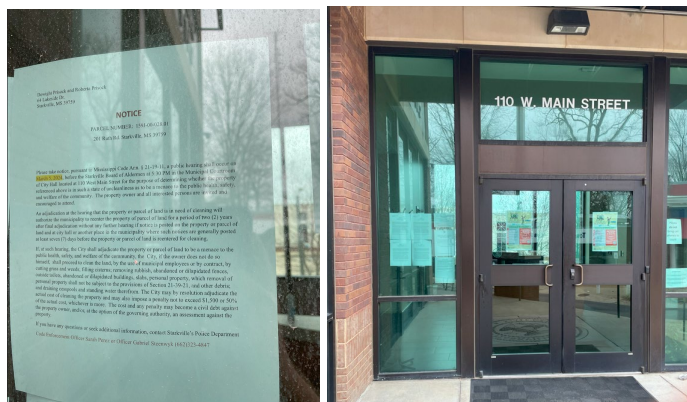
Location Address
 110 E MAIN STREET

Dispatcher PEREZ, S
 Disposition REPORT
 Zone

Officer Information
 Badge - Name Dispatched Arrived Cleared De-Assign Case Number
 PEREZ, S 15:10:06 15:10:06 15:16:15

Notes

2/7/2024 3:13:13 PM PEREZ, S CASE #24-000008 FOR 201 RUTH RD
 2/7/2024 3:16:08 PM PEREZ, S PUBLIC HEAR NOTICE POSTED AT CITY HALL IN THE WINDOW AT THE FRONT ENTRANCE



(CALL CARD) & (POSTED ON THE STRUCTURE)

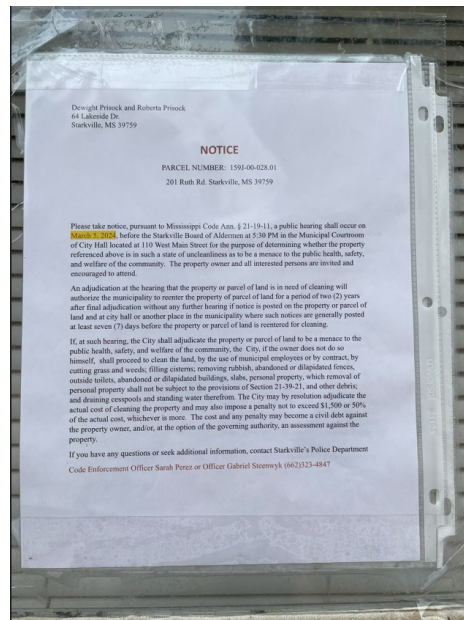
Call # 24-004314
 Date/Time 02/08/2024 08:57:26
 Type CODE ENFORCEMENT
 How Rcvd OFFICER INITIATED
 Sent To Dispatch

Dispatcher PEREZ, S
 Disposition REPORT
 Zone

Location Address
 201 RUTH RD

Officer Information	Dispatched	Arrived	Cleared	De-Assign	Case Number
Badge - Name PEREZ, S	08:57:26	08:57:26	09:03:57		

Notes		
2/8/2024 8:57:46 AM	PERE Z, S	CASE #24-000008
2/8/2024 8:58:10 AM	PERE Z, S	POSTING PUBLIC HEARING NOTICES ON THE STRUCTURE
2/8/2024 8:58:39 AM	PERE Z, S	TAKING UPDATED PHOTOS OF THE STRUCTURE FROM THE ROAD WAY
2/8/2024 9:03:45 AM	PERE Z, S	THERE HAS BEEN NO CHANGES TO THE STATE OF THE PROPERTY



The photographs below were taken by Officer Sarah Perez at the third inspection on Thursday, February 8, 2024. Showing no apparent change having been made to change the appearance of the property.

(SOUTH SIDE OF THE STRUCTURE)



(EAST SIDE OF THE STRUCTURE)

(NORTH SIDE OF THE STRUCTURE)



Photographs below were taken by Officer Sarah Perez one week before submission of documents on Thursday, February 22, 2024 at approximately 14:41 hrs.

(CALL CARD)

Call #	24-006045	Dispatcher	PEREZ, S		
Date/Time	02/22/2024 14:41:39	Disposition	REPORT		
Type	CODE ENFORCEMENT	Zone			
How Rcvd	OFFICER INITIATED				
Sent To Dispatch					
Location Address					
201 RUTH RD					
Officer Information					
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	14:41:39	14:41:39	14:43:46		
Notes					
2/22/2024 2:42:34 PM	PEREZ, S	CASE #24-000008			
2/22/2024 2:43:28 PM	PEREZ, S	FINAL INSPECTION PHOTOS TAKEN FROM THE ROADWAY SHOWING NO PROGRESS IN REPAIR EFFORTS			

(PHOTOGRAPHS OF PROPERTY)



Photographs below were taken by Officer Sarah Perez on Wednesday, March 6, 2024. The second public hearing notices were mailed to the property owner via certified mail and posted in the front

window at City Hall. The notice of the second public hearing was also posted on the property and photos were taken of the property showing no change had been made.

(PDF OF THE PUBLIC HEARING NOTICE)

Dwight Prisock and Roberta Prisock
64 Lakeside Dr.
Starkville, MS 39759

NOTICE

PARCEL NUMBER: 159J-00-028.01

201 Ruth Rd. Starkville, MS 39759

Please take notice, pursuant to Mississippi Code Ann. § 21-19-11, **a second public hearing** shall occur on **March 19, 2024**, before the Starkville Board of Aldermen at 5:30 PM in the Municipal Courtroom of City Hall located at 110 West Main Street for the purpose of determining whether the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community. The property owner and all interested persons are invited and encouraged to attend.

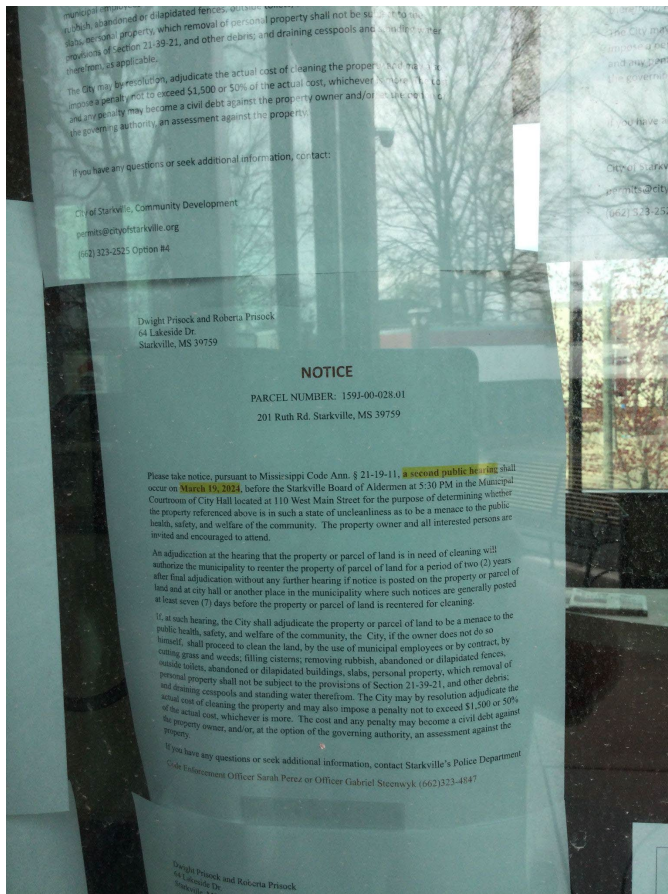
An adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of two (2) years after final adjudication without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

If, at such hearing, the City shall adjudicate the property or parcel of land to be a menace to the public health, safety, and welfare of the community, the City, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The City may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed \$1,500 or 50% of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property.

If you have any questions or seek additional information, contact Starkville's Police Department

Code Enforcement Officer Sarah Perez or Officer Gabriel Steenwyk (662)323-4847

(PHOTOS OF CERTIFIED MAIL SENT)



(CALL CARD)

Call # 24-007765
Date/Time 03/06/2024 10:36:51
Type CODE ENFORCEMENT
How Rcvd OFFICER INITIATED
Sent To Dispatch

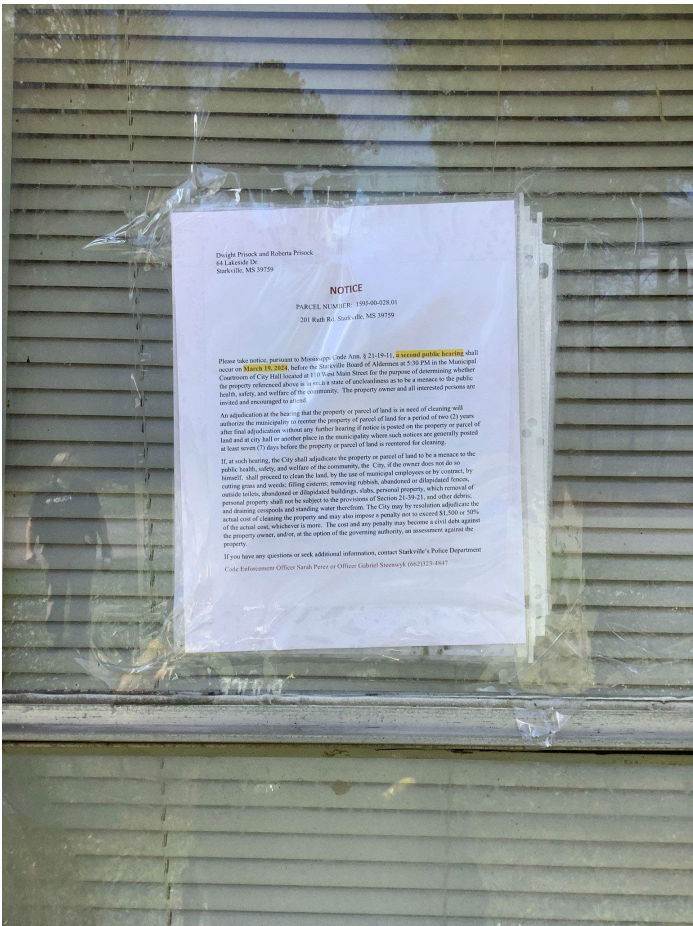
Dispatcher PEREZ, S
Disposition NO ACTION
Zone

Location Address
201 RUTH RD

Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	10:36:51	10:36:51	10:43:37		
STEENWYK, G	10:37:25	10:37:36	10:43:59		

Notes					
3/6/2024 10:43:15 AM	PEREZ, S	NOTICE OF SECOND PUBLIC HEARING POSTED			
3/6/2024 10:43:28 AM	PEREZ, S	PHOTOS TAKEN SHOWING NO CHANGE			

(POSTED ON THE STRUCTURE)





(NORTH SIDE OF THE STRUCTURE)





(EAST SIDE OF THE STRUCTURE)



(SOUTH SIDE OF THE STRUCTURE)





The following was distributed by Attorney Gary Goodwin who offered comments and questioned Officer Perez after she completed her presentation:

BEFORE THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF STARKVILLE, MISSISSIPPI

IN RE: NOTICE OF PUBLIC HEARING REGARDING
DETERMINATION OF MENACE AND DEMOLITION
OF BUILDING LOCATED AT 201 RUTH ROAD
PARCEL #159J-00-028.01
DWIGHT PRISOCK, OWNER

CASE NO. 24-000008

IN RE: NOTICE OF PUBLIC HEARING REGARDING
DETERMINATION OF MENACE AND DEMOLITION
OF BUILDING LOCATED AT 245 RUTH ROAD
PARCEL #159J-00-028.01
DWIGHT PRISOCK, OWNER

CASE NO. 24-000009

IN RE: NOTICE OF PUBLIC HEARING REGARDING
DETERMINATION OF MENACE AND DEMOLITION
OF BUILDING LOCATED AT 305 RUTH ROAD
PARCEL #159J-00-028.01
DWIGHT PRISOCK, OWNER

CASE NO. 24-000010

IN RE: NOTICE OF PUBLIC HEARING REGARDING
DETERMINATION OF MENACE AND DEMOLITION
OF BUILDING LOCATED AT 325 RUTH ROAD
PARCEL #159J-00-028.01
DWIGHT PRISOCK, OWNER

CASE NO. 24-000011

CONSOLIDATED RESPONSE
TO NOTICES OF PUBLIC HEARINGS

TO THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI ("the CITY")

Comes now, DWIGHT PRISOCK, OWNER, ("Prisock") through counsel, and responds
to the matters set forth in the various NOTICES OF PUBLIC HEARINGS and asserts the
following:

MOTION TO SUPPRESS

1. It is believed the City Code Enforcement Officer will seek to introduce into evidence certain photographs of the subject real property of Prisock and testimony from personal observation, that is claimed to be evidence of a nuisance as defined under § 21-19-11 of the Mississippi Code. Prisock contends that such photographs, or any physical objects seized or such testimony about those items and the real property itself, that the Officer or other City witnesses may have gained as result of any inspections that were conducted, beginning September 1, 2023 and thereafter, should be suppressed and excluded as evidence at the Public Hearing. Such evidence was gained as a result of an illegal trespass, as an inspection was done by the Code Officer without the issuance of a search warrant from a judicial authority, based upon an affidavit supporting a finding of probable cause, as required by U.S. CONST. Amend. XIV and Art. III §23 MISS. CONST. See, *Okhuysen v. City of Starkville*, 333 So.3d 573 (Miss. App. 2022). Such evidence formed the basis of the public hearings held by the City on December 5, 2023, for the same four properties and the proceedings thereof are part of the minutes for that meeting. Prisock incorporates the information contained in the parts of those minutes by reference and designates those proceedings, as recorded therein, and as recorded by video on the FaceBook page maintained by the City, as part of the record in this cause, for the purpose of his suppression request.

2. Likewise, Prisock contends that any similar type of evidence gained by the Code Enforcement Office from any inspections or observations made on or after January 4, 2024 and which the City intends to offer at this Public Hearing should be suppressed. Despite the fact that

an “Administrative Search Warrant” was obtained on January 20, 2023, and executed by the same Officer or Office on January 21, 2023, such evidence gained by that search (being identified in the minutes and agenda for February 6, 2023) constitutes the fruits of the prior non-exigent, non-consensual, warrantless searches referred to in ¶1. above.

3. In *Brunson v. State*, 264 So.2d 817 (Miss. 1972), the Mississippi Supreme Court noted it followed settled law regarding “tainted evidence”:

In *Wong Sun v. United States*, 371 U.S. 471, 83 S.Ct. 407, 9 L.Ed.2d 441 (1963), the United States Supreme Court said:

We need not hold that all evidence is 'fruit of the poisonous tree' simply because it would not have come to light but for the illegal actions of the police. Rather, the more apt question in such a case is 'whether, granting establishment of the primary illegality, the evidence to which instant objection is made has been come at by exploitation of that illegality or instead by means sufficiently distinguishable to be purged of the primary taint.' . . . (371 U.S. at 487-488, 83 S.Ct. at 417, 9 L.Ed.2d at 455).

SELECTIVE PROSECUTION

4. In 2019 the City filed a petition to enlarge its boundaries in Chancery Court. A copy of the docket for this case is attached as “Exhibit A”. As will be gleaned from the docket, the annexation petition was contested by several citizens of county, including Prisock. [Doc #5]. Prisock and other objectors were ultimately unsuccessful. The court entered the final judgment on November 30, 2021 [Doc #170]. The judgement would have become final and non-appealable on December 30, 2021, and the City could have begun collecting property taxes in the annexed area in 2022. Prisock, along with other objectors, filed a motion for reconsideration [Doc. #171] and a motion for findings of fact in conclusions of law [Doc. # 172]. The City filed a response to both

motions [Doc. # 173] and [Doc. #174]. In the response to the motion for findings of fact, the City demanded sanctions. The court disposed of these motions on March 28, 2022, when it entered an order denying the objectors' motions [Doc. # 178] and the City's demand for sanctions against the objectors. The filing of the post-trial motions consequently extended the finality of the Judgment into 2023.

5. Prisock believes the heart of the issue regarding sanctions was the desire of the City to punish the objectors and Prisock for opposing the annexation and "preventing" the city collecting any property taxes in the annexed areas for the year 2022. Prisock believes, and justifiably so, that the proceedings regarding his property and these public hearings are similarly motivated as a continued effort of the City, to punish him for taking proper legal steps to object and defend against the city annexation case.

RULE OF LENITY

6. The present matter is a quasi-judicial proceeding, which requires the City Mayor and Board to act as finders of fact and apply the correct law. The Notices of Public Hearing are essentially a charging document which should guide the application of law. The recommendation of the Code Enforcement Office is for demolition of the four buildings on the Prisock property. The Notice provides for no alternative action to be taken by the City or landowner, and appears to quote part of § 21-19-11. However, an important phrase in the statute is omitted, i.e. "securing abandoned or dilapidated buildings". This being the least restrictive remedy under the statute, the rule of lenity should be applied. If applicable to the facts found by the City, the least destructive remedy of "securing abandoned or dilapidated buildings" must, as a matter of law, be first

considered. In the present case, the buildings are: (a.) remote from high concentrations of population, (b.) have some economic value, (c.) present a hazard, if any, only to those who would trespass, (d) are not the subject of complaints from the public and (e.) are capable of being secured from trespass, if not already done. Prisock submits the following in support:

Exhibit B - Official Zoning District Map

Exhibit C - Snip of Zoning District Map, location and zoning (Commercial)

Exhibit D - Snip of tax map showing parcels 28 and 28.01

Exhibit E - Property record card for parcel 28/201 Ruth Road

Exhibit F - Property record card for parcel 28.01/245 Ruth Road

Respectfully submitted this the 19th day of March 2024.

DWIGHT PRISOCK, OWNER

BY: *Gary Street Goodwin*
GARY STREET GOODWIN
ATTORNEY FOR OWNER

GOODWIN LAW FIRM
THE PLAZA BUILDING
501 7TH STREET NORTH, STE 10
POST OFFICE BOX 524
COLUMBUS, MS 39703-0524
(662) 328-1101 Telephone
(888) 418-6989 Facsimile
goodwinlawfirm@bellsouth.net
MS. STATE BAR NO. 4900

CLOSED

**Mississippi Electronic Courts
Fourteenth Chancery Court District (Oktibbeha Chancery Court)
CIVIL DOCKET FOR CASE #: 53CH1:19-cv-00314-JNS**

CITY OF STARKVILLE, MISSISSIPPI
Assigned to: Joseph N. Studdard

Upcoming Settings:

None Found

Date Filed: 08/28/2019
Date Terminated: 11/30/2021
Total Case Age: 825
Jury Demand: None
Nature of Suit: Other Real Property (109)

Plaintiff

**CITY OF STARKVILLE,
MISSISSIPPI**

represented by **John Samuel Hill, Sr.**
Mitchell, McNutt & Sams, P.A.
P. O. Box 7120
TUPELO, MS 38802
662-842-3871
Fax: 662-842-8450
Email: jhill@mitchellmcnutt.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephen Otey
Mitchell McNutt & Sams
P O Box 7120
TUPELO, MS 38801
662-842-2871
Email: sotey@mitchellmcnutt.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Grant Armistead, Sr.
Mitchell, McNutt & Sams, P.A.
Post Office Box 7120
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662-842-3871
Fax: 662-842-8450
Email: warmistead@mitchellmcnutt.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher J. Latimer
Mitchell McNutt
1216 Van Buren Ave.
P. O. Box 947
OXFORD, MS 38655
662-234-4845
Fax: 662-234-9071
Email: clatimer@mitchellmcnutt.com
ATTORNEY TO BE NOTICED

V.

Petitioner

REX FIELDS

represented by **REX FIELDS**
PRO SE

Interested Party

DAVID OSWALD

Exhibit A

Interested Party

VIRGINIA WILLIAMS

Interested Party

JAMES CHRISMAN

V.

Objector

Dwight Prisock

represented by **Dwight Prisock**
PRO SE

Objector

Carl Ivey

represented by **Carl Ivey**
PRO SE

Objector

Daniel T. Crump

represented by **Daniel T. Crump**
PRO SE

Objector

James Williams

represented by **James Williams**
PRO SE

Objector

Deen J. Self

represented by **Deen J. Self**
PRO SE

Objector

William Wells

represented by **William Wells**
PRO SE

Objector

Timothy Allison

represented by **Timothy Allison**
PRO SE

Objector

Lydia Allison

represented by **Lydia Allison**
PRO SE

Objector

Reatha Linley-Fielder

represented by **Reatha Linley-Fielder**
PRO SE

Objector

MICHAEL L LATHAM

represented by **MICHAEL L LATHAM**
PRO SE

Objector

WALTER P OKHUYSEN

represented by **Gary Street Goodwin, Mr.**
P.O. Box 524
COLUMBUS, MS 39703
662-328-1101
Fax: 662-328-1102
Email: goodwinlawfirm@bellsouth.net
LEAD ATTORNEY

Exhibit A

ATTORNEY TO BE NOTICED

Objector

JUD ABRAMS

Objector

CARL T ZITTA

Objector

THEODORE NICKS

Objector

JERRY BOYD SR

represented by **JERRY BOYD SR**
PRO SE

Objector

TINA SCHOLTES

represented by **TINA SCHOLTES**
PRO SE

Objector

ROBERT B SCHOLTES

represented by **ROBERT B SCHOLTES**
PRO SE

Objector

BESSIE PEARSON

Objector

DARLENE H PERKINS

Objector

ANNIE W JOHNSON

Objector

DARNELL JOHNSON

Objector

JOE REED

represented by **JOE REED**
PRO SE

Objector

LONNICE FIELDS

Objector

SARAH LAUGHLIN

Objector

Luis Eduardo Okhuysen

represented by **Gary Street Goodwin, Mr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/28/2019	<u>1</u>	PETITION FOR APPROVAL OF THE EXTENSION OF THE BOUNDARIES OF THE CITY OF STARKVILLE, MS, filed by CITY OF STARKVILLE, MISSISSIPPI.

Exhibit A

		(Attachments: # <u>1</u> Civil Cover Sheet,) (Clifford, Terri) (Entered: 08/28/2019)
08/30/2019	<u>3</u>	Supplemental MOTION re <u>1</u> Petition by Plaintiff CITY OF STARKVILLE, MISSISSIPPI (Latimer, Christopher) (Entered: 08/30/2019)
08/30/2019	<u>4</u>	ORDER Setting Hearing Hearing set for 10/8/2019 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard.. Signed by Joseph N. Studdard on 8/30/19. (Strickland, Cindy) (Entered: 08/30/2019)
10/02/2019	<u>5</u>	OBJECTION re <u>1</u> Petition, <u>3</u> Supplemental MOTION re <u>1</u> Petition by Dwight Prisock, Carl Ivey, Daniel T. Crump, James Williams, Deen J. Self, William Wells, Timothy Allison, Lydia Allison. (Hill, Sidney) (Entered: 10/02/2019)
10/02/2019	<u>6</u>	NOTICE of Appearance <i>Entry of Appearance</i> by Sidney Ray Hill on behalf of Lydia Allison, Timothy Allison, Daniel T. Crump, Carl Ivey, Dwight Prisock, Deen J. Self, William Wells, James Williams (Hill, Sidney) (Entered: 10/02/2019)
10/02/2019	<u>7</u>	NOTICE of Appearance by John Samuel Hill, Sr on behalf of CITY OF STARKVILLE, MISSISSIPPI (Hill, John) (Entered: 10/02/2019)
10/03/2019	<u>8</u>	NOTICE of Appearance by Charles Yoste on behalf of The Retreat at Starkville, LLC (Yoste, Charles) (Entered: 10/03/2019)
10/03/2019	<u>9</u>	OBJECTION <i>Answer, and Response to the Petition and Supplement for Approval of the Extension of the Boundaries of the City of Starkville, MS</i> by The Retreat at Starkville, LLC. (Yoste, Charles) (Entered: 10/03/2019)
10/07/2019	<u>10</u>	OBJECTION re <u>1</u> Petition, <u>3</u> Supplemental MOTION re <u>1</u> Petition by Reatha Linley-Fielder, MICHAEL L LATHAM, James Chrisman, Karen Chrisman. (Hill, Sidney) (Entered: 10/07/2019)
10/07/2019	<u>11</u>	NOTICE of Appearance by Sidney Ray Hill on behalf of James Chrisman, Karen Chrisman, MICHAEL L LATHAM, Reatha Linley-Fielder (Hill, Sidney) (Entered: 10/07/2019)
10/08/2019	<u>12</u>	CASE MANAGEMENT ORDER. Signed by Joseph N. Studdard on 10/08/2019. (Clifford, Terri) (Entered: 10/08/2019)
10/08/2019	<u>13</u>	EXHIBIT LIST 10/08/2019 (Clifford, Terri) (Entered: 10/08/2019)
10/14/2019	<u>14</u>	RECEIPT OF DOCUMENTS by DAVID OSWALD. (Clifford, Terri) (Entered: 10/14/2019)
10/14/2019	<u>15</u>	RECEIPT OF DOCUMENTS by VIRGINIA WILLIAMS. (Clifford, Terri) (Entered: 10/14/2019)
10/18/2019	<u>16</u>	NOTICE of Appearance by Stephen Otey on behalf of CITY OF STARKVILLE, MISSISSIPPI (Otey, Stephen) (Entered: 10/18/2019)
10/24/2019	<u>17</u>	RECEIPT OF DOCUMENTS by WALTER P OKHUYSEN. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>18</u>	RECEIPT OF DOCUMENTS by JUD ABRAMS. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>19</u>	RECEIPT OF DOCUMENTS by CARL T ZITTA. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>20</u>	RECEIPT OF DOCUMENTS by DAVID H LAUGHLIN. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>21</u>	RECEIPT OF DOCUMENTS by THEODORE NICKS. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>22</u>	RECEIPT OF DOCUMENTS by JERRY BOYD SR. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>23</u>	RECEIPT OF DOCUMENTS by TINA SCHOLTES. (Clifford, Terri) (Entered: 10/24/2019)

Exhibit A

10/24/2019	<u>24</u>	RECEIPT OF DOCUMENTS by ROBERT B SCHOLTES. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>25</u>	RECEIPT OF DOCUMENTS by BESSIE PEARSON. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>26</u>	RECEIPT OF DOCUMENTS by DARLENE H PERKINS. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>27</u>	RECEIPT OF DOCUMENTS by ANNIE W JOHNSON. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>28</u>	RECEIPT OF DOCUMENTS by DARNELL JOHNSON. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>29</u>	RECEIPT OF DOCUMENTS by JOE REED. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>30</u>	RECEIPT OF DOCUMENTS by REX FIELDS. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>31</u>	RECEIPT OF DOCUMENTS by LONNICE FIELDS. (Clifford, Terri) (Entered: 10/24/2019)
10/24/2019	<u>32</u>	RECEIPT OF DOCUMENTS by SARAH LAUGHLIN. (Clifford, Terri) (Entered: 10/24/2019)
10/28/2019	<u>33</u>	NOTICE OF SERVICE of Interrogatories Propounded to Dwight Prisock, NOTICE OF SERVICE of Request for Production of Documents Propounded to Dwight Prisock by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)
10/28/2019	<u>34</u>	NOTICE OF SERVICE of Interrogatories Propounded to Daniel Crump, NOTICE OF SERVICE of Request for Production of Documents Propounded to Daniel Crump by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)
10/28/2019	<u>35</u>	NOTICE OF SERVICE of Interrogatories Propounded to James Williams, NOTICE OF SERVICE of Request for Production of Documents Propounded to James Williams by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)
10/28/2019	<u>36</u>	NOTICE OF SERVICE of Interrogatories Propounded to Timothy Allison, NOTICE OF SERVICE of Request for Production of Documents Propounded to Timothy Allison by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)
10/28/2019	<u>37</u>	NOTICE OF SERVICE of Interrogatories Propounded to Lydia Allison, NOTICE OF SERVICE of Request for Production of Documents Propounded to Lydia Allison by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)
10/28/2019	<u>38</u>	NOTICE OF SERVICE of Interrogatories Propounded to Reatha Linley-Fielder, NOTICE OF SERVICE of Request for Production of Documents Propounded to Reatha Linley-Fielder by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)
10/28/2019	<u>39</u>	NOTICE OF SERVICE of Interrogatories Propounded to Michael Latham, NOTICE OF SERVICE of Request for Production of Documents Propounded to Michael Latham by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)
10/28/2019	<u>40</u>	NOTICE OF SERVICE of Interrogatories Propounded to James Chrisman, NOTICE OF SERVICE of Request for Production of Documents Propounded to James Chrisman by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)
10/28/2019	<u>41</u>	NOTICE OF SERVICE of Interrogatories Propounded to Karen Chrisman, NOTICE OF SERVICE of Request for Production of Documents Propounded to Karen Chrisman by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)

Exhibit A

10/28/2019	<u>42</u>	NOTICE OF SERVICE of Interrogatories Propounded to William Wells, NOTICE OF SERVICE of Request for Production of Documents Propounded to William Wells, NOTICE OF SERVICE of Request for Admissions Propounded to William Wells by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)
10/28/2019	<u>43</u>	NOTICE OF SERVICE of Interrogatories Propounded to Carl Ivey, NOTICE OF SERVICE of Request for Production of Documents Propounded to Carl Ivey, NOTICE OF SERVICE of Request for Admissions Propounded to Carl Ivey by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)
10/28/2019	<u>44</u>	NOTICE OF SERVICE of Interrogatories Propounded to Deen Self, NOTICE OF SERVICE of Request for Production of Documents Propounded to Deen Self, NOTICE OF SERVICE of Request for Admissions Propounded to Deen Self by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/28/2019)
10/29/2019	<u>45</u>	NOTICE OF SERVICE of Interrogatories Propounded to Jud Abrams, NOTICE OF SERVICE of Request for Production of Documents Propounded to Jud Abrams, NOTICE OF SERVICE of Request for Admissions Propounded to Jud Abrams by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>46</u>	NOTICE OF SERVICE of Interrogatories Propounded to Bessie Pearson, NOTICE OF SERVICE of Request for Production of Documents Propounded to Bessie Pearson by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>47</u>	NOTICE OF SERVICE of Interrogatories Propounded to Annie Johnson, NOTICE OF SERVICE of Request for Production of Documents Propounded to Annie Johnson by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>48</u>	NOTICE OF SERVICE of Interrogatories Propounded to Darnell Johnson, NOTICE OF SERVICE of Request for Production of Documents Propounded to Darnell Johnson by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>49</u>	NOTICE OF SERVICE of Interrogatories Propounded to Virginia Williams, NOTICE OF SERVICE of Request for Production of Documents Propounded to Virginia Willams by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>50</u>	NOTICE OF SERVICE of Interrogatories Propounded to Joe Reed, NOTICE OF SERVICE of Request for Production of Documents Propounded to Joe Reed by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>51</u>	NOTICE OF SERVICE of Interrogatories Propounded to Sarah Laughlin, NOTICE OF SERVICE of Request for Production of Documents Propounded to Sarah Laughlin by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>52</u>	NOTICE OF SERVICE of Interrogatories Propounded to Lonnice Fields, NOTICE OF SERVICE of Request for Production of Documents Propounded to Lonnice Fields by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>53</u>	NOTICE OF SERVICE of Interrogatories Propounded to Rex Fields, NOTICE OF SERVICE of Request for Production of Documents Propounded to Rex Fields by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>54</u>	NOTICE OF SERVICE of Interrogatories Propounded to Walter Okhuysen, NOTICE OF SERVICE of Request for Production of Documents Propounded to Walter Okhuysen by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>55</u>	NOTICE OF SERVICE of Interrogatories Propounded to Carl Zitta, NOTICE OF SERVICE of Request for Production of Documents Propounded to Carl Zitta by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)

Exhibit A

10/29/2019	<u>56</u>	NOTICE OF SERVICE of Interrogatories Propounded to David Laughlin, NOTICE OF SERVICE of Request for Production of Documents Propounded to David Laughlin by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>57</u>	NOTICE OF SERVICE of Interrogatories Propounded to David Oswald, NOTICE OF SERVICE of Request for Production of Documents Propounded to David Oswald by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>58</u>	NOTICE OF SERVICE of Interrogatories Propounded to Theodore Nicks, NOTICE OF SERVICE of Request for Production of Documents Propounded to Theodore Nicks by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>59</u>	NOTICE OF SERVICE of Interrogatories Propounded to Jerry Boyd, Sr., NOTICE OF SERVICE of Request for Production of Documents Propounded to Jerry Boyd, Sr. by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>60</u>	NOTICE OF SERVICE of Interrogatories Propounded to Tina Scholtes, NOTICE OF SERVICE of Request for Production of Documents Propounded to Tina Scholtes by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>61</u>	NOTICE OF SERVICE of Interrogatories Propounded to Robert Scholtes, NOTICE OF SERVICE of Request for Production of Documents Propounded to Robert Scholtes by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
10/29/2019	<u>62</u>	NOTICE OF SERVICE of Interrogatories Propounded to Retreat at Starkville, LLC, NOTICE OF SERVICE of Request for Production of Documents Propounded to Retreat at Starkville, LLC, NOTICE OF SERVICE of Request for Admissions Propounded to Retreat at Starkville, LLC by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 10/29/2019)
11/18/2019	<u>63</u>	NOTICE of Appearance by Sidney Ray Hill on behalf of ROBERT B SCHOLTES, TINA SCHOLTES (Hill, Sidney) (Entered: 11/18/2019)
11/19/2019	<u>64</u>	NOTICE OF SERVICE of Responses to Request for Admissions by The Retreat at Starkville, LLC. (Yoste, Charles) (Entered: 11/19/2019)
11/19/2019	<u>65</u>	NOTICE OF SERVICE of Responses to Request for Admissions by The Retreat at Starkville, LLC. (Yoste, Charles) (Entered: 11/19/2019)
11/19/2019	<u>66</u>	RESPONSE to re <u>65</u> Notice of Service of Responses to Request for Admissions <i>Objector, The Retreat at Starkville, LLC's, Responses to the City of Starkville, Mississippi's Request for Admissions</i> by The Retreat at Starkville, LLC. (Yoste, Charles) (Entered: 11/19/2019)
11/19/2019	<u>67</u>	MISCELLANEOUS DOCUMENT: Withdrawal of Objector, by DAVID H LAUGHLIN. (Strickland, Cindy) (Entered: 11/19/2019)
11/27/2019	<u>68</u>	NOTICE OF SERVICE of Responses to Interrogatories by The Retreat at Starkville, LLC. (Yoste, Charles) (Entered: 11/27/2019)
12/02/2019	<u>69</u>	DESIGNATION of Witness by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 12/02/2019)
12/04/2019	<u>70</u>	CERTIFICATE OF SERVICE by JERRY BOYD SR (Clifford, Terri) (Entered: 12/04/2019)
12/20/2019	<u>71</u>	NOTICE OF SERVICE of Responses to Interrogatories by The Retreat at Starkville, LLC. (Yoste, Charles) (Entered: 12/20/2019)
12/27/2019	<u>72</u>	NOTICE OF SERVICE of Responses to Request for Admissions by Carl Ivey, Dwight Prisock, Deen J. Self, William Wells. (Hill, Sidney) (Entered: 12/27/2019)

Exhibit A

12/29/2019	<u>73</u>	NOTICE OF SERVICE of Responses to Request for Production by Carl Ivey. (Hill, Sidney) (Entered: 12/29/2019)
12/29/2019	<u>74</u>	NOTICE OF SERVICE of Responses to Request for Production by Lydia Allison, Timothy Allison. (Hill, Sidney) (Entered: 12/29/2019)
12/29/2019	<u>75</u>	NOTICE OF SERVICE of Responses to Request for Production by Reatha Linley-Fielder. (Hill, Sidney) (Entered: 12/29/2019)
12/30/2019	<u>76</u>	NOTICE OF SERVICE of Responses to Request for Production by Dwight Prisock. (Hill, Sidney) (Entered: 12/30/2019)
12/30/2019	<u>77</u>	NOTICE OF SERVICE of Responses to Interrogatories by Dwight Prisock. (Hill, Sidney) (Entered: 12/30/2019)
01/02/2020	<u>78</u>	DESIGNATION of Witness by The Retreat at Starkville, LLC. (Yoste, Charles) (Entered: 01/02/2020)
01/02/2020	<u>79</u>	NOTICE OF SERVICE of Responses to Interrogatories by Carl Ivey. (Hill, Sidney) (Entered: 01/02/2020)
01/02/2020	<u>80</u>	NOTICE OF SERVICE of Responses to Interrogatories by Reatha Linley-Fielder. (Hill, Sidney) (Entered: 01/02/2020)
01/02/2020	<u>81</u>	NOTICE OF SERVICE of Responses to Interrogatories by Lydia Allison, Timothy Allison. (Hill, Sidney) (Entered: 01/02/2020)
01/02/2020	<u>82</u>	NOTICE OF SERVICE of Responses to Interrogatories by ROBERT B SCHOLTES, TINA SCHOLTES. (Hill, Sidney) (Entered: 01/02/2020)
01/02/2020	<u>83</u>	NOTICE OF SERVICE of Responses to Interrogatories by Deen J. Self. (Hill, Sidney) (Entered: 01/02/2020)
01/03/2020	<u>84</u>	NOTICE OF SERVICE of Responses to Interrogatories by James Williams. (Hill, Sidney) (Entered: 01/03/2020)
01/03/2020	<u>85</u>	FIRST AMENDED CASE MANAGEMENT ORDER. Signed by Joseph N. Studdard on 1/3/2020. (Strickland, Cindy) (Entered: 01/03/2020)
01/24/2020	<u>86</u>	NOTICE OF SERVICE of Responses to Interrogatories by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 01/24/2020)
02/12/2020	<u>87</u>	NOTICE of Appearance by William Grant Armistead, Sr on behalf of CITY OF STARKVILLE, MISSISSIPPI (Armistead, William) (Entered: 02/12/2020)
02/13/2020	<u>88</u>	NOTICE to Take Deposition of James Chrisman, Karen Chrisman & Reatha Linley-Fielder by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 02/13/2020)
02/13/2020	<u>89</u>	NOTICE to Take Deposition of Robert Scholtes and Tina Scholtes by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 02/13/2020)
02/13/2020	<u>90</u>	NOTICE to Take Deposition of Michael Latham, Deen Self & Williams Wells by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 02/13/2020)
02/13/2020	<u>91</u>	NOTICE to Take Deposition of Carl Ivey, Daniel Crump & James Williams by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 02/13/2020)
02/13/2020	<u>92</u>	NOTICE to Take Deposition of Dwight Prisock, Timothy Allison & Lydia Allison by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 02/13/2020)
02/17/2020	<u>93</u>	DESIGNATION of Witness (<i>Experts</i>) by Lydia Allison, Timothy Allison, James Chrisman, Karen Chrisman, Daniel T. Crump, Carl Ivey, MICHAEL L LATHAM, Reatha Linley-Fielder, Dwight Prisock, ROBERT B SCHOLTES, TINA SCHOLTES, Deen J. Self, William Wells, James Williams. (Hill, Sidney) (Entered: 02/17/2020)
02/18/2020	<u>94</u>	NOTICE to Take Deposition of 30(b)(6) representative of the Retreat at Starkville, LLC by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 02/18/2020)

Exhibit A

02/20/2020	<u>95</u>	NOTICE to Take Deposition of James Chrisman and Karen Chrisman by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 02/20/2020)
02/20/2020	<u>96</u>	NOTICE to Take Deposition of Carl Ivey, Daniel Crump, James Williams & Reatha Linley-Fielder by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 02/20/2020)
02/24/2020	<u>97</u>	MOTION to Strike <i>Expert Chris Watson, AICP</i> by Plaintiff CITY OF STARKVILLE, MISSISSIPPI (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B,) (Armistead, William) (Entered: 02/24/2020)
02/27/2020	<u>98</u>	NOTICE to Take Deposition of Kirk Rosenhan by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 02/27/2020)
02/27/2020	<u>99</u>	NOTICE to Take Deposition of 30(b)(6) representative of the Retreat at Starkville, LLC by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 02/27/2020)
02/27/2020	<u>100</u>	Order Setting Hearing on Motion <u>97</u> MOTION to Strike Expert Chris Watson, AICP: Motion Hearing set for 3/18/2020 09:00 AM in Clay County Courthouse before Joseph N. Studdard.. Signed by Joseph N. Studdard on 2/27/2020. (Strickland, Cindy) (Entered: 02/27/2020)
02/28/2020	<u>101</u>	NOTICE to Take Deposition of 30(b)(6) representative of the Retreat at Starkville, LLC by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 02/28/2020)
03/02/2020	<u>102</u>	NOTICE OF SERVICE of Responses to Interrogatories, NOTICE OF SERVICE of Responses to Request for Production by James Chrisman, Karen Chrisman. (Hill, Sidney) (Entered: 03/02/2020)
03/03/2020	<u>103</u>	NOTICE to Take Deposition by The Retreat at Starkville, LLC. (Yoste, Charles) (Entered: 03/03/2020)
03/04/2020	<u>104</u>	NOTICE OF SERVICE of Responses to Request for Production by ROBERT B SCHOLTES, TINA SCHOLTES. (Hill, Sidney) (Entered: 03/04/2020)
03/09/2020	<u>105</u>	NOTICE OF SERVICE of Responses to Interrogatories, NOTICE OF SERVICE of Responses to Request for Production by William Wells. (Hill, Sidney) (Entered: 03/09/2020)
03/09/2020	<u>106</u>	NOTICE OF SERVICE of Responses to Request for Production by Deen J. Self. (Hill, Sidney) (Entered: 03/09/2020)
03/10/2020	<u>107</u>	NOTICE OF SERVICE of Responses to Interrogatories, NOTICE OF SERVICE of Responses to Request for Production by MICHAEL L LATHAM. (Hill, Sidney) (Entered: 03/10/2020)
03/10/2020	<u>108</u>	NOTICE OF SERVICE of Responses to Request for Production by James Williams. (Hill, Sidney) (Entered: 03/10/2020)
03/11/2020	<u>109</u>	RESPONSE in Opposition re <u>97</u> MOTION to Strike <i>Expert Chris Watson, AICP</i> by The Retreat at Starkville, LLC. (Yoste, Charles) (Entered: 03/11/2020)
03/13/2020	<u>110</u>	NOTICE to Take Deposition of Dwight Prisock by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 03/13/2020)
03/13/2020	<u>111</u>	NOTICE to Take Deposition of Timothy Allison, Lydia Allison and Reatha Lindley-Fielder by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 03/13/2020)
03/16/2020	<u>112</u>	SECOND AMENDED CASE MANAGEMENT ORDER. Signed by Joseph N. Studdard on 3/16/2020. (Strickland, Cindy) (Entered: 03/16/2020)
03/16/2020	<u>113</u>	NOTICE of Withdrawal of Petitioner's Motion to Strike Expert Chris Watson, AICP by CITY OF STARKVILLE, MISSISSIPPI (Armistead, William) (Entered: 03/16/2020)
03/17/2020	<u>114</u>	NOTICE to Take Deposition of Kirk Rosenhan by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 03/17/2020)

Exhibit A

03/18/2020	<u>115</u>	NOTICE OF SERVICE of Responses to Request for Production by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 03/18/2020)
03/19/2020	<u>116</u>	NOTICE to Take Deposition of 30(b)(6) representative of the Retreat at Starkville, LLC by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 03/19/2020)
03/19/2020	<u>117</u>	NOTICE to Take Deposition of Timothy Allison, Lydia Allison and Reatha Lindley-Fielder by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 03/19/2020)
03/19/2020	<u>118</u>	NOTICE to Take Deposition of Kirk Rosenhan and Dwight Prisock by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 03/19/2020)
03/26/2020	<u>119</u>	NOTICE to Take Deposition of City of Starkville by The Retreat at Starkville, LLC. (Yoste, Charles) (Entered: 03/26/2020)
03/26/2020	<u>120</u>	MISCELLANEOUS DOCUMENT: Notice of The Retreat at Starkville, LLC Designee for Deposition by The Retreat at Starkville, LLC. (Yoste, Charles) (Entered: 03/26/2020)
03/31/2020	<u>121</u>	DESIGNATION of Witness by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 03/31/2020)
04/01/2020	<u>122</u>	NOTICE OF SERVICE of Responses to Interrogatories, NOTICE OF SERVICE of Responses to Request for Production by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 04/01/2020)
04/23/2020	<u>123</u>	THIRD AMENDED CASE MANAGEMENT ORDER Status Conference remains set for 5/6/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Trial of this matter is reset for 9/21/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard.. Signed by Joseph N. Studdard on 4/23/2020. (Strickland, Cindy) (Entered: 04/23/2020)
04/28/2020	<u>124</u>	ORDER CANCELLING HEARING. Signed by Joseph N. Studdard on 4/27/2020. (Strickland, Cindy) (Entered: 04/28/2020)
04/29/2020	<u>125</u>	RETURN MAIL UNDELIVERED (JUD ABRAMS). (Clifford, Terri) (Entered: 04/29/2020)
05/06/2020	<u>126</u>	NOTICE to Take Deposition of 30(b)(6) representative of the Retreat at Starkville, LLC by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 05/06/2020)
05/06/2020	<u>127</u>	NOTICE to Take Deposition of Chris Watson by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 05/06/2020)
05/06/2020	<u>128</u>	NOTICE to Take Deposition of Kirk Rosenhan by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 05/06/2020)
05/06/2020	<u>129</u>	NOTICE to Take Deposition of Dwight Prisock by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 05/06/2020)
05/06/2020	<u>130</u>	NOTICE to Take Deposition of Timothy Allison, Lydia Allison and Reatha Lindley-Fielder by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 05/06/2020)
05/15/2020	<u>131</u>	DESIGNATION of Witness <i>Second Supplemental</i> by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 05/15/2020)
05/19/2020	<u>132</u>	MOTION (<i>Renewed</i>) to Strike Expert Chris Watson by Plaintiff CITY OF STARKVILLE, MISSISSIPPI (Attachments: # <u>1</u> Exhibit Original Motion to Strike Expert Chris Watson,) (Hill, John) (Entered: 05/19/2020)
05/22/2020	<u>133</u>	ORDER Setting Hearing on Motion <u>132</u> MOTION (<i>Renewed</i>) to Strike Expert Chris Watson: Motion Hearing set for 5/28/2020 10:00 AM in Clay County Courthouse before Joseph N. Studdard.. Signed by Joseph N. Studdard on 5/22/2020. (Strickland, Cindy) (Entered: 05/22/2020)

Exhibit A

05/28/2020	<u>134</u>	ORDER STRIKING EXPERT CHRIS WATSON, AICP. Signed by Joseph N. Studdard on 5/28/2020. (Strickland, Cindy) (Entered: 05/28/2020)
06/01/2020	<u>135</u>	NOTICE to Take Deposition of 30(b)(6) representative of the Retreat at Starkville, LLC by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 06/01/2020)
06/01/2020	<u>136</u>	MOTION <i>for Voluntary Dismissal of Its Objection by The Retreat at Starkville, LLC</i> by Objector The Retreat at Starkville, LLC (Yoste, Charles) (Entered: 06/01/2020)
06/04/2020	<u>137</u>	ORDER Setting Hearing Hearing set for 6/17/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard.. Signed by Joseph N. Studdard on 06/04/2020. (Clifford, Terri) (Entered: 06/04/2020)
06/04/2020	<u>138</u>	CERTIFICATE OF SERVICE by The Retreat at Starkville, LLC (Yoste, Charles) (Entered: 06/04/2020)
06/05/2020	<u>139</u>	NOTICE to Take Deposition of Kirk Rosenhan by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 06/05/2020)
06/10/2020	<u>140</u>	NOTICE to Take Deposition of Dwight Prisock by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 06/10/2020)
06/12/2020	<u>141</u>	STIPULATION of Dismissal by James Chrisman, Karen Chrisman. (Hill, Sidney) (Entered: 06/12/2020)
06/15/2020	<u>142</u>	MOTION to Withdraw as Attorney by Objectors Lydia Allison, Timothy Allison, James Chrisman, Karen Chrisman, Daniel T. Crump, Carl Ivey, MICHAEL L LATHAM, Reatha Linley-Fielder, Dwight Prisock, ROBERT B SCHOLTES, TINA SCHOLTES, Deen J. Self, William Wells, James Williams (Hill, Sidney) (Entered: 06/15/2020)
06/17/2020	<u>143</u>	ORDER Dismissing Party. The Retreat at Starkville, LLC terminated.. Signed by Joseph N. Studdard on 6/16/2020. (Strickland, Cindy) (Entered: 06/17/2020)
06/22/2020	<u>144</u>	NOTICE to Take Deposition of Duncan Welch by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 06/22/2020)
07/08/2020	<u>145</u>	ORDER granting <u>142</u> Motion to Withdraw as Attorney. Attorney Sidney Ray Hill terminated. Signed by Joseph N. Studdard on 7/7/2020. (Strickland, Cindy) (Entered: 07/08/2020)
07/13/2020	<u>146</u>	ORDER SETTING STATUS CONFERENCE for 9/2/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard.. Signed by Joseph N. Studdard on 7/13/2020. (Strickland, Cindy) (Entered: 07/13/2020)
07/24/2020	<u>147</u>	CERTIFICATE of Counsel re <u>146</u> Order Setting Hearing by Christopher J. Latimer on behalf of CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 07/24/2020)
08/06/2020	<u>148</u>	NOTICE OF SERVICE of Responses to Interrogatories, NOTICE OF SERVICE of Responses to Request for Production by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 08/06/2020)
09/15/2020	<u>149</u>	ORDER Setting Hearing <u>1</u> Petition:Hearing set for 11/10/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Hearing set for 11/12/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Hearing set for 11/13/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Hearing set for 11/16/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Hearing set for 11/17/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Hearing set for 11/18/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Hearing set for 11/20/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard.. Signed by Joseph N. Studdard on 9/15/2020. (Strickland, Cindy) (Entered: 09/15/2020)
09/23/2020	<u>150</u>	NOTICE to Take Deposition of Demery Grubbs by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 09/23/2020)

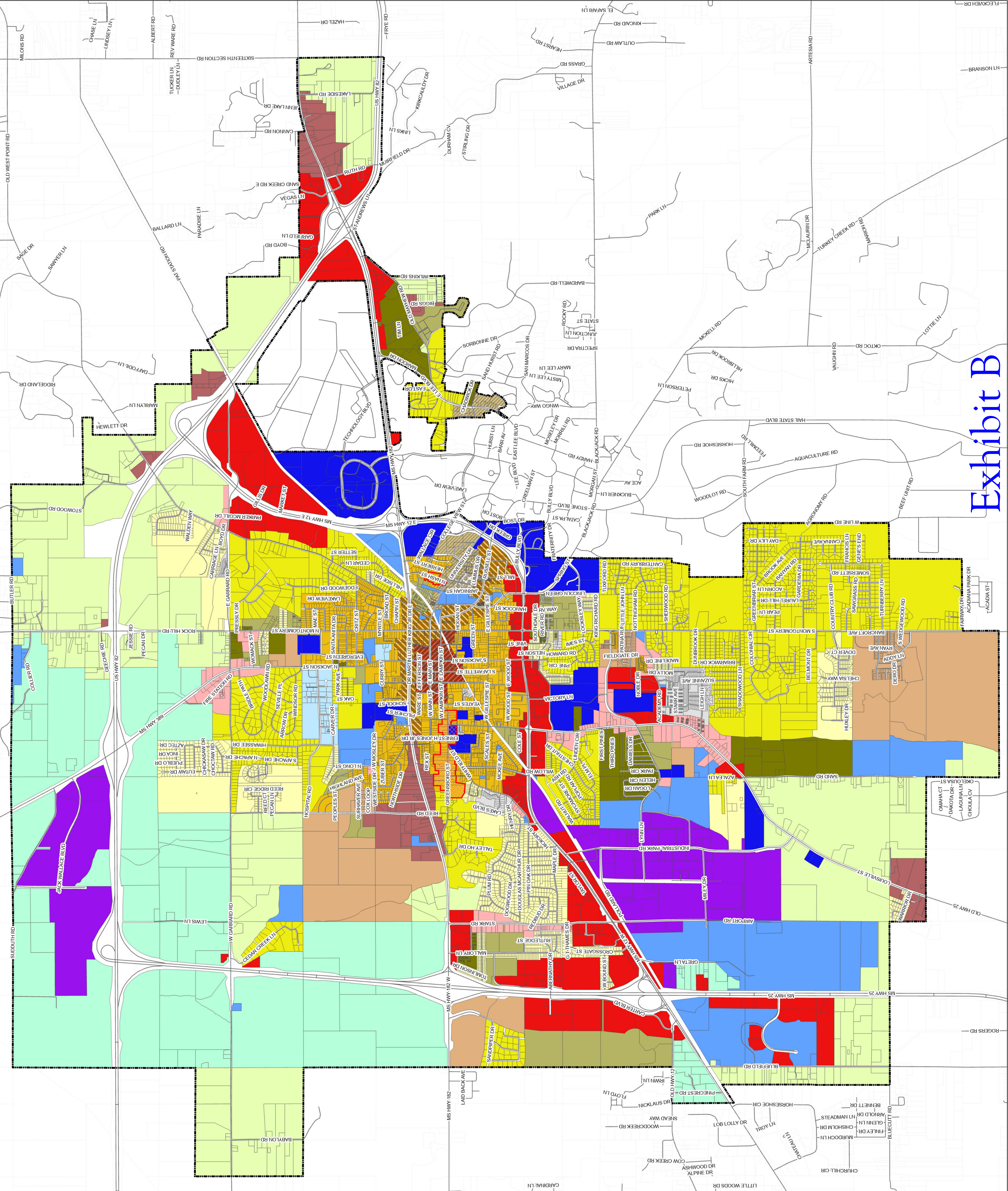
Exhibit A

09/28/2020	<u>151</u>	SUBPOENA ISSUED for Attendance at Trial/Hearing of Joe Higgins and Ty Windham (Clifford, Terri) (Entered: 09/28/2020)
10/06/2020	<u>152</u>	SUBPOENA RETURNED Executed re <u>151</u> Subpoena Issued filed by CITY OF STARKVILLE, MISSISSIPPI. The served subpoena is directed to Ty Windham. (Latimer, Christopher) (Entered: 10/06/2020)
10/06/2020	<u>153</u>	SUBPOENA RETURNED Executed re <u>151</u> Subpoena Issued filed by CITY OF STARKVILLE, MISSISSIPPI. The served subpoena is directed to Joe Max Higgins, Jr.. (Latimer, Christopher) (Entered: 10/06/2020)
10/27/2020	<u>154</u>	MOTION to Continue <i>Trial</i> by Plaintiff CITY OF STARKVILLE, MISSISSIPPI (Attachments: # <u>1</u> Exhibit 1 - email to court administrator,) (Hill, John) (Entered: 10/27/2020)
11/03/2020	<u>155</u>	ORDER Continuing Rule 81 Hearing. Rule 81 Hearing set for 11/30/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Rule 81 Hearing set for 12/1/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Rule 81 Hearing set for 12/2/2020 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Rule 81 Hearing set for 1/25/2021 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Rule 81 Hearing set for 1/26/2021 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Rule 81 Hearing set for 1/27/2021 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Rule 81 Hearing set for 2/22/2021 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Rule 81 Hearing set for 2/23/2021 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Rule 81 Hearing set for 2/24/2021 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard.. Signed by Joseph N. Studdard on 11/3/2020. (Strickland, Cindy) (Entered: 11/03/2020)
11/10/2020	<u>156</u>	PRETRIAL ORDER. Signed by Joseph N. Studdard on 11/10/2020. (Strickland, Cindy) (Entered: 11/10/2020)
12/10/2020	<u>157</u>	LETTER TO COURT RE: CONTINUATION OF INVOLVEMENT IN COURT PROCEEDING by JAMES CHRISMAN. (Oswalt, Subrina) (Entered: 12/10/2020)
01/14/2021	<u>158</u>	Amendment to Pretrial Order re <u>156</u> Pretrial Order. Signed by Joseph N. Studdard on 1/14/2021. (Strickland, Cindy) (Entered: 01/14/2021)
02/02/2021	<u>159</u>	NOTICE to Take Deposition of Martha VanLandingham by CITY OF STARKVILLE, MISSISSIPPI. (Hill, John) (Entered: 02/02/2021)
02/03/2021	<u>160</u>	NOTICE to Take Deposition of Martha VanLandingham (Amended) by CITY OF STARKVILLE, MISSISSIPPI. (Hill, John) (Entered: 02/03/2021)
02/12/2021	<u>161</u>	MOTION TO ALLOW PARTICIATION AND TESTIMONY by Objector WALTER P OKHUYSEN (Clifford, Terri) (Entered: 02/12/2021)
02/19/2021	<u>162</u>	MOTION in Limine <i>Seeking Exclusion of the Testimony of Martha VanLandingham</i> by Plaintiff CITY OF STARKVILLE, MISSISSIPPI (Attachments: # <u>1</u> Exhibit "1" - deposition of Martha VanLandingham,) (Hill, John) (Entered: 02/19/2021)
02/19/2021	<u>163</u>	RESPONSE in Opposition re <u>161</u> MOTION of <i>Walter Okhuysen to Allow Participation and Testimony</i> by CITY OF STARKVILLE, MISSISSIPPI. (Hill, John) (Entered: 02/19/2021)
02/26/2021	<u>164</u>	ORDER Continuing Rule 81 Hearing. Rule 81 Hearing set for 3/16/2021 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard. Rule 81 Hearing set for 3/17/2021 09:00 AM in Oktibbeha County Courthouse before Joseph N. Studdard.. Signed by Joseph N. Studdard on 2/25/2021. (Strickland, Cindy) (Entered: 02/26/2021)
03/15/2021	<u>165</u>	NOTICE of Appearance by Gary Street Goodwin, Mr on behalf of WALTER P OKHUYSEN, Luis Eduardo Okhuysen (Goodwin, Gary) (Entered: 03/15/2021)
03/15/2021	<u>166</u>	MOTION for CLARIFY IDENTITY OF OBJECTOR OR SUBSTITUTE OBJECTOR AND FOR OTHER RELIEF re <u>13</u> Exhibit, <u>156</u> Pretrial Order, <u>17</u> Miscellaneous Document, <u>163</u> Response in Opposition to Motion, <u>149</u> Order Setting Hearing,,, <u>161</u> MOTION by Objectors WALTER P OKHUYSEN, Luis Eduardo Okhuysen

Exhibit A

		(Attachments: # <u>1</u> Exhibit Map, # <u>2</u> Exhibit Pleading, # <u>3</u> Exhibit Deeds,) (Goodwin, Gary) (Entered: 03/15/2021)
03/17/2021	<u>167</u>	ORDER ON MOTION TO CLARIFY IDENTITY OF OBJECTOR OR SUBSTITUTE OBJECTOR AND FOR OTHER RELIEF dismissing <u>166</u> Motion. Signed by Joseph N. Studdard on 3/16/2021. (Strickland, Cindy) (Entered: 03/17/2021)
05/14/2021	<u>168</u>	CERTIFICATE of SERVICE by Dwight Prisock. (Clifford, Terri) (Entered: 05/14/2021)
11/24/2021	<u>169</u>	OPINION. Signed by Joseph N. Studdard on 11/24/2021. (Strickland, Cindy) (Entered: 11/24/2021)
11/30/2021	<u>170</u>	FINAL JUDGMENT. Signed by Joseph N. Studdard on 11/30/2021. (Strickland, Cindy) (Entered: 11/30/2021)
12/10/2021	<u>171</u>	OBJECTORS MOTION FOR RECONSIDERATION IN THE MATTER OF THE EXTENSION OF THE BOUNDARIES OF THE CITY OF STARKVILLE,MS by Objectors Timothy Allison, Dwight Prisock, JOE REED, ROBERT B SCHOLTES, Deen J. Self (Clifford, Terri) (Entered: 12/10/2021)
12/10/2021	<u>172</u>	OBJECTORS MOTION FOR RULE 52 FINDING OF FACTS AND CONCLUSION OF LAW FROM THE COURT by Objectors Timothy Allison, Dwight Prisock, JOE REED, ROBERT B SCHOLTES, TINA SCHOLTES, Deen J. Self (Clifford, Terri) (Entered: 12/10/2021)
12/20/2021	<u>173</u>	RESPONSE to Motion re <u>172</u> MOTION by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 12/20/2021)
12/20/2021	<u>174</u>	RESPONSE to Motion re <u>171</u> MOTION by CITY OF STARKVILLE, MISSISSIPPI. (Latimer, Christopher) (Entered: 12/20/2021)
01/12/2022	<u>175</u>	OBJECTORS MOTION FOR RECONSIDERATION IN THE MATTER OF THE EXTENSION OF THE BOUNDARIES OF THE CITY OF STARKVILLE, MISSISSIPPI REBUTTAL by OBJECTORS. (Oswalt, Subrina) (Entered: 01/12/2022)
03/28/2022	<u>176</u>	ORDER DENYING OBJECTORS' MOTION FOR RULE 52 FINDING OF FACTS AND CONCLUSIONS OF LAW AND MOTION FOR RECONSIDERATION AND STARKVILLE'S MOTION FOR MRCP RULE 11 AND MISSISSIPPI LITIGATION ACCOUNTABILITY ACT. Signed by Joseph N. Studdard on 3/28/2022. (Strickland, Cindy) (Entered: 03/28/2022)

Exhibit A



HISTORIC
STARKVILLE
MISSISSIPPI'S COLLEGE TOWN

City of Starkville, Mississippi
Official Zoning
District Map

Zoning and Overlay Districts

- City Limits
- Overlay- Greensboro Historic District
- Overlay- Nash Street Historic District

- Zoning**
- C Commercial
 - CN Commercial Neighborhood
 - CR Commercial Rural
 - I Industrial
 - NDU-20 Multi-dwelling Unit
 - NDU-9 Multi-dwelling Unit
 - O Optional District
 - PUD Planned Unit Development
 - RN Rural Neighborhood
 - S-E Special Educational
 - S-1 Special Institutional
 - S-M Special Medical
 - SD-2 Suburban Detached
 - SD-6 Suburban Detached
 - T-4 Form-based District
 - T-5C Corridor Form-based District
 - T-5D Downtown Form-based District
 - T-5U University Form-based District
 - TN-E Traditional Neighborhood- Existing
 - TN-N Traditional Neighborhood- New
 - Parcel
- Roads**
- Roads

Adopted:
December 17, 2019

Zoning Amended:
January 19, 2021 Ord. 2021-01
June 21, 2022 Ord. 2022-03
July 19, 2022 Ord. 2022-04
December 19, 2023 Ord. 2023-05

Parcels Amended
May 19, 2021
June 21, 2022
July 19, 2022
February 21, 2023
December 19, 2023

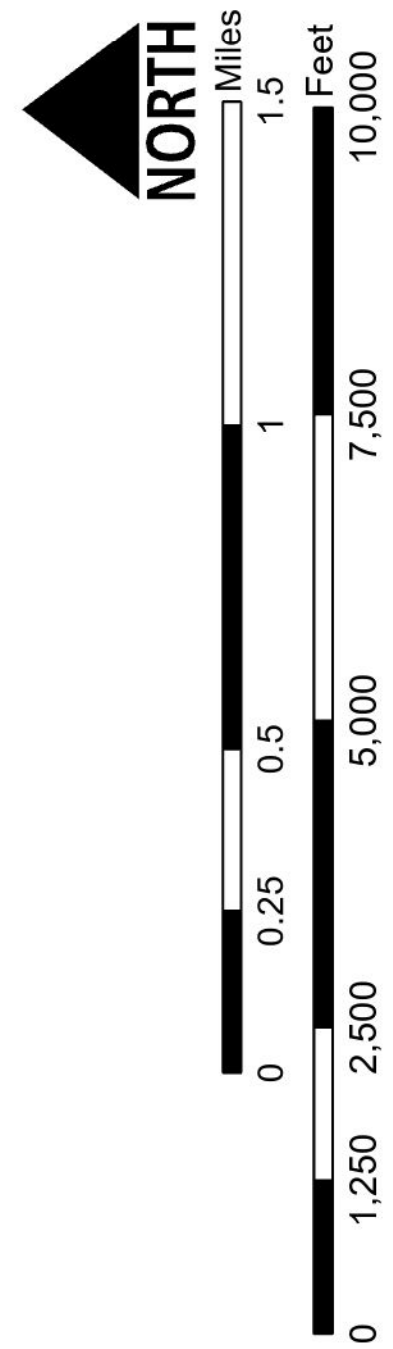


Exhibit B

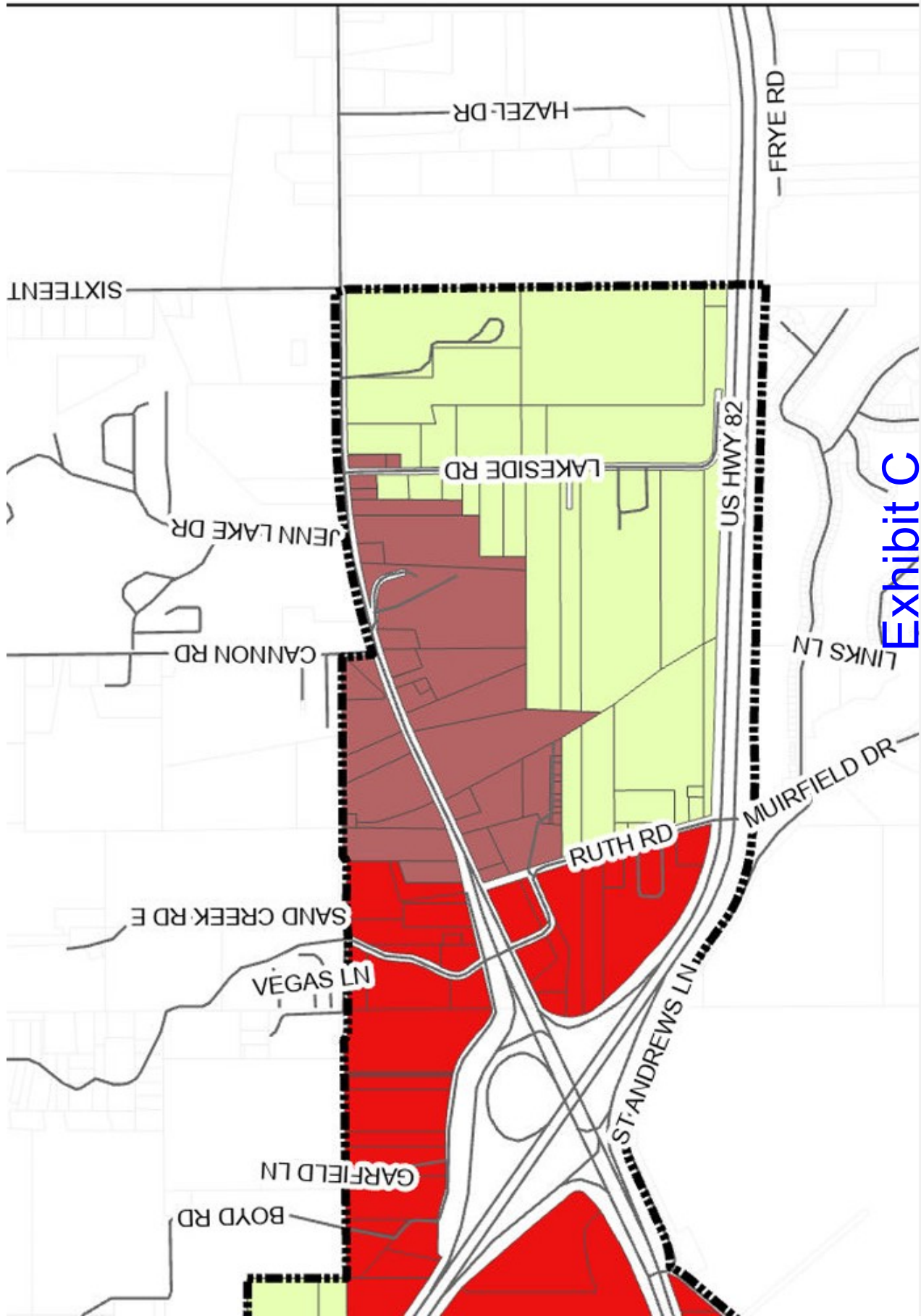
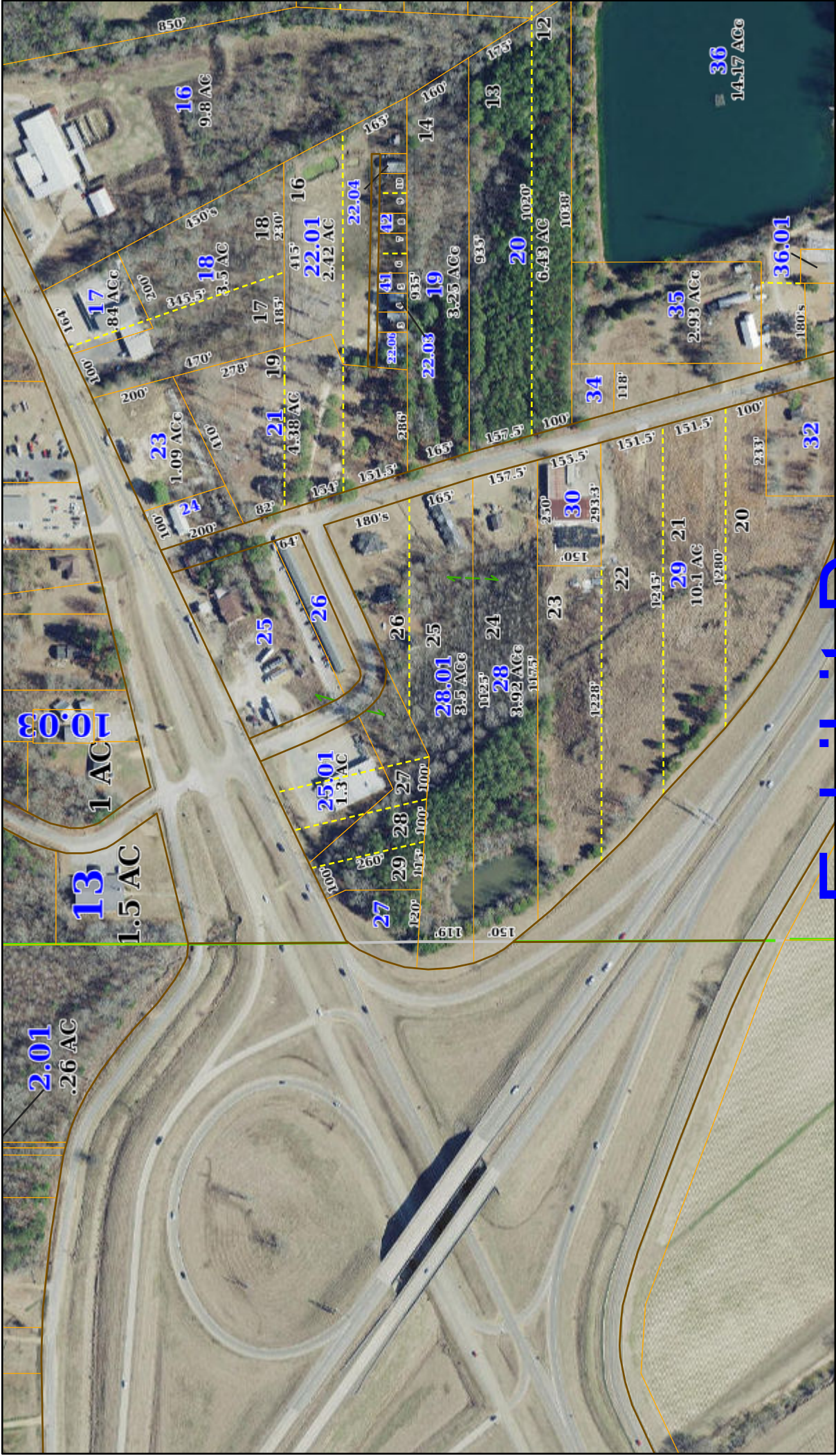


Exhibit C



3/18/2024, 8:42:25 PM

ROADS AND RAILROADS

SECTION_LN

LANDHOOK_LN

oktribbeha_ms_ac

oktribbeha_ms_dim

oktribbeha_ms_lotno

oktribbeha_ms_parcelno

oktribbeha_ms_ac

oktribbeha_ms_dim

oktribbeha_ms_lotno

oktribbeha_ms_parcelno

STREET_ROW

LOTLINE

SOFT_LN

ANNO

oktribbeha_ms_ac

oktribbeha_ms_dim

oktribbeha_ms_lotno

oktribbeha_ms_parcelno

oktribbeha_ms_ac

oktribbeha_ms_dim

PARCELS

LEADER_LN

SOFT_LN

ANNO

oktribbeha_ms_ac

oktribbeha_ms_dim

oktribbeha_ms_lotno

oktribbeha_ms_parcelno

oktribbeha_ms_ac

oktribbeha_ms_dim

1:4,514

0.12 mi

0.06

0.1

0.2 km

Esri, HERE, Garmin, INCREMENT P, NGA, USGS

159J-00-028.00

Alt:

TD 2110 STR 32 19N 15E Block

Field Work by

Card 1 of 1

Map:

/00/

Date Printed 09/18/2023

Oktribbeha County Tax Assessor

Card 1 of 1

PPIN 10696

PRISOCK ROBERTA F ETAL

64 LAKESIDE RD

STARKVILLE

Exempt Code

MS 39759

PT LOT 24 CLAYTON VILLAGE

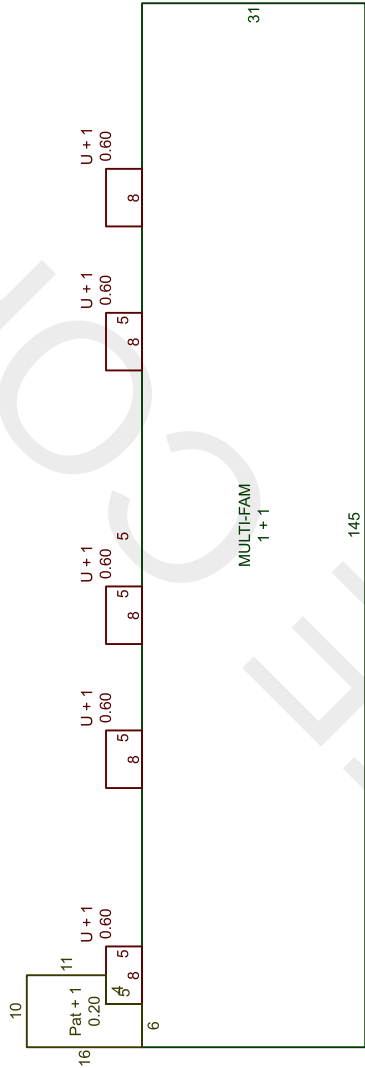
MAP 159J DB/PG 366/298 2014/7005

DEED-2014 7005 10/24/2014

ALL		/		Price D/F		Adj		Desc		\$/ft		Value C	
Type	Size	1.00X		15000						15000.00		15000 2	
Bld	Type	Foun	Clas	Unit	Base	Adjust	Area	Rate	Adjusted	Cost	per Ft	Replace	Year
1	MULTI-FAMILY	SLAB	H/D	116	4495	4643	37.77	43.81	51.26	241733	15	1960	52 2
2	UTILITY	A			80	80	9.58	9.58	11.21	897	10	1990	90 50 2
3	LOW COST GARAGE	L			672	672	5.43	5.43	6.35	4267	5	1990	210 50 2
											Extras		3191
											1 GH (COMM)		3733
											7 1 TOTAL EXTR		200
											18		

Exhibit E

PARCEL	159J-00-028.00
CARD	01
DATE	5/13/2010
FILE	159J-00-028_0001
SCALE: 1" = 25'	GRID-STEP: 1



Bldg/Area	Actual	Adjust
Bldg 1: MULTI-FAM Base Heat x	4495	4495
Utility_Room x 0.60	40	24
Utility_Room x 0.60	40	24
Utility_Room x 0.60	40	24
Utility_Room x 0.60	40	24
Utility_Room x 0.60	40	24
Utility_Room x 0.60	40	24
Patio x 0.20	140	28
Total Base Heat Area =	4495	4495
Total Upper Heat Area =	0	0
Total Base Area =	4495	4643
Total Adjusted Area =	4495	4643
Bldg 2: UTIL Base Heat x	80	80
Utility_Room x 0.60	80	80
Utility_Room x 0.60	80	80
Utility_Room x 0.60	80	80
Utility_Room x 0.60	80	80
Utility_Room x 0.60	80	80
Patio x 0.20	140	28
Total Base Heat Area =	80	80
Total Upper Heat Area =	0	0
Total Base Area =	80	80
Total Adjusted Area =	80	80
Bldg 3: GAR Base Heat x	672	672
Utility_Room x 0.60	672	672
Utility_Room x 0.60	672	672
Utility_Room x 0.60	672	672
Utility_Room x 0.60	672	672
Utility_Room x 0.60	672	672
Patio x 0.20	140	28
Total Base Heat Area =	672	672
Total Upper Heat Area =	0	0
Total Base Area =	672	672
Total Adjusted Area =	672	672

Exhibit E

159J-00-028.01
Alt:
TD 2110 STR 32 19N 15E Block
Field Work by

Card 1 of 1
Map:
Oktribbeha County Tax Assessor
Card 1 of 1
PPIN 10697

Date Printed 09/18/2023

PRISOCK ROBERTA F ETAL
64 LAKESIDE RD
STARKVILLE MS 39759
Exempt Code
PT LOT 24 LOT 25 & 26 CLAYTON VILLAGE
MAP 159J DB/PG 366/298 2014/7005
DEED-2014 7005 10/24/2014

ALL Type		/BBD1 Size	Price	D/F	Adj	Desc	\$/ft	Value C					10/24/2014	
H		1.65	6350.00					10480 2						
Bld Type			Foun dati	Class	Uni	Base Area	Adjust Area	Base Rate	Adjusted Rate	Cost per Ft	Replace Cost	Year G% Buil	Value SL C	T Old Value
2 RESIDENCE			A+			1184 980	1198 980	500 500			500100 1935	500 39 2	500 52 2	4340 9810
3 RESIDENCE			A-								500100 1955	500 52 2		
Exterior walls			Roof Type			Roof Material		Floors		Extras				
Interior walls			Interior Ceiling			Plumbing Electricity		Adjustments						

Exhibit F

PARCEL	159J-00-028.01
CARD	01
DATE	3/30/2022
FILE	159J-00-028_0101
SCALE:	1" = 20' GRID-STEP: 1

Bldg/Area Actual Adjust
Bldg 2: RES Base Heat x 1184 1184
Porch: Open x 0.30 48 14
Total Base Heat Area = 1184
Total Upper Heat Area = 0
Total Base Area = 1184
Total Adjusted Area = 1198
Bldg/Area Actual Adjust
Bldg 3: RES Base Heat x 980 980
Total Base Heat Area = 980
Total Upper Heat Area = 0
Total Base Area = 980
Total Adjusted Area = 980

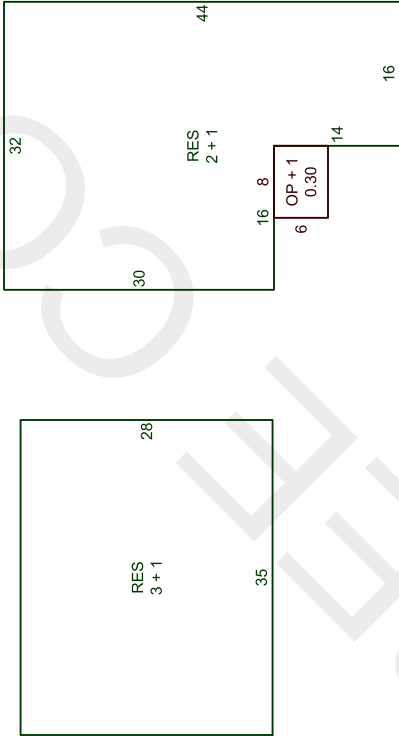


Exhibit F

Mayor Spruill opened the Public Hearing.

Alvin Turner stated he felt all people should follow the laws and anyone doing anything to make world safer should be encouraged.

There being no additional comments from the general public, the Mayor closed the Public Hearing.

35. CONSIDERATION TO DETERMINE WHETHER THE BUILDING LOCATED AT 201 RUTH ROAD, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION WILL OCCUR.

Upon the motion of Alderman Moreland, duly seconded by Alderman Beatty, for the Board of Aldermen to determine that the building located at 201 Ruth Rd, Starkville, MS 39759, with the parcel number 159J-00-028.01, is in such a state of uncleanliness as to be a menace to the public health, safety, and welfare of the community and such that demolition will occur, the Board voted as follows:

Alderman Kim Moreland	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	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.

SECOND PUBLIC HEARING AND CONSIDERATION UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING LOCATED AT 245 RUTH ROAD, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION COULD OCCUR.

City Code Enforcement Officer Sarah Perez presented the property for consideration. Initial inspection of 245 Ruth Rd, Starkville, MS 39759, with the parcel number 159J-00-028.01, was performed by Code Enforcement Officer Sarah Perez on Thursday, January 4, 2024, and re-inspection on Saturday, January 20, 2024 by Code Enforcement Officer Sarah Perez. Both inspections contained conditions not suitable for public health and safety such as, multiple holes in the side of the structure, water damage, roof damage, and overall upkeep of the property being neglected and natural deterioration over time. An administrative warrant was issued on Saturday, January 20, 2024, and executed on Sunday, January 21, 2024, at approximately 14:46 hrs. Photographs were taken of the outside of the structure, as well as some taken through windows and open doors.

Public Notices of the first public hearing were posted on the front entrance window at City Hall on Wednesday, February 7, 2024. Notification letters of the public hearing were sent on Wednesday, February 7, 2024, to the property tax payer/owner Dwight Prisock and Roberta Prisock, 64 Lakeside Dr, Starkville, MS 39759, and also to the mailing address for the subject property.

Public Notices of the first public hearing were posted on the subject property and a third inspection of the property was done on Thursday, February 8, 2024, showing that no attempts to resolve the issues have been made.

The fourth inspection was done by Officer Sarah Perez before submission of documents on Thursday, February 22, 2024 at approximately 14:44 hrs. The first public hearing was conducted on Tuesday, March 5, 2024. Public Notices of the second public hearing were posted at City Hall and on the subject property and a fifth inspection of the property was done on Wednesday, March 6, 2024, showing that no attempts to resolve the issues have been made. The final inspection was done by Officer Sarah Perez.

A nuisance shall be a condition or situation that results in an interference with the use and enjoyment of public and private property. To protect the health, safety, and welfare of the public, maintaining, using, placing, depositing, leaving, or permitting of any item or action classified as a nuisance shall not be permitted.

16.1.1 General Nuisance

Nuisance shall include but not be limited to:

- A. Accumulation of noxious weeds and other rank vegetation.
- B. Accumulations of rubbish, trash, refuse, junk and other abandoned materials, metals, lumber or other things.
- C. Any condition which provides harborage for rats, mice, snakes and other vermin.
- D. Any structure or equipment, as defined and regulated by the adopted technical codes of Section 17, which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.
- E. All unauthorized noises and vibrations, including animal noises.
- F. All obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.
- G. The carcasses of animals or fowl not disposed of within a reasonable time after death.
- H. The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery or industrial wastes or other substances.
- I. Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.
- J. Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.
- K. The creation of dense smoke, noxious fumes, gas, soot, or cinders in unreasonable quantities.

2014 7005
Recorded in the Above
Deed Book 1 Page
10-24-2014 12:05:45 PM
Monica W. Banks
Oktibbeha County, MS

Prepared by:
H. Scott Ross
Attorney At Law
Ross Kelley & Martin, PLLC
P.O. Box 332
West Point, Mississippi 39773
(662) 494.2593

Return to:
H. Scott Ross
Attorney At Law
P.O. Box 332
West Point, Mississippi 39773
(662) 494.2593

STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and 00/100 Dollars, (\$10.00) cash in hand paid and
other good and valuable considerations the receipt and sufficiency of which is hereby acknowledged ,

ROBERTA F. PRISOCK
1287 Lakeside Drive
Starkville, Mississippi 39759

does hereby convey and warrant to

ROBERTA F. PRISOCK and
DWIGHT R. PRISCOK
1287 LAKESIDE DRIVE
STARKVILLE, MISSISSIPPI 39759
770-330-3890

as joint tenants with full rights of survivorship and not as tenants in common, the following described real property
located and situated in Oktibbeha County, Mississippi, to-wit:

(See Exhibit A attached) (Pages 4-6)

INDEXING INSTRUCTIONS: All of Lots 24, 25, and 26 of Claytonville Village
Subdivision, S32, T19N, R15E, Oktibbeha County,
Mississippi.

SUBJECT TO all prior mineral reservations, if any, and also subject to easements for public utilities and
rights of way for public roadways, whether the same appear of record or not, if any.

WITNESS my signature this the 24th, day of October, 2014.

The photographs below were taken from the public view at the city road by Officer Sarah Perez at
the first inspection on Thursday, January 4, 2024, at approximately 11:41 hrs.

(CALL CARD)

Call #	24-000401	Dispatcher	MULLEN, T
Date/Time	01/04/2024 11:41:21	Disposition	CALL COMPLETED- NO REPORT
Type	CODE ENFORCEMENT	Zone	
How Rcvd	PHONE		
Sent To Dispatch	01/04/2024 11:41:31		

Location Address

245 ruth rd

Officer Information

Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	11:41:38	11:41:39	11:45:35		
STEENWYK, G	11:41:43	11:41:44	11:44:52		

Notes

1/4/2024 11:42:21 AM STEENWYK, G PHOTOS TAKEN FROM ROAD WAY

(WEST SIDE OF PROPERTY)



(NORTH SIDE OF PROPERTY)





(EAST SIDE OF PROPERTY)



(SOUTH SIDE OF PROPERTY)





Violation Notice issued pages 1-4, Friday, January 19, 2024.

City of Starkville, MS

MISDVUR

City of Starkville, MS

PHOTOGRAPHY

STARKVILLE

101 E. London St
Starkville, MS 39709
Phone: (662) 323-4847

Violations Listing

FIRST NOTICE OF VIOLATION

Dwight Pritchett
64 LAWRENCE RD
Starkville, MS 39759

Case No. 24-000009
Issued: January 19, 2024

VIOLATION LOCATION	LEGAL DESCRIPTION
245 Ruth Rd Starkville, MS	

An inspection of the above referenced property was made on January 19, 2024. As a result of this inspection, the violation(s) described on page two of this document were observed.

This is your official notice that you will need to bring the property into compliance no later than January 29, 2024.

If you do not bring this property into compliance, then the city will issue a citation and / or abate this nuisance and file a lien against this property for the cost of the abatement.

Your cooperation in this matter is greatly appreciated. If we can be of further assistance to you, or can answer any questions regarding this matter, please contact this office at (662) 323-4847.

Issued By:


Sarah Perez, Code Enforcement Officer

RECIPIENTS Dwight Pritchett

DISAPIDATED STRUCTURES (MCA Section 21-19-1)

Reported by: Sarah Perez on Jan 19, 2024 at 2:29 PM

Property or parcel of land determined to be menace to public health, safety and welfare.

CORRECTION	DESCRIPTION
Remove Disapidated Structure (REQUIRED)	It is the duty of person(s) in violation to comply by removing disapidated structures.



Page 1/4 Page 2/4

 MPOGV US City of Starbuck, MS Phone: (862) 323-4947  MPOGV US City of Starbuck, MS Phone: (862) 323-4947 	
	
	
	

Page 3/4

The photographs below were taken from the public view at the city road by Officer Sarah Perez at the second inspection on Saturday, January 20, 2024, at approximately 09:38 hrs. The photographs show that no apparent change has been made to change the appearance of the property.

(CALL CARD)

Call #	24-002184	Dispatcher	PEREZ, S			
Date/Time	01/20/2024 09:36:26	Disposition	REPORT			
Type	CODE ENFORCEMENT	Zone				
How Rcvd	OFFICER INITIATED					
Sent To Dispatch						
Location Address						
245 RUTH RD						
Officer Information						
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number	
PEREZ, S	09:36:26	09:36:26	09:37:28			
Notes						
1/20/2024 9:37:20 AM	PEREZ, S	PHOTOS TAKEN FROM THE PUBLIC VIEW SHOWING NO CHANGES HAVE BEEN MADE TO THE STRUCTURE				

(NORTH SIDE OF PROPERTY)



(WEST SIDE OF PROPERTY)



(SOUTH SIDE OF PROPERTY)



(EAST SIDE OF PROPERTY)



An Administrative Inspection Warrant was issued on Saturday, January 20, 2024.

ADMINISTRATIVE INSPECTION WARRANT

This day personally appeared before me, the undersigned judicial officer of the City of Starkville, Oktibbeha County, Mississippi, Code Enforcement Officer Sarah Perez, known to be a credible person, who after being first duly sworn, depose and say:

1. That affiants have good reason to believe and do believe that certain things hereinafter described as now being concealed in or about the following place in this county:

The entire house including any locked or secured rooms or compartments at 245 Ruth Rd., Starkville, Oktibbeha County, Mississippi and any out buildings on the property to include a garage and storage facilities.

2. That the placed described above is occupied and controlled by:
Dwight Prisoek and unknown persons
3. That said things particularly described as follows:
Any and all evidence of structural damage and dilapidated conditions that are unfit for human habitation and a menace to the public health, safety, and welfare.
4. That possession of the above said described things is in itself unlawful (or the public has a primary interest in, or primary right to possession of the above described things), in that said things are:

**IN VIOLATION OF STARKVILLE UNIFIED DEVELOPMENT CODE SECTION 16.1.1
SUB SECTION D. (GENERAL NUISANCE), AS WELL AS 2020 MISSISSIPPI CODE
21-19-11(HEALTH, SAFETY, AND WELFARE).**

5. The facts tending to establish the following grounds for issuance of an Administrative Inspection Warrant are set forth in the affidavit with attached sheet headed Underlying Facts and Circumstances, which were reviewed by this court. This court, having examined and considered said affidavit and attachment, and also having heard and considered the evidence in support thereof from the affiants named therein does find that probable cause for the issuance of a search warrant does exist. THEREFORE, you are hereby commanded to proceed at any time in the day or night to the place described above and search forthwith said place for the things specified above, making known to the person or persons occupying or controlling said place, if any, your purpose and authority for so doing, and if the things specified above be found there to seize them, leaving a copy of this warrant and a receipt for the things taken; and bring the things seized before the court instant; and prepare a written inventory of the items seized, and have then and there this writ, with your proceedings noted therein.
6. Do not interpret this writ as limiting your authority to seize all contraband and things the possession of which in itself is unlawful which you find incident to your search, or as limiting your authority to make otherwise valid arrest at the place described above.

Witness my hand on this the 20 day of January 2024.



Municipal Court Judge

The Administrative Inspection Warrant was executed on Sunday, January 21, 2024 at approximately 15:18 hrs. Photographs were taken of the outside of the structure as well as some

photographs taken through windows and open doors. A copy of the warrant was left taped to the north side wall and sent certified mail to the property owner.

(CALL CARD)

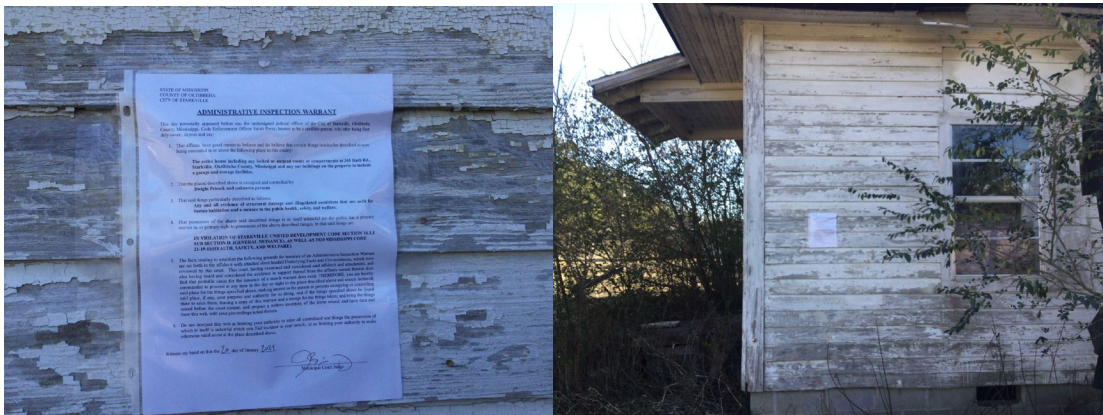
Call #	24-002292	Dispatcher	PEREZ, S
Date/Time	01/21/2024 15:18:13	Disposition	REPORT
Type	CODE ENFORCEMENT	Zone	
How Rcvd	OFFICER INITIATED		
Sent To Dispatch			
Location Address			
245 RUTH DR			
STARKVILLE, MS 39759			

Officer Information					
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	15:18:13	15:18:13	15:30:06		

Notes		
1/21/2024 3:18:26 PM	PEREZ, S	CASE #24-000009
1/21/2024 3:18:30 PM	PEREZ, S	SERVING ADMINISTRATIVE WARRANT FOR PHOTOGRAPHS OF DILAPIDATED STRUCTURES ON THE PROPERTY
1/21/2024 3:29:58 PM	PEREZ, S	A COPY OF THE WARRANT WAS TAPED TO THE NORTH SIDE OF THE STRUTURE

(NORTH SIDE OF PROPERTY)





(WEST SIDE OF PROPERTY)





(SOUTH SIDE OF PROPERTY)



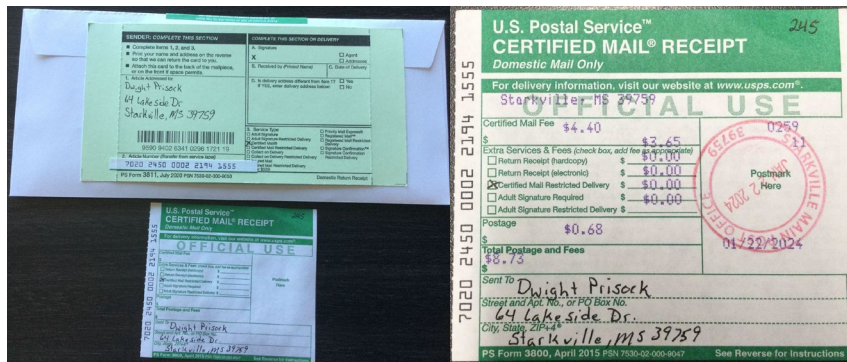


(EAST SIDE OF PROPERTY)

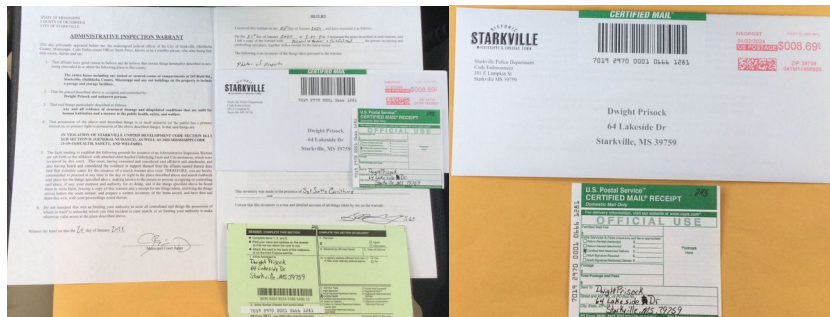


Certified letter of notice of violation and a copy of the warrant were sent to the property owner on Monday, January 22, 2024.

(NOTICE OF VIOLATION)



(ADMINISTRATIVE WARRANT)



Photographs below were taken by Officer Sarah Perez on Wednesday, February 7, 2024. The first public hearing notices were mailed to the property owner via certified mail and posted in the front window at City Hall also posted on the property on Thursday, February 8, 2024.

(PDF OF THE PUBLIC HEARING NOTICE)

Dewight Prisock and Roberta Prisock
64 Lakeside Dr.
Starkville, MS 39759

NOTICE

PARCEL NUMBER: 159J-00-028.01

245 Ruth Rd. Starkville, MS 39759

Please take notice, pursuant to Mississippi Code Ann. § 21-19-11, a public hearing shall occur on **March 5, 2024**, before the Starkville Board of Aldermen at 5:30 PM in the Municipal Courtroom of City Hall located at 110 West Main Street for the purpose of determining whether the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community. The property owner and all interested persons are invited and encouraged to attend.

An adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of two (2) years after final adjudication without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

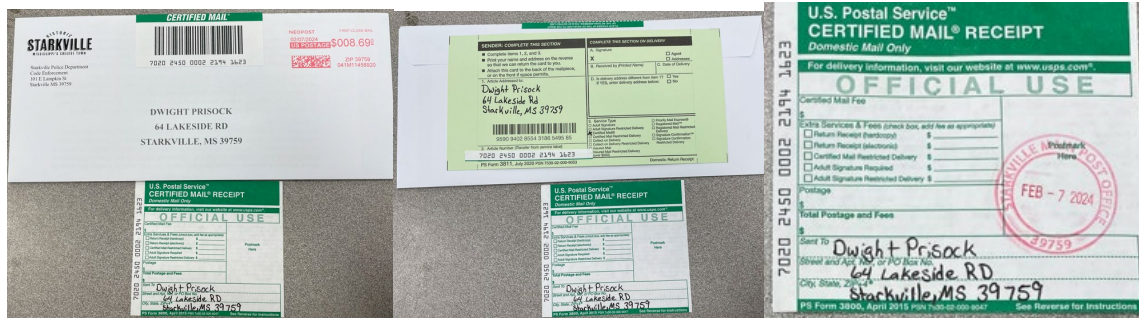
If, at such hearing, the City shall adjudicate the property or parcel of land to be a menace to the public health, safety, and welfare of the community, the City, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The City may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed \$1,500 or 50% of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property.

If you have any questions or seek additional information, contact Starkville's Police Department

Code Enforcement Officer Sarah Perez or Officer Gabriel Steenwyk (662)323-4847

Public Hearing notice mailed to the property owner on Wednesday, February 7, 2024.

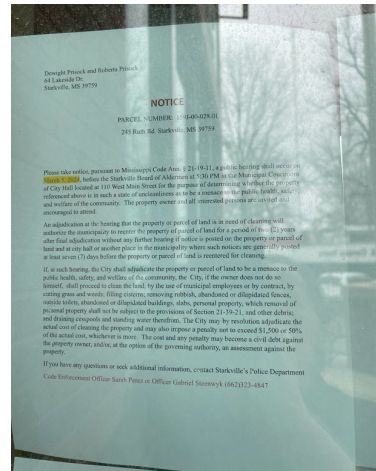
(PHOTOS OF CERTIFIED MAIL SENT)



(POSTED AT CITY HALL IN WINDOW OF THE FRONT ENTRANCE)

(CALL CARD)

Call #	24-004222		Dispatcher	PEREZ, S	
Date/Time	02/07/2024 15:16:43		Disposition	REPORT	
Type	CODE ENFORCEMENT		Zone		
How Rcvd	OFFICER INITIATED				
Sent To Dispatch					
Location Address					
110 E MAIN STREET					
Officer Information					
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	15:16:43	15:16:43	15:17:38		
Notes					
2/7/2024 3:17:22 PM		PEREZ, S	CASE #24-000009 245 RUTH RD		
2/7/2024 3:17:29 PM		PEREZ, S	PUBLIC HEAR NOTICE POSTED AT CITY HALL IN THE WINDOW AT THE FRONT ENTRNCE		



(CALL CARD)

Call # 24-004315
Date/Time 02/08/2024 09:04:17
Type CODE ENFORCEMENT
How Rcvd OFFICER INITIATED
Sent To Dispatch

Dispatcher PEREZ, S
Disposition REPORT
Zone

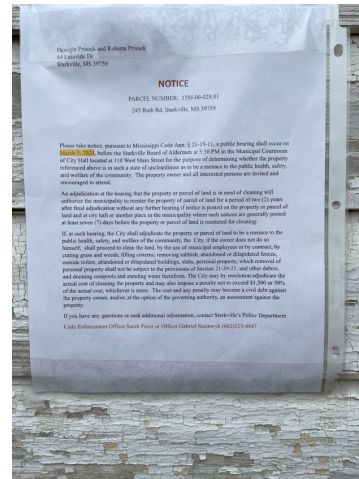
Location Address
245 RUTH DR
STARKVILLE, MS 39759

Officer Information

Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	09:04:17	09:04:17	09:13:58		
STEENWYK, G	09:04:59	09:05:13	09:15:55		

Notes

2/8/2024 9:12:45 AM	PERE Z, S	CASE #24-000009
2/8/2024 9:13:06 AM	PERE Z, S	POSTING PUBLIC HEARING NOTIC ON STRUCTURE
2/8/2024 9:13:25 AM	PERE Z, S	TAKING PHOTOS FROM THE ROAD WAY
2/8/2024 9:13:50 AM	PERE Z, S	THERE HAS BEEN NO CHANGE IN THE STATE OF THE PROPERTY



(POSTED ON THE STRUCTURE)



The photographs below were taken by Officer Sarah Perez at the third inspection on Thursday, February 8, 2024. Showing no apparent change having been made to change the appearance of the property.

(NORTH SIDE OF THE STRUCTURE)



(EAST SIDE OF THE STRUCTURE)



(SOUTH SIDE OF THE STRUCTURE)



(WEST SIDE OF THE STRUCTURE)



Photographs below were taken by Officer Sarah Perez one week before submission of documents on Thursday, February 22, 2024 at approximately 14:44 hrs.

(CALL CARD)

Call # 24-006046	Dispatcher PEREZ, S
Date/Time 02/22/2024 14:44:01	Disposition REPORT
Type CODE ENFORCEMENT	Zone
How Rcvd OFFICER INITIATED	
Sent To Dispatch	
Location Address	
245 RUTH RD	

Officer Information					
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	14:44:01	14:44:01	14:45:41		

Notes		
2/22/2024 2:44:17 PM	PEREZ, S	CASE #24-000009
2/22/2024 2:45:32 PM	PEREZ, S	FINAL INSPECTION PHOTOS TAKEN FROM THE ROADWAY SHOWING NO PROGRESS IN REPAIRS TO THE PROPERTY

(PHOTOGRAPHS OF PROPERTY)



Photographs below were taken by Officer Sarah Perez on Wednesday, March 6, 2024. The second public hearing notices were mailed to the property owner via certified mail and posted in the front window at City Hall. The notice of the second public hearing was also posted on the property and photos were taken of the property showing no change had been made.

(PDF OF THE PUBLIC HEARING NOTICE)

Dwight Prisock and Roberta Prisock
64 Lakeside Dr.
Starkville, MS 39759

NOTICE

PARCEL NUMBER: 159J-00-028.01

245 Ruth Rd. Starkville, MS 39759

Please take notice, pursuant to Mississippi Code Ann. § 21-19-11, **a second public hearing** shall occur on **March 19, 2024**, before the Starkville Board of Aldermen at 5:30 PM in the Municipal Courtroom of City Hall located at 110 West Main Street for the purpose of determining whether the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community. The property owner and all interested persons are invited and encouraged to attend.

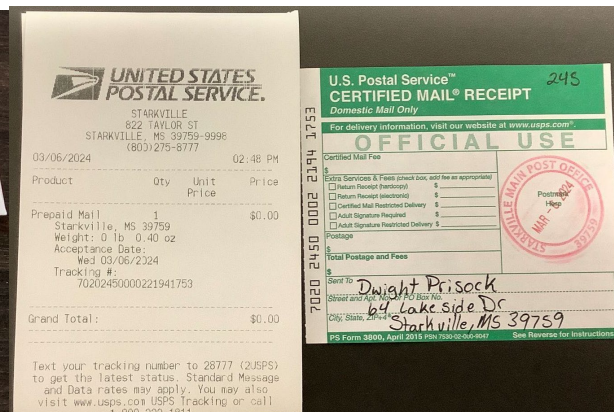
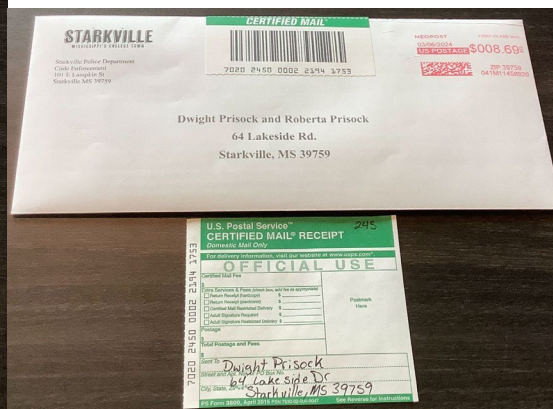
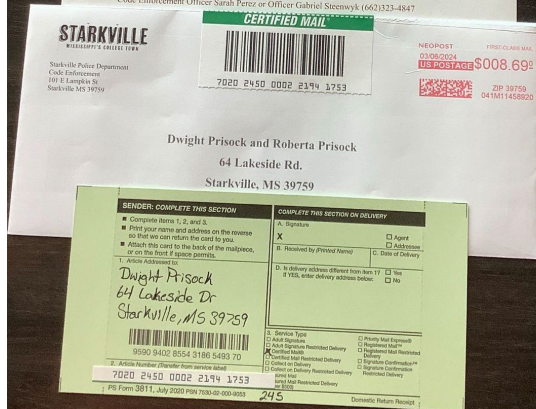
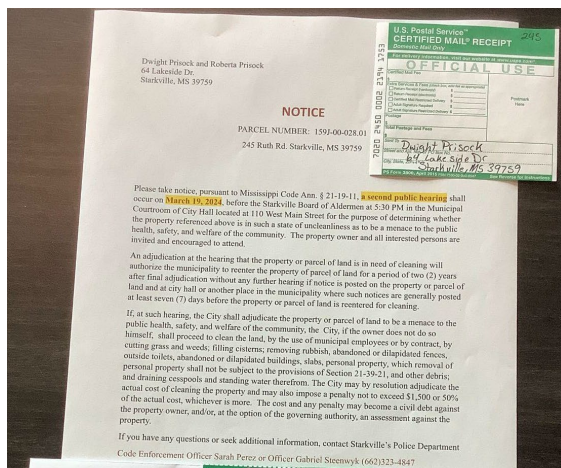
An adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of two (2) years after final adjudication without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

If, at such hearing, the City shall adjudicate the property or parcel of land to be a menace to the public health, safety, and welfare of the community, the City, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The City may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed \$1,500 or 50% of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property.

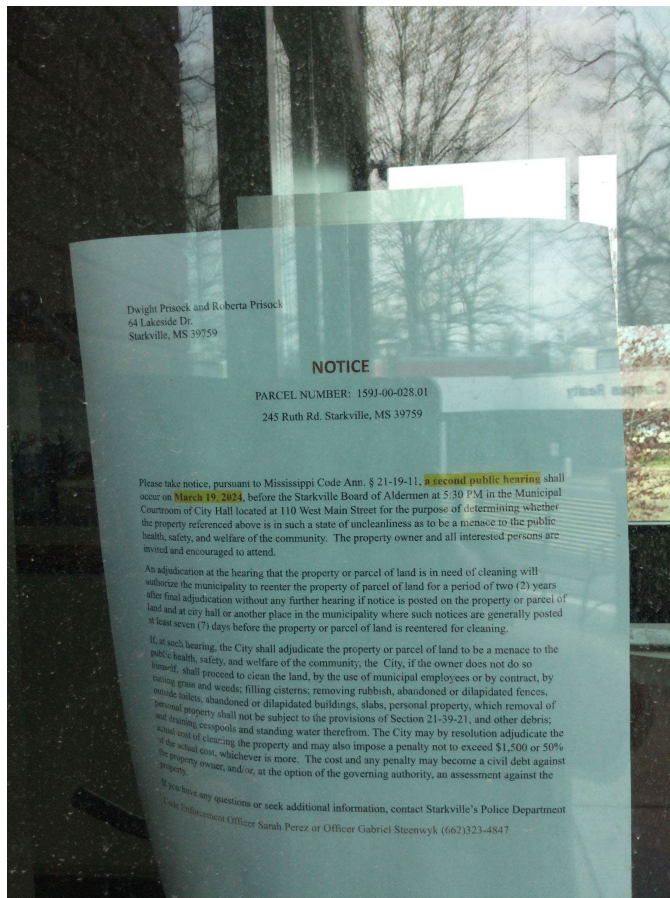
If you have any questions or seek additional information, contact Starkville's Police Department

Code Enforcement Officer Sarah Perez or Officer Gabriel Steenwyk (662)323-4847

(PHOTOS OF CERTIFIED MAIL SENT)



(POSTED AT CITY HALL IN WINDOW OF THE FRONT ENTRANCE)



(CALL CARD)

Call #

24-007763

Date/Time

03/06/2024 10:27:32

Type

CODE ENFORCEMENT

How Rcvd

OFFICER INITIATED

Sent To Dispatch

Dispatcher

PEREZ, S

Disposition

NO ACTION

Zone

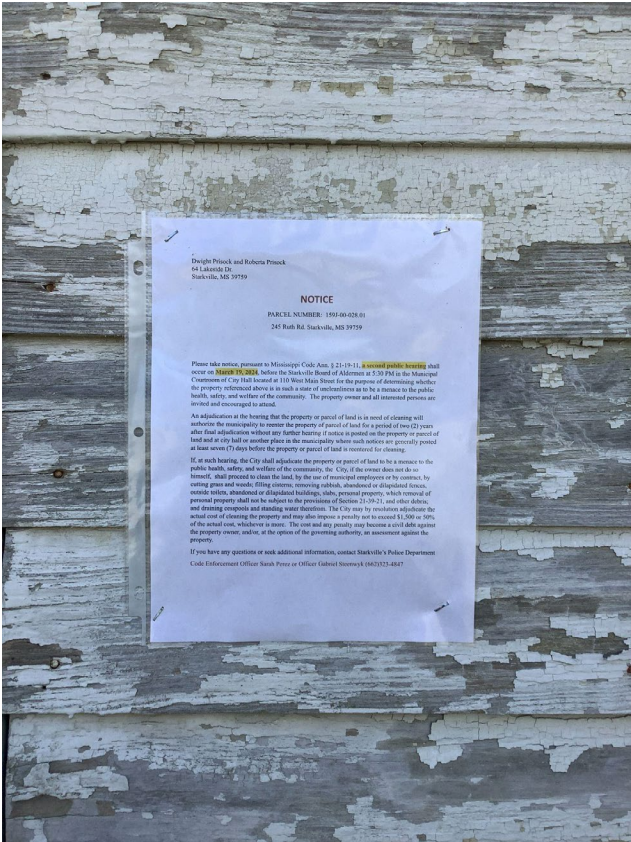
Location Address

245 RUTH DR
STARKVILLE, MS 39759

Officer Information

Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	10:27:32	10:27:32	10:36:35		
STEENWYK, G	10:28:12	10:37:06	10:37:14		

(POSTED ON THE STRUCTURE)





(NORTH SIDE OF THE STRUCTURE)





(SOUTH EAST SIDE OF THE STRUCTURE)



(WEST SIDE OF THE STRUCTURE)



Mayor Spruill opened the Public Hearing.

There being no comments from the general public, the Mayor closed the Public Hearing.

36. CONSIDERATION UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING LOCATED AT 245 RUTH RD, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION WILL OCCUR.

Upon the motion of Alderman Vaughn, duly seconded by Alderman Brooks, for the Board of Aldermen to determine under Miss. Code Ann. § 21-19-11, that the building located at 245 Ruth Rd, Starkville, MS 39759, with the parcel number 159J-00-028.01, is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community and such that demolition will occur, the Board voted as follows:

Alderman Kim Moreland	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	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.

SECOND PUBLIC HEARING AND CONSIDERATION UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING LOCATED AT 305 RUTH ROAD, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION WILL OCCUR.

City Code Enforcement Officer Sarah Perez presented the property for consideration. Initial inspection of 305 Ruth Rd, Starkville, MS 39759, with the parcel number 159J-00-028.01, was performed by Code Enforcement Officer Sarah Perez on Thursday, January 4, 2024, and re-inspection on Saturday, January 20, 2024 by Code Enforcement Officer Sarah Perez. Both inspections contained conditions not suitable for public health and safety such as, multiple holes in the side of the structure, water damage, roof damage, and overall upkeep of the property being neglected and natural deterioration over time. An administrative warrant was issued on Saturday, January 20, 2024, and executed on Sunday, January 21, 2024, at approximately 14:46 hrs. Photographs were taken of the outside of the structure, as well as some taken through windows and open doors.

Public Notices of the first public hearing were posted on the front entrance window at City Hall on Wednesday, February 7, 2024. Notification letters of the public hearing were sent on Wednesday, February 7, 2024, to the property tax payer/owner *Dwight Prisock and Roberta Prisock, 64 Lakeside Dr, Starkville, MS 39759*, and also to the mailing address for the subject property.

Public Notices of the first public hearing were posted on the subject property and a third inspection of the property was done on Thursday, February 8, 2024, showing that no attempts to resolve the issues have been made. The fourth inspection was done by Officer Sarah Perez before submission of documents on Thursday, February 22, 2024 at approximately 14:45 hrs.

The first public hearing was conducted on Tuesday, March 5, 2024.

Public Notices of the second public hearing were posted at City Hall and on the subject property and a fifth inspection of the property was done on Wednesday, March 6, 2024, showing that no attempts to resolve the issues have been made. The final inspection was done by Officer Sarah Perez.

A nuisance shall be a condition or situation that results in an interference with the use and enjoyment of public and private property. To protect the health, safety, and welfare of the public, maintaining, using, placing, depositing, leaving, or permitting of any item or action classified as a nuisance shall not be permitted.

16.1.1 General Nuisance

Nuisance shall include but not be limited to:

- A. Accumulation of noxious weeds and other rank vegetation.
- B. Accumulations of rubbish, trash, refuse, junk and other abandoned materials, metals, lumber or other things.
- C. Any condition which provides harborage for rats, mice, snakes and other vermin.
- D. Any structure or equipment, as defined and regulated by the adopted technical codes of Section 17, which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.
- E. All unauthorized noises and vibrations, including animal noises.
- F. All obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.
- G. The carcasses of animals or fowl not disposed of within a reasonable time after death.
- H. The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery or industrial wastes or other substances.
- I. Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.
- J. Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.
- K. The creation of dense smoke, noxious fumes, gas, soot, or cinders in unreasonable quantities.

2014 7005
Recorded in the Above
Deed Book 1 Page
10-24-2014 12:05:45 PM
Monica W. Banks
Oktibbeha County, MS

Prepared by:
H. Scott Ross
Attorney At Law
Ross Kelley & Martin, PLLC
P.O. Box 332
West Point, Mississippi 39773
(662) 494.2593

Return to:
H. Scott Ross
Attorney At Law
P.O. Box 332
West Point, Mississippi 39773
(662) 494.2593

STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and 00/100 Dollars, (\$10.00) cash in hand paid and
other good and valuable considerations the receipt and sufficiency of which is hereby acknowledged ,

ROBERTA F. PRISOCK
1287 Lakeside Drive
Starkville, Mississippi 39759

does hereby convey and warrant to

ROBERTA F. PRISOCK and
DWIGHT R. PRISCOK
1287 LAKESIDE DRIVE
STARKVILLE, MISSISSIPPI 39759
770-330-3890

as joint tenants with full rights of survivorship and not as tenants in common, the following described real property
located and situated in Oktibbeha County, Mississippi, to-wit:

(See Exhibit A attached) (Pages 4-6)

INDEXING INSTRUCTIONS: All of Lots 24, 25, and 26 of Claytonville Village
Subdivision, S32, T19N, R15E, Oktibbeha County,
Mississippi.

SUBJECT TO all prior mineral reservations, if any, and also subject to easements for public utilities and
rights of way for public roadways, whether the same appear of record or not, if any.

WITNESS my signature this the 24th, day of October, 2014.

The photographs below were taken from the public view at the city road by Officer Sarah Perez at
the first inspection on Thursday, January 4, 2024, at approximately 11:40 hrs.

(CALL CARD)

Call # 24-000400
Date/Time 01/04/2024 11:40:06
Type CODE ENFORCEMENT
How Rcvd PHONE
Sent To Dispatch 01/04/2024 11:40:16
Dispatcher MCCRAY, V
Disposition CALL COMPLETED- NO REPORT
Zone

Location Address
305 RUTH

Officer Information
Badge - Name Dispatched Arrived Cleared De-Assign Case Number
PEREZ, S 11:40:21 11:40:23 11:41:15
STEENWYK, G 11:40:34 11:40:42 11:41:15

Notes

1/4/2024 11:40:56 AM STEENWYK, G PHOTOS TAKEN FROM ROAD WAY

(WEST SIDE OF PROPERTY)



(NORTH SIDE OF PROPERTY)



(EAST SIDE OF PROPERTY)



Violation Notice issued pages 1-3, Friday, January 19, 2024.

FIRST NOTICE OF VIOLATION

Dwight Prisock
64 LAKE SIDE RD
Starkville, MS 39759

Case No. 24-000010
Issued: January 19, 2024

VIOLATION LOCATION

305 Ruth Rd
Starkville, MS

LEGAL DESCRIPTION

An inspection of the above referenced property was made on January 19, 2024. As a result of this inspection, the violation(s) described on page two of this document were observed.

This is your official notice that you will need to bring the property into compliance no later than January 29, 2024.

If you do not bring this property into compliance, then the city will issue a citation and / or abate this nuisance and file a lien against this property for the cost of the abatement.

Your cooperation in this matter is greatly appreciated. If we can be of further assistance to you, or can answer any questions regarding this matter, please contact this office at (662) 323-4847.

Issued By:

Sarah Perez, Code Enforcement Officer

RECIPIENTS: Dwight Prisock

Violations Listing

Dilapidated Structures (MCA Section 21-19-11)

Reported By: Sarah Perez on Jan 19, 2024 at 2:29 PM

Property or parcel of land determined to be menace to public health, safety and welfare.

CORRECTION	DESCRIPTION
Remove Dilapidated Structure (REQUIRED)	It is the duty of person(s) in violation to comply by removing dilapidated structures.



Page 1/3

MYGOV.US 24-000010, 01/19/2024 at 4:55 PM

Page 2/3

MYGOV.US 24-000010, 01/19/2024 at 4:55 PM



Page 3/3

MYGOV.US 24-000010, 01/19/2024 at 4:55 PM

The photographs below were taken from the public view at the city road by Officer Sarah Perez at the second inspection on Saturday, January 20, 2024, at approximately 09:37 hrs. The photographs show that no apparent change has been made to change the appearance of the property.

(CALL CARD)

Call #	24-002185	Dispatcher	PEREZ, S
Date/Time	01/20/2024 09:37:43	Disposition	REPORT
Type	CODE ENFORCEMENT	Zone	
How Rcvd	OFFICER INITIATED		
Sent To Dispatch			

Location Address

305 RUTH RD

Officer Information

Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	09:37:43	09:37:43	09:38:03		

Notes

1/20/2024 9:37:55 AM PEREZ, S

PHOTOS TAKEN FROM THE PUBLIC VIEW SHOWING NO CHANGES HAVE BEEN MADE TO THE STRUCTURE

(NORTH SIDE OF PROPERTY)



(WEST SIDE OF PROPERTY)



(EAST SIDE OF PROPERTY)



An Administrative Inspection Warrant was issued on Saturday, January 20, 2024.

ADMINISTRATIVE INSPECTION WARRANT

This day personally appeared before me, the undersigned judicial officer of the City of Starkville, Oktibbeha County, Mississippi, Code Enforcement Officer Sarah Perez, known to be a credible person, who after being first duly sworn, depose and say:

1. That affiants have good reason to believe and do believe that certain things hereinafter described as now being concealed in or about the following place in this county:

The entire house including any locked or secured rooms or compartments at 305 Ruth Rd., Starkville, Oktibbeha County, Mississippi and any out buildings on the property to include a garage and storage facilities.

2. That the place described above is occupied and controlled by:
Dwight Prisock and unknown persons
3. That said things particularly described as follows:
Any and all evidence of structural damage and dilapidated conditions that are unfit for human habitation and a menace to the public health, safety, and welfare.
4. That possession of the above said described things is in itself unlawful (or the public has a primary interest in, or primary right to possession of the above described things), in that said things are:

IN VIOLATION OF STARKVILLE UNIFIED DEVELOPMENT CODE SECTION 16.1.1 SUB SECTION D. (GENERAL NUISANCE), AS WELL AS 2020 MISSISSIPPI CODE 21-19-11(HEALTH, SAFETY, AND WELFARE).

5. The facts tending to establish the following grounds for issuance of an Administrative Inspection Warrant are set forth in the affidavit with attached sheet headed Underlying Facts and Circumstances, which were reviewed by this court. This court, having examined and considered said affidavit and attachment, and also having heard and considered the evidence in support thereof from the affiants named therein does find that probable cause for the issuance of a search warrant does exist. THEREFORE, you are hereby commanded to proceed at any time in the day or night to the place described above and search forthwith said place for the things specified above, making known to the person or persons occupying or controlling said place, if any, your purpose and authority for so doing, and if the things specified above be found there to seize them, leaving a copy of this warrant and a receipt for the things taken; and bring the things seized before the court instant; and prepare a written inventory of the items seized, and have then and there this writ, with your proceedings noted therein.
6. Do not interpret this writ as limiting your authority to seize all contraband and things the possession of which in itself is unlawful which you find incident to your search, or as limiting your authority to make otherwise valid arrest at the place described above.

Witness my hand on this the 20 day of January 2024.

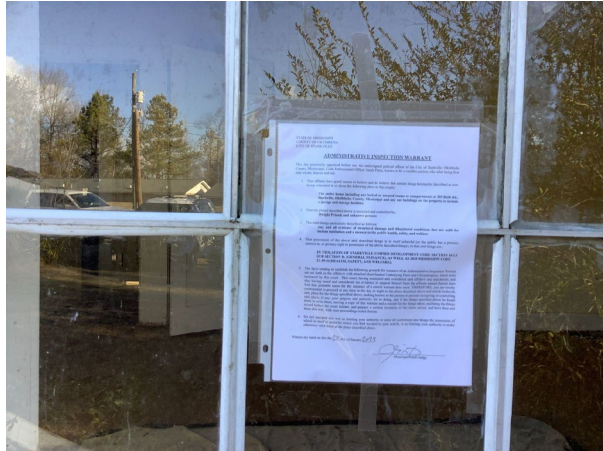

Municipal Court Judge

The Administrative Inspection Warrant was executed on Sunday, January 21, 2024, at approximately 15:30 hrs. Photographs were taken of the outside of the structure as well as some

photographs taken through windows and open doors. A copy of the warrant was left taped to the north side window and sent certified mail to the property owner.

(CALL NOTES)

Call #	24-002294	Dispatcher	PEREZ, S
Date/Time	01/21/2024 15:30:51	Disposition	REPORT
Type	CODE ENFORCEMENT	Zone	
How Recvd	OFFICER INITIATED		
Sent To Dispatch			
Location Address			
	305 RUTH DR		
	STARKVILLE, MS 39759		
Officer Information			
Badge - Name	Dispatched	Arrived	Cleared
Perez, S	15:30:51	15:30:51	15:39:24
De-Assign			
Case Number			
Notes			
1/21/2024 3:31:07 PM	Perez, S		CASE #24-000010
1/21/2024 3:31:11 PM	Perez, S		SERVING ADMINISTRATIVE WARRANT FOR PHOTOGRAPHS OF DILAPIDATED STRUCTURES ON THE PROPERTY
1/21/2024 3:39:11 PM	Perez, S		A COPY OF THE WARRANT WAS TAPED TO THE NORTH SIDE OF THE STRUCTURE



(NORTH SIDE OF PROPERTY)





(WEST SIDE OF PROPERTY)



(SOUTH SIDE OF PROPERTY)

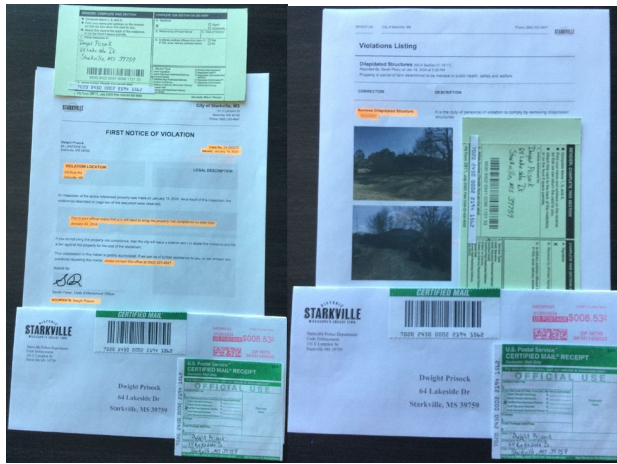


(EAST SIDE OF PROPERTY)

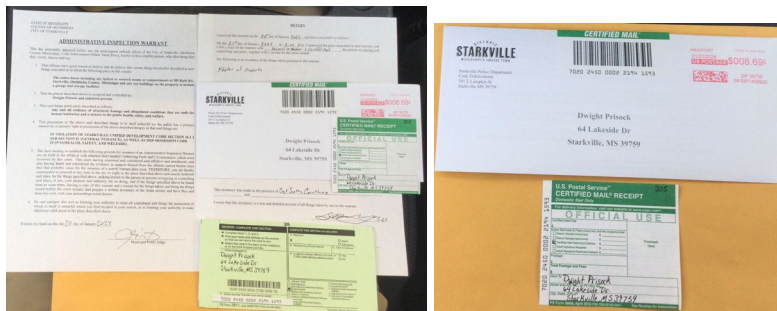


Certified letter of notice of violation and a copy of the warrant were sent to the property owner on Monday, January 22, 2024.

(NOTICE OF VIOLATION)



(ADMINISTRATIVE WARRANT)



Photographs below were taken by Officer Sarah Perez on Wednesday, February 7, 2024. The first public hearing notices were mailed to the property owner via certified mail and posted in the front window at City Hall. Also posted on the property on Thursday, February 8, 2024.

(PDF OF THE PUBLIC HEARING NOTICE)

Dewight Prisock and Roberta Prisock
64 Lakeside Dr.
Starkville, MS 39759

NOTICE

PARCEL NUMBER: 159J-00-028.01

305 Ruth Rd. Starkville, MS 39759

Please take notice, pursuant to Mississippi Code Ann. § 21-19-11, a public hearing shall occur on **March 5, 2024**, before the Starkville Board of Aldermen at 5:30 PM in the Municipal Courtroom of City Hall located at 110 West Main Street for the purpose of determining whether the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community. The property owner and all interested persons are invited and encouraged to attend.

An adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of two (2) years after final adjudication without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

If, at such hearing, the City shall adjudicate the property or parcel of land to be a menace to the public health, safety, and welfare of the community, the City, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The City may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed \$1,500 or 50% of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property.

If you have any questions or seek additional information, contact Starkville's Police Department

Code Enforcement Officer Sarah Perez or Officer Gabriel Steenwyk (662)323-4847

Public Hearing notice mailed to the property owner on Wednesday, February 7, 2024

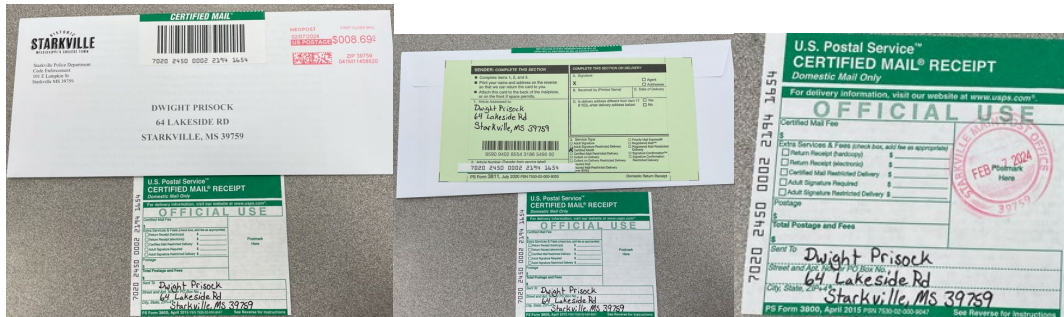
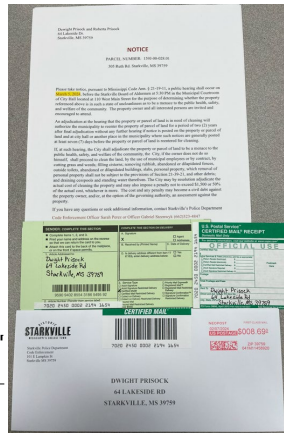
(PHOTOS OF CERTIFIED MAIL SENT)

Call # 24-004226
 Date/Time 02/07/2024 15:28:04
 Type CODE ENFORCEMENT
 How Rcvd OFFICER INITIATED
 Sent To Dispatch

Location Address
 POST OFFICE

Officer Information
 Badge - Name Dispatched Arrived Cleared De-Assign Case Number
 PEREZ, S 15:28:04 15:28:04 15:50:30

Notes
 2/7/2024 3:50:08 PM PEREZ, S MAILING CERTIFIED LETTERS OF NOTICE FOR PUBLIC HEARING ON CASE #S 24-000008, 24-000009, 24-000010, AND 24-000011



(POSTED AT CITY HALL IN WINDOW OF THE FRONT ENTRANCE)

Call # 24-004223
 Date/Time 02/07/2024 15:18:01
 Type CODE ENFORCEMENT
 How Rcvd OFFICER INITIATED
 Sent To Dispatch

Location Address
 110E MAIN ST

Officer Information
 Badge - Name Dispatched Arrived Cleared De-Assign Case Number
 PEREZ, S 15:18:01 15:18:01 15:18:43

Notes
 2/7/2024 3:18:30 PM PEREZ, S CASE #24-000010 305 RUTH RD
 2/7/2024 3:18:36 PM PEREZ, S PUBLIC HEAR NOTICE POSTED AT CITY HALL IN THE WINDOW AT THE FRONT ENTRANCE



(CALL CARD)

Call # 24-004317
Date/Time 02/08/2024 09:14:13
Type CODE ENFORCEMENT
How Rcvd OFFICER INITIATED
Sent To Dispatch

Dispatcher PEREZ, S
Disposition REPORT
Zone

Location Address

305 RUTH DR
 STARKVILLE, MS 39759

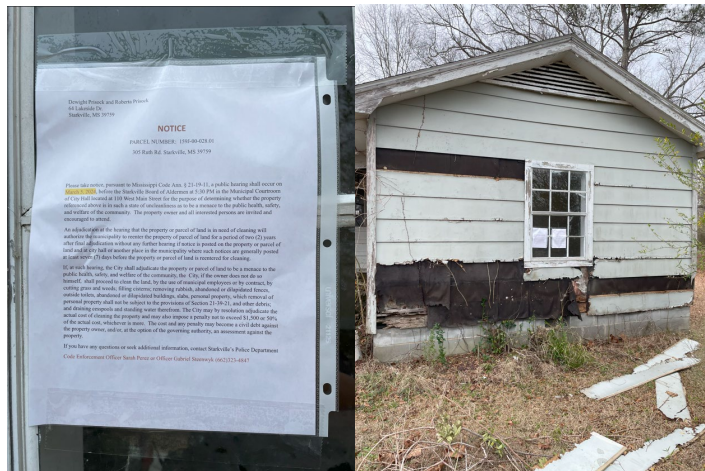
Officer Information

Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	09:14:13	09:14:13	09:19:15		
STEENWYK, G	09:16:05	09:16:13	09:19:28		

Notes

2/8/2024 9:14:49 AM	PEREZ, S	POSTING PUBLIC HEARING NOTICE ON STRUCTURE
2/8/2024 9:15:05 AM	PEREZ, S	TAKING PHOTOS FROM THE ROAD WAY
2/8/2024 9:15:26 AM	PEREZ, S	THERE HAS BEEN NO CHANGE IN THE STATE OF THE PROPERTY

(POSTED ON THE STRUCTURE)



The photographs below were taken by Officer Sarah Perez at the third inspection on Thursday, February 8, 2024. Showing no apparent change having been made to change the appearance of the property.

(NORTH SIDE OF THE STRUCTURE)





(WEST SIDE OF THE STRUCTURE)



(EAST SIDE OF THE STRUCTURE)



Photographs below were taken by Officer Sarah Perez one week before submission of documents on Thursday, February 22, 2024 at approximately 14:45 hrs.

(CALL CARD)

Call # 24-006047
 Date/Time 02/22/2024 14:45:58
 Type CODE ENFORCEMENT
 How Rcvd OFFICER INITIATED
 Sent To Dispatch
 Location Address
 305 RUTH RD

Officer Information
 Badge - Name Dispatched Arrived Cleared De-Assign Case Number
 PEREZ, S 14:45:58 14:45:58 14:46:26

Notes
 2/22/2024 2:46:12 PM PEREZ, S CASE #24-000010
 2/22/2024 2:46:19 PM PEREZ, S FINAL INSPECTION PHOTOS TAKEN FROM THE ROADWAY SHOWING NO PROGRESS IN REPAIRS TO THE PROPERTY

(PHOTOGRAPHS OF PROPERTY)



Photographs below were taken by Officer Sarah Perez on Wednesday, March 6, 2024. The second public hearing notices were mailed to the property owner via certified mail and posted in the front window at City Hall. The notice of the second public hearing was also posted on the property and photos were taken of the property showing no change had been made.

(PDF OF THE PUBLIC HEARING NOTICE)

Dwight Prisock and Roberta Prisock
64 Lakeside Dr.
Starkville, MS 39759

NOTICE

PARCEL NUMBER: 159J-00-028.01

305 Ruth Rd. Starkville, MS 39759

Please take notice, pursuant to Mississippi Code Ann. § 21-19-11, **a second public hearing** shall occur on **March 19, 2024**, before the Starkville Board of Aldermen at 5:30 PM in the Municipal Courtroom of City Hall located at 110 West Main Street for the purpose of determining whether the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community. The property owner and all interested persons are invited and encouraged to attend.

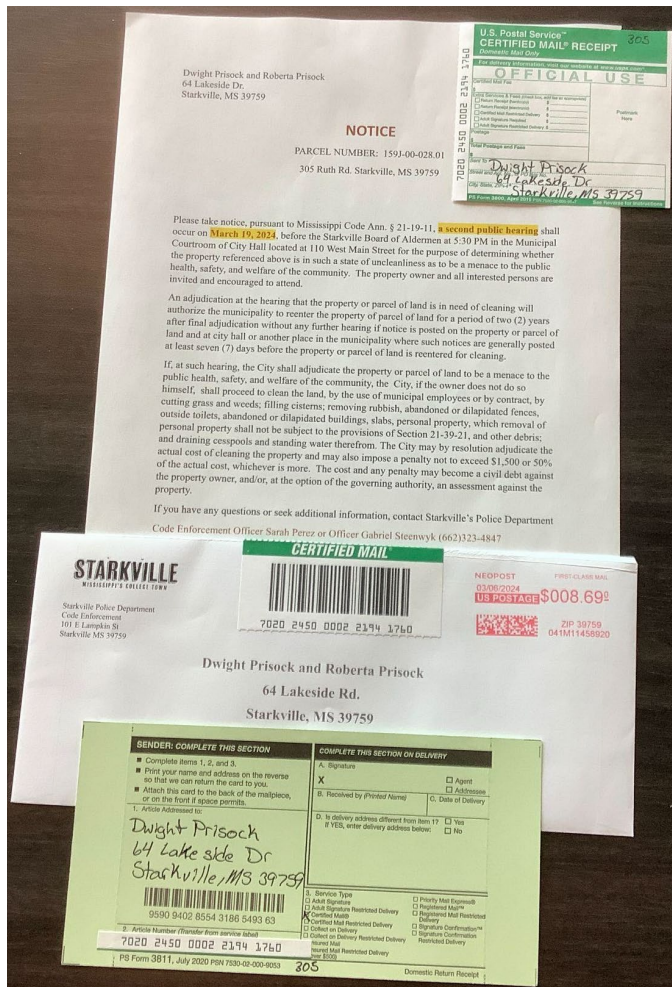
An adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of two (2) years after final adjudication without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

If, at such hearing, the City shall adjudicate the property or parcel of land to be a menace to the public health, safety, and welfare of the community, the City, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The City may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed \$1,500 or 50% of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property.

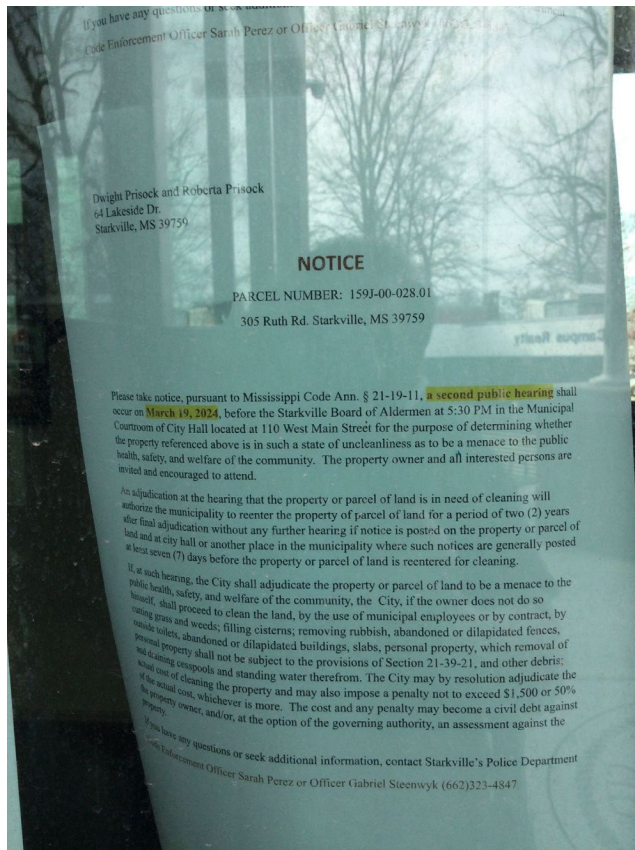
If you have any questions or seek additional information, contact Starkville's Police Department

Code Enforcement Officer Sarah Perez or Officer Gabriel Steenwyk (662)323-4847

(PHOTOS OF CERTIFIED MAIL SENT)



(POSTED AT CITY HALL IN WINDOW OF THE FRONT ENTRANCE)



(CALL CARD)

Call # 24-007762
Date/Time 03/06/2024 10:21:03
Type CODE ENFORCEMENT
How Rcvd OFFICER INITIATED
Sent To Dispatch

Dispatcher PEREZ, S
Disposition NO ACTION
Zone

Location Address

305 RUTH RD

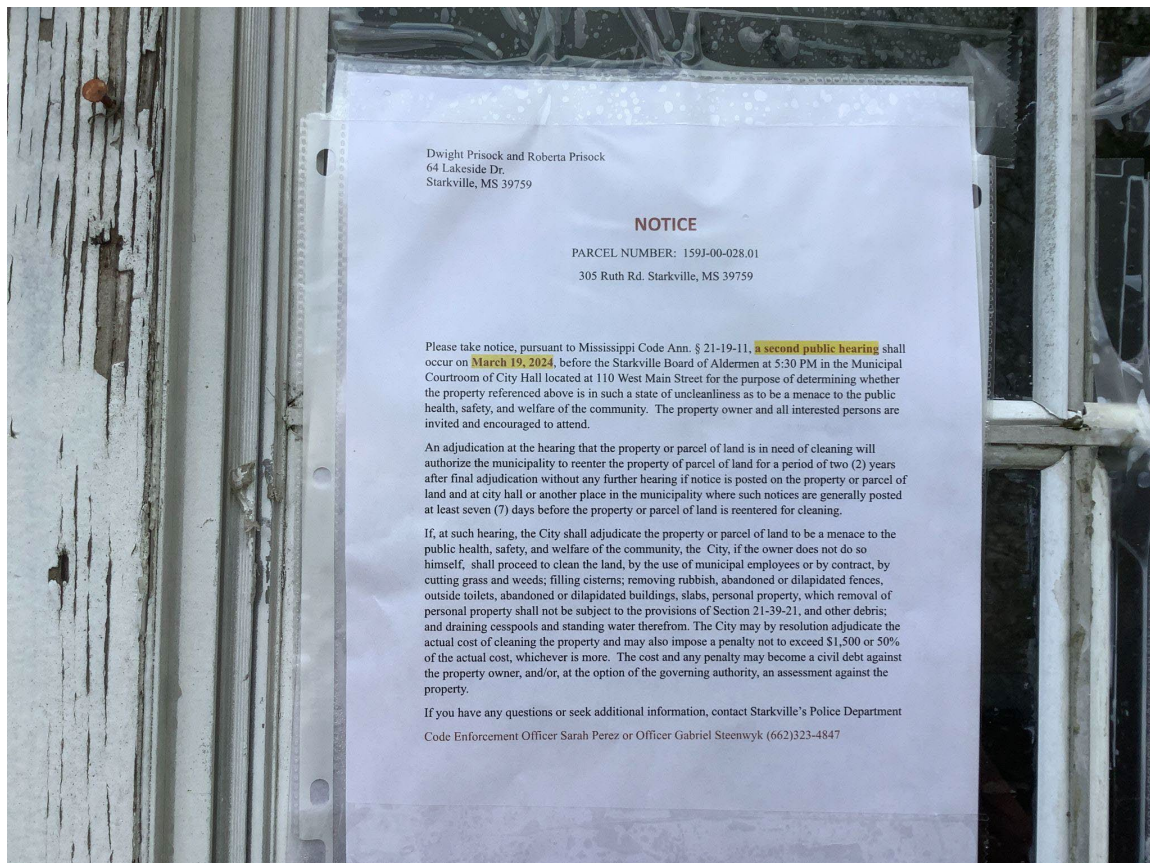
Officer Information

Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	10:21:03	10:21:03	10:27:05		
STEENWYK, G	10:21:28	10:21:40	10:27:26		

Notes

3/6/2024 10:26:41 AM	PEREZ, S	NOTICE OF SECOND PUBLIC HEARING POSTED
3/6/2024 10:26:52 AM	PEREZ, S	PHOTOS TAKEN SHOWING NO CHANGE

(POSTED ON THE STRUCTURE)





(NORTH SIDE OF THE STRUCTURE)



(NORTH EAST SIDE OF THE STRUCTURE)



(EAST SIDE OF THE STRUCTURE)



(WEST SIDE OF THE STRUCTURE)





Mayor Spruill opened the Public Hearing. There being no comments from the general public, the Mayor closed the Public Hearing.

37. CONSIDERATION UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING LOCATED AT 305 RUTH RD, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION WILL OCCUR.

Upon the motion of Alderman Beatty, duly seconded by Alderman Rupp, for the Board of Aldermen to determine under Miss. Code Ann. § 21-19-11, that the building located at 305 Ruth Rd, Starkville, MS 39759, with the parcel number 159J-00-028.01, is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community and such that demolition will occur, the Board voted as follows:

Alderman Kim Moreland	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	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.

SECOND PUBLIC HEARING AND CONSIDERATION UNDER MISS. CODE ANN. § 21-19-11 TO DETERMINE WHETHER THE BUILDING LOCATED AT 325 RUTH ROAD, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION COULD OCCUR.

City Code Enforcement Officer Sarah Perez presented the property for consideration. Initial inspection of 325 Ruth Rd, Starkville, MS 39759, with the parcel number 159J-00-028.01, was performed by Code Enforcement Officer Sarah Perez on Thursday, January 4, 2024, and re-inspection on Saturday, January 20, 2024 by Code Enforcement Officer Sarah Perez. Both inspections contained conditions not suitable for public health and safety such as, multiple holes in the side of the structure, water damage, roof damage, and overall upkeep of the property being neglected and natural deterioration over time. An administrative warrant was issued on Saturday, January 20, 2024, and executed on Sunday, January 21, 2024, at approximately 14:46 hrs. Photographs were taken of the outside of the structure, as well as some taken through windows and open doors.

Public Notices of the first public hearing were posted on the front entrance window at City Hall on Wednesday, February 7, 2024. Notification letters of the public hearing were sent on Wednesday, February 7, 2024, to the property tax payer/owner Dwight Prisock and Roberta Prisock, 64 Lakeside Dr, Starkville, MS 39759, and also to the mailing address for the subject property.

Public Notices of the first public hearing were posted on the subject property and a third inspection of the property was done on Thursday, February 8, 2024, showing that no attempts to resolve the issues have been made.

The fourth inspection was done by Officer Sarah Perez before submission of documents on Thursday, February 22, 2024 at approximately 14:46 hrs. The first public hearing was conducted on Tuesday, March 5, 2024.

Public Notices of the second public hearing were posted at City Hall and on the subject property and a fifth inspection of the property was done on Wednesday, March 6, 2024, showing that no attempts to resolve the issues have been made. The final inspection was done by Officer Sarah Perez.

City of Starkville Unified Development Code, section 16.1.1 sub section D. Can be located at <https://www.cityofstarkville.org/> under the City Ordinances then Unified Development Code.

A nuisance shall be a condition or situation that results in an interference with the use and enjoyment of public and private property. To protect the health, safety, and welfare of the public, maintaining, using, placing, depositing, leaving, or permitting of any item or action classified as a nuisance shall not be permitted.

16.1.1 General Nuisance

Nuisance shall include but not be limited to:

- A. Accumulation of noxious weeds and other rank vegetation.
- B. Accumulations of rubbish, trash, refuse, junk and other abandoned materials, metals, lumber or other things.
- C. Any condition which provides harborage for rats, mice, snakes and other vermin.
- D. Any structure or equipment, as defined and regulated by the adopted technical codes of Section 17, which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.
- E. All unauthorized noises and vibrations, including animal noises.
- F. All obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.
- G. The carcasses of animals or fowl not disposed of within a reasonable time after death.
- H. The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery or industrial wastes or other substances.
- I. Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.
- J. Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.
- K. The creation of dense smoke, noxious fumes, gas, soot, or cinders in unreasonable quantities.

2014 7005
Recorded in the Above
Deed Book 1 Page
10-24-2014 12:05:45 PM
Monica W. Banks
Oktibbeha County, MS

Prepared by:
H. Scott Ross
Attorney At Law
Ross Kelley & Martin, PLLC
P.O. Box 332
West Point, Mississippi 39773
(662) 494.2593

Return to:
H. Scott Ross
Attorney At Law
P.O. Box 332
West Point, Mississippi 39773
(662) 494.2593

STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and 00/100 Dollars, (\$10.00) cash in hand paid and other good and valuable considerations the receipt and sufficiency of which is hereby acknowledged ,

ROBERTA F. PRISOCK
1287 Lakeside Drive
Starkville, Mississippi 39759

does hereby convey and warrant to

ROBERTA F. PRISOCK and
DWIGHT R. PRISCOK
1287 LAKESIDE DRIVE
STARKVILLE, MISSISSIPPI 39759
770-330-3890

as joint tenants with full rights of survivorship and not as tenants in common, the following described real property located and situated in Oktibbeha County, Mississippi, to-wit:

(See Exhibit A attached) (Pages 4-6)

INDEXING INSTRUCTIONS: All of Lots 24, 25, and 26 of Claytonville Village
Subdivision, S32, T19N, R15E, Oktibbeha County,
Mississippi.

SUBJECT TO all prior mineral reservations, if any, and also subject to easements for public utilities and rights of way for public roadways, whether the same appear of record or not, if any.

WITNESS my signature this the 24th, day of October, 2014.

The photographs below were taken from the public view at the city road by Officer Sarah Perez at the first inspection on Thursday, January 4, 2024, at approximately 11:27 hrs.

(CALL CARD)

Call #	24-000396	Dispatcher	MULLEN, T
Date/Time	01/04/2024 11:27:26	Disposition	CALL COMPLETED- NO REPORT
Type	CODE ENFORCEMENT	Zone	
How Rcvd			
Sent To Dispatch	01/04/2024 11:27:48		

Location Address

325 RUTH DR
STARKVILLE, MS 39759

Officer Information

Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	11:28:09	11:28:26	11:40:03		
STEENWYK, G	11:28:22	11:28:27	11:40:03		

Notes

1/4/2024 11:38:42 AM STEENWYK, G PHOTOS TAKEN FROM ROAD

(NORTH SIDE OF PROPERTY)



(EAST SIDE OF PROPERTY)



(SOUTH SIDE OF PROPERTY)



Violation Notice issued pages 1-3, Friday, January 19, 2024.



City of Starkville, MS
101 E Lampton St
Starkville, MS 39759
Phone: (662) 323-4847

MYGOV US City of Starkville, MS

Phone: (662) 323-4847



Violations Listing

FIRST NOTICE OF VIOLATION

Dwight Prisock
64 LAKESIDE RD
Starkville, MS 39759

Case No. 24-000011
Issued: January 19, 2024

VIOLATION LOCATION

325 Ruth Rd
Starkville, MS

LEGAL DESCRIPTION

An inspection of the above referenced property was made on January 19, 2024. As a result of this inspection, the violation(s) described on page two of this document were observed.

This is your official notice that you will need to bring the property into compliance no later than January 29, 2024.

If you do not bring this property into compliance, then the city will issue a citation and / or abate this nuisance and file a lien against this property for the cost of the abatement.

Your cooperation in this matter is greatly appreciated. If we can be of further assistance to you, or can answer any questions regarding this matter, please contact this office at (662) 323-4847.

Issued By:

Sarah Perez, Code Enforcement Officer

RECIPIENTS: Dwight Prisock

Dilapidated Structures (MCA Section 21-19-11)

Reported By: Sarah Perez on Jan 19, 2024 at 2:31 PM

Property or parcel of land determined to be menace to public health, safety and welfare.

CORRECTION

DESCRIPTION

Remove Dilapidated Structure

REQUIRED

It is the duty of person(s) in violation to comply by removing dilapidated structures.



MYGOV US 24-000011, 01/19/2024 at 4:52 PM

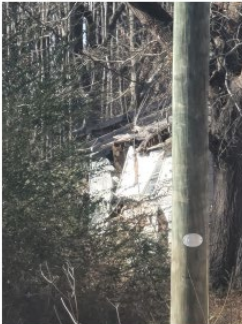
Page 1/3

MYGOV US 24-000011, 01/19/2024 at 4:52 PM

Page 2/3

MYGOV US City of Starkville, MS

Phone: (662) 323-4847



MYGOV US 24-000011, 01/19/2024 at 4:52 PM

Page 3/3

The photographs below were taken from the public view at the city road by Officer Sarah Perez at the second inspection on Saturday, January 20, 2024, at approximately 09:38 hrs. The photographs show that no apparent change has been made to change the appearance of the property.

(CALL CARD)

Call #	24-002186	Dispatcher	Perez, S		
Date/Time	01/20/2024 09:38:18	Disposition	REPORT		
Type	CODE ENFORCEMENT	Zone			
How Rcvd	OFFICER INITIATED				
Sent To Dispatch					
Location Address					
	325 RUTH RD				
Officer Information					
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
Perez, S	09:38:18	09:38:18	09:38:33		
Notes					
1/20/2024 9:38:24 AM	Perez, S				
					PHOTOS TAKEN FROM THE PUBLIC VIEW SHOWING NO CHANGES HAVE BEEN MADE TO THE STRUCTURE

(NORTH SIDE OF PROPERTY)



(WEST SIDE OF PROPERTY)



(SOUTH SIDE OF PROPERTY)



(EAST SIDE OF PROPERTY)



An Administrative Inspection Warrant was issued on Saturday, January 20, 2024.

ADMINISTRATIVE INSPECTION WARRANT

This day personally appeared before me, the undersigned judicial officer of the City of Starkville, Oktibbeha County, Mississippi, Code Enforcement Officer Sarah Perez, known to be a credible person, who after being first duly sworn, depose and say:

1. That affiants have good reason to believe and do believe that certain things hereinafter described as now being concealed in or about the following place in this county:

The entire house including any locked or secured rooms or compartments at 325 Ruth Rd., Starkville, Oktibbeha County, Mississippi and any out buildings on the property to include a garage and storage facilities.

2. That the place described above is occupied and controlled by:
Dwight Prisock and unknown persons
3. That said things particularly described as follows:
Any and all evidence of structural damage and dilapidated conditions that are unfit for human habitation and a menace to the public health, safety, and welfare.
4. That possession of the above said described things is in itself unlawful (or the public has a primary interest in, or primary right to possession of the above described things), in that said things are:

IN VIOLATION OF STARKVILLE UNIFIED DEVELOPMENT CODE SECTION 16.1.1 SUB SECTION D. (GENERAL NUISANCE), AS WELL AS 2020 MISSISSIPPI CODE 21-19-11(HEALTH, SAFETY, AND WELFARE).

5. The facts tending to establish the following grounds for issuance of an Administrative Inspection Warrant are set forth in the affidavit with attached sheet headed Underlying Facts and Circumstances, which were reviewed by this court. This court, having examined and considered said affidavit and attachment, and also having heard and considered the evidence in support thereof from the affiants named therein does find that probable cause for the issuance of a search warrant does exist. THEREFORE, you are hereby commanded to proceed at any time in the day or night to the place described above and search forthwith said place for the things specified above, making known to the person or persons occupying or controlling said place, if any, your purpose and authority for so doing, and if the things specified above be found there to seize them, leaving a copy of this warrant and a receipt for the things taken; and bring the things seized before the court instant; and prepare a written inventory of the items seized, and have then and there this writ, with your proceedings noted therein.
6. Do not interpret this writ as limiting your authority to seize all contraband and things the possession of which in itself is unlawful which you find incident to your search, or as limiting your authority to make otherwise valid arrest at the place described above.

Witness my hand on this the 20 day of January 2024.



Municipal Court Judge

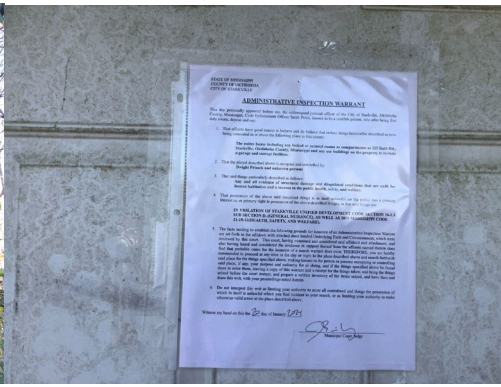
The Administrative Inspection Warrant was executed on Sunday, January 21, 2024, at approximately 15:39 hrs. Photographs were taken of the outside of the structure as well as some photographs taken through windows and open doors. A copy of the warrant was left taped to the front door and sent certified mail to the property owner.

(CALL CARD)

Call #	24-002295			Dispatcher	PEREZ, S	
Date/Time	01/21/2024 15:39:47			Disposition	REPORT	
Type	CODE ENFORCEMENT			Zone		
How Rcvd	OFFICER INITIATED					
Sent To Dispatch						
Location Address						
325 RUTH DR						
STARKVILLE, MS 39759						
Officer Information						
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number	
PEREZ, S	15:39:47	15:39:47	15:50:01			
Notes						
1/21/2024 3:40:07 PM	PEREZ, S	CASE #24-000011				
1/21/2024 3:40:09 PM	PEREZ, S	SERVING ADMINISTRATIVE WARRANT FOR PHOTOGRAPHS OF DILAPIDATED STRUCTURES ON THE PROPERTY				
1/21/2024 3:40:43 PM	PEREZ, S	A COPY OF THE WARRANT WAS TAPED TO THE NORTH SIDE OF THE STRUCTURE				

(NORTH SIDE OF PROPERTY)





(WEST SIDE OF PROPERTY)



(SOUTH SIDE OF PROPERTY)



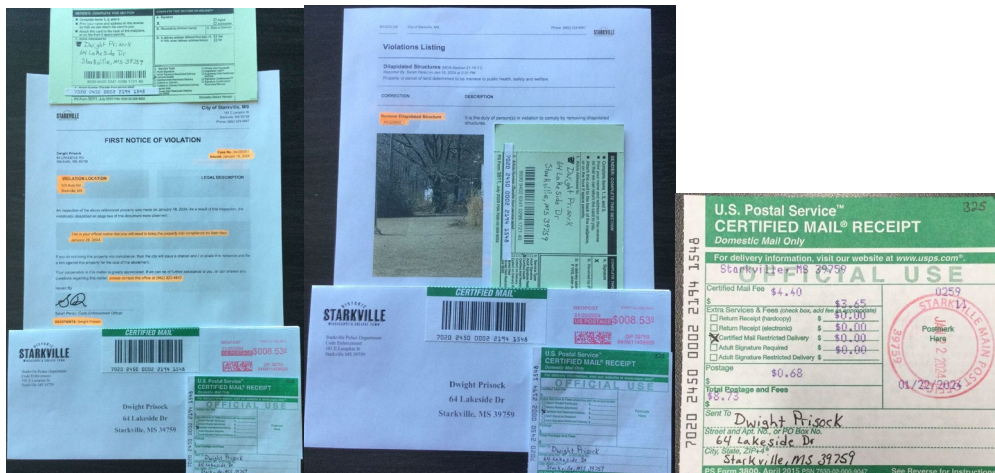


(EAST SIDE OF PROPERTY)



Certified letter of notice of violation and a copy of the warrant were sent to the property owner on Monday, January 22, 2024.

(NOTICE OF VIOLATION)





(ADMINISTRATIVE WARRANT)



Photographs below were taken by Officer Sarah Perez on Wednesday, February 7, 2024. The first public hearing notices were mailed to the property owner via certified mail and posted in the front window at City Hall. Also posted on the property on Thursday, February 8, 2024.

(PDF OF THE PUBLIC HEARING NOTICE)

Dewight Prisock and Roberta Prisock
64 Lakeside Dr.
Starkville, MS 39759

NOTICE

PARCEL NUMBER: 159J-00-028.01

325 Ruth Rd. Starkville, MS 39759

Please take notice, pursuant to Mississippi Code Ann. § 21-19-11, a public hearing shall occur on **March 5, 2024**, before the Starkville Board of Aldermen at 5:30 PM in the Municipal Courtroom of City Hall located at 110 West Main Street for the purpose of determining whether the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community. The property owner and all interested persons are invited and encouraged to attend.

An adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of two (2) years after final adjudication without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

If, at such hearing, the City shall adjudicate the property or parcel of land to be a menace to the public health, safety, and welfare of the community, the City, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The City may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed \$1,500 or 50% of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property.

If you have any questions or seek additional information, contact Starkville's Police Department

Code Enforcement Officer Sarah Perez or Officer Gabriel Steenwyk (662)323-4847

Public Hearing notice mailed to the property owner on Wednesday, February 7, 2024.

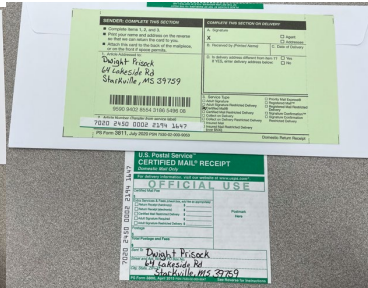
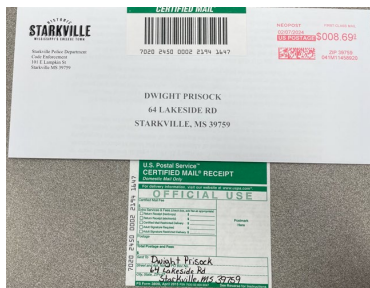
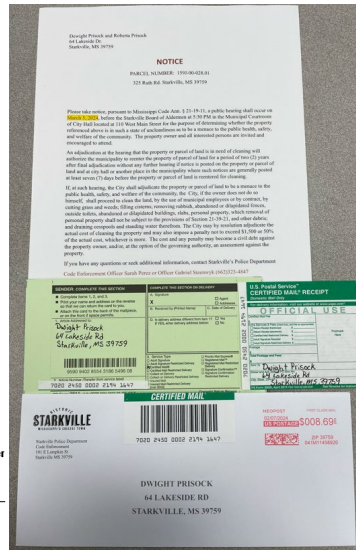
(PHOTOS OF CERTIFIED MAIL SENT)

Call # 24-004226
Date/Time 02/07/2024 15:28:04
Type CODE ENFORCEMENT
How Rcvd OFFICER INITIATED
Sent To Dispatch

Location Address
POST OFFICE

Dispatcher PEREZ, S
Disposition REPORT
Zone

Officer Information					
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	15:28:04	15:28:04	15:50:30		
Notes					
2/7/2024 3:50:08 PM	PEREZ, S	MAILING CERTIFIED LETTERS OF NOTICE FOR PUBLIC HEARING ON CASE #S 24-000008, 24-000009, 24-000010, AND 24-000011			



(POSTED

AT CITY HALL IN WINDOW OF THE FRONT ENTRANCE)

Call # 24-004225
Date/Time 02/07/2024 15:19:04
Type CODE ENFORCEMENT
How Rcvd OFFICER INITIATED
Sent To Dispatch

Location Address
110 E MAIN ST

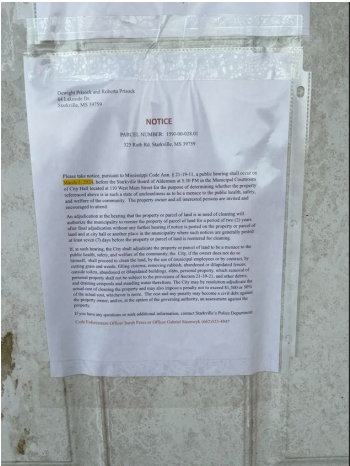
Dispatcher PEREZ, S
Disposition REPORT
Zone

Officer Information					
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	15:19:04	15:19:04	15:19:40		
Notes					
2/7/2024 3:19:29 PM	PEREZ, S	CASE #24-000011 325 RUTH RD			
2/7/2024 3:19:32 PM	PEREZ, S	PUBLIC HEAR NOTICE POSTED AT CITY HALL IN THE WINDOW AT THE FRONT ENTRANCE			



(CALL CARD) AND (POSTED ON THE STRUCTURE)

Call #	24-004319			Dispatcher	PEREZ, S	
Date/Time	02/08/2024 09:19:44			Disposition	REPORT	
Type	CODE ENFORCEMENT			Zone		
How Rcvd	OFFICER INITIATED					
Sent To Dispatch						
Location Address						
325 RUTH RD						
Officer Information						
Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number	
PEREZ, S	09:19:44	09:19:44	09:25:48			
STEENWYK, G	09:19:58	09:20:10	09:27:16			
Notes						
2/8/2024 9:19:55 AM	PEREZ, S	CASE #24-000011				
2/8/2024 9:20:29 AM	PEREZ, S	POSTING PUBLIC HEARING NOTICE ON THE STRUCTURE				
2/8/2024 9:20:44 AM	PEREZ, S	PHOTOS TAKEN FROM THE ROAD WAY				
2/8/2024 9:21:02 AM	PEREZ, S	THERE HAS BEEN NO CHANGE IN THE STATE OF THE PROPERTY				



The photographs below were taken by Officer Sarah Perez at the third inspection on Thursday, February 8, 2024.

(NORTH SIDE OF THE STRUCTURE)





(EAST SIDE OF THE STRUCTURE)



(SOUTH SIDE OF THE STRUCTURE) (WEST SIDE OF THE STRUCTURE)



Photographs below were taken by Officer Sarah Perez one week before submission of documents on Thursday, February 22, 2024 at approximately 14:46 hrs.

(CALL CARD)

Call # 24-006048
Date/Time 02/22/2024 14:46:47
Type CODE ENFORCEMENT
How Rcvd OFFICER INITIATED
Sent To Dispatch

Dispatcher PEREZ, S
Disposition REPORT
Zone

Location Address
325 RUTH RD

Officer Information

Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	14:46:47	14:46:47	14:47:22		

Notes

2/22/2024 2:46:57 PM	PEREZ, S	CASE #24-000011
2/22/2024 2:46:59 PM	PEREZ, S	FINAL INSPECTION PHOTOS TAKEN FROM THE ROADWAY SHOWING NO PROGRESS IN REPAIRS TO THE PROPERTY



Photographs below were taken by Officer Sarah Perez on Wednesday, March 6, 2024. The second public hearing notices were mailed to the property owner via certified mail and posted in the front

window at City Hall. The notice of the second public hearing was also posted on the property and photos were taken of the property showing no change had been made.

(PDF OF THE PUBLIC HEARING NOTICE)

Dwight Prisock and Roberta Prisock
64 Lakeside Rd.
Starkville, MS 39759

NOTICE

PARCEL NUMBER: 159J-00-028.01

325 Ruth Rd. Starkville, MS 39759

Please take notice, pursuant to Mississippi Code Ann. § 21-19-11, **a second public hearing** shall occur on **March 19, 2024**, before the Starkville Board of Aldermen at 5:30 PM in the Municipal Courtroom of City Hall located at 110 West Main Street for the purpose of determining whether the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community. The property owner and all interested persons are invited and encouraged to attend.

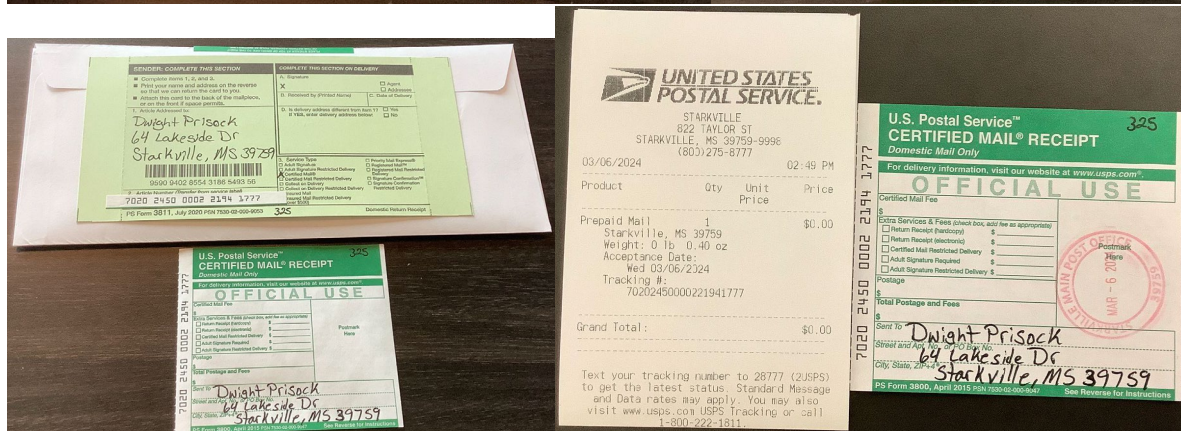
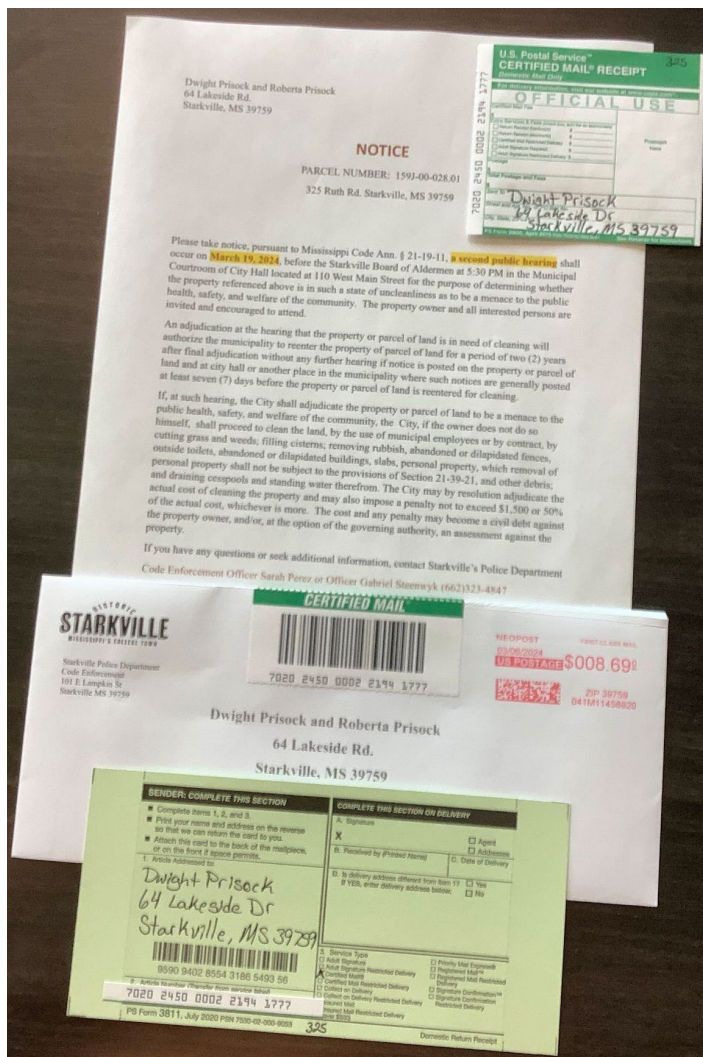
An adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of two (2) years after final adjudication without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

If, at such hearing, the City shall adjudicate the property or parcel of land to be a menace to the public health, safety, and welfare of the community, the City, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The City may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed \$1,500 or 50% of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property.

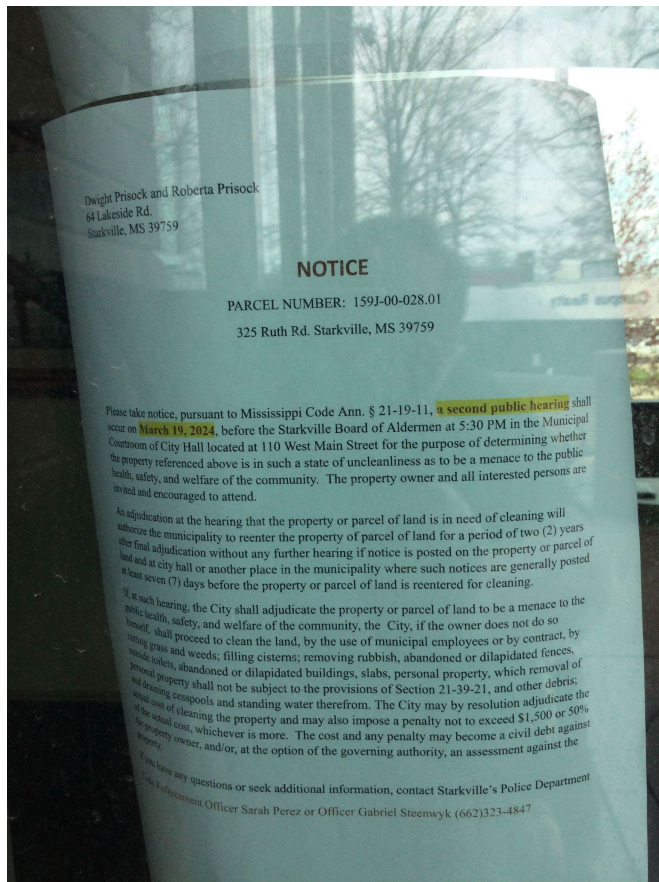
If you have any questions or seek additional information, contact Starkville's Police Department

Code Enforcement Officer Sarah Perez or Officer Gabriel Steenwyk (662)323-4847

(PHOTOS OF CERTIFIED MAIL SENT)



(POSTED AT CITY HALL IN WINDOW OF THE FRONT ENTRANCE)



(CALL CARD)

Call # 24-007759
Date/Time 03/06/2024 10:14:11
Type CODE ENFORCEMENT
How Rcvd OFFICER INITIATED
Sent To Dispatch

Dispatcher PEREZ, S
Disposition NO ACTION
Zone

Location Address

325 RUTH RD

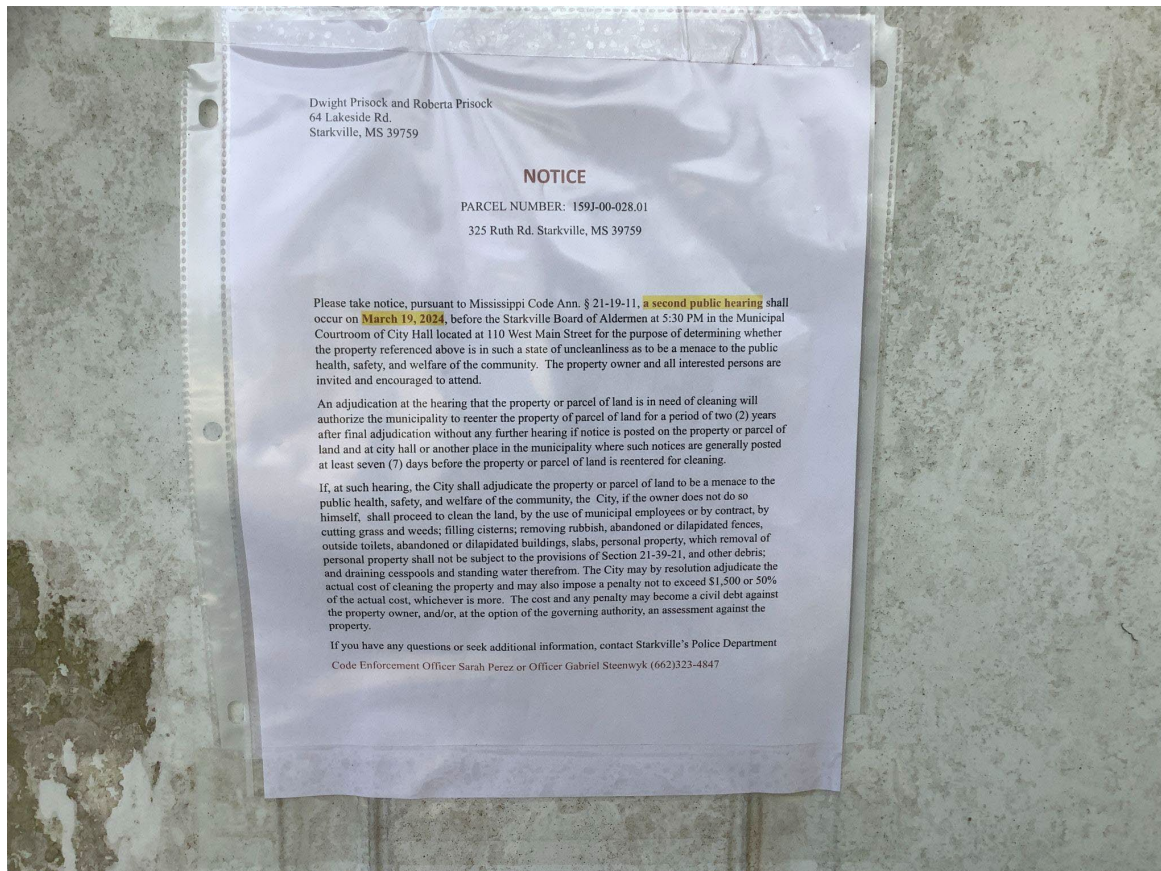
Officer Information

Badge - Name	Dispatched	Arrived	Cleared	De-Assign	Case Number
PEREZ, S	10:14:11	10:14:11	10:20:15		
STEENWYK, G	10:14:21	10:14:34	10:21:14		

Notes

3/6/2024 10:19:53 AM	PEREZ, S	NOTICE OF SECOND PUBLIC HEARING POSTED
3/6/2024 10:20:07 AM	PEREZ, S	PHOTOS TAKEN SHOWING NO CHANGE

(POSTED ON THE STRUCTURE)





(NORTH SIDE OF THE STRUCTURE)



(NORTH EAST SIDE OF THE STRUCTURE)



(EAST SIDE OF THE STRUCTURE)



(SOUTH SIDE OF THE STRUCTURE)



(WEST SIDE OF THE STRUCTURE)



Mayor Spruill opened the Public Hearing. There being no comments from the general public, the Mayor closed the Public Hearing.

38. CONSIDERATION UNDER MISS. CODE ANN. § 21-19-11 THAT THE BUILDING LOCATED AT 325 RUTH RD, STARKVILLE, MS 39759, WITH THE PARCEL NUMBER 159J-00-028.01, IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SUCH THAT DEMOLITION WILL OCCUR.

Upon the motion of Alderman Moreland, duly seconded by Alderman Vaughn, for the Board of Aldermen to determine under Miss. Code Ann. § 21-19-11, that the building located at 325 Ruth Rd, Starkville, MS 39759, with the parcel number 159J-00-028.01, is in such a state of uncleanliness as to be a menace to the public health, safety, and welfare of the community and such that demolition will occur, the Board voted as follows:

Alderman Kim Moreland	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	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.

39. CONSIDERATION OF APPROVING THE 2024 STREET IMPROVEMENT PROJECT ROADWAY LISTING AND SCOPES OF WORK.

Upon the motion of Alderman Sistrunk, duly seconded by Alderman Perkins, for the Board of Aldermen to approve the 2024 Street Improvement Project roadway listing and scopes of work, the Board voted as follows:

Alderman Kim Moreland	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	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.

City of Starkville 2024 Street Improvement List

No	Street	Project Limits (from)	Project Limits (to)	Classification	Road Rating	Work Type	Total Estimate with Contingency & Testing
1	Goldfinch Ln	Sandpiper Dr	Meadowlark Dr	Local	1	FDR, DBST	\$102,400
2	E Lampkin St	Fellowship St	S Jackson St	Major Collector	4	Overlay	\$234,100
3	Old West Point Rd	Hwy 182	E Garrard Rd	Major Collector	4	Overlay	\$465,000
4	Sand Rd	Louisville St	Dead End	Minor Collector	1	Overlay	\$280,615
5	S Washington St	Lampkin St	Bridge	Minor Collector	2	Overlay	\$72,400
6	Colonel Muldrow Dr	Russell St	University Dr	Minor Collector	3	Overlay	\$71,700
7	N Nash St	University Dr	Hwy 182	Minor Collector	3	Overlay	\$111,900
8	Reed Rd	W Garrard Rd	Hospital Rd	Minor Collector	3	Overlay	\$149,300
9	Carver Dr	Dead End	Dead End	Minor Collector	4	Overlay	\$196,000
10	Canna Ave	Gardenia Dr	Dead End	Local	2	Overlay	\$210,200
11	King Richard Rd	S Montgomery St	Lionheart Ln (north end)	Local	2	Overlay	\$141,400
12	Lionheart Ln	Locksley Way	King Richard Rd	Local	2	Overlay	\$57,600
13	Turnberry Ln	S Montgomery St	Royal Troon Rd	Local	2	Overlay	\$164,400
14	Plum Rd	Douglas McArthur Dr	Spruce Ln	Local	3	Overlay	\$161,300
15	Chickasaw Dr	Eutaw Dr	Dead End	Local	4	Overlay	\$29,000
16	N Apache Dr	W Garrard Rd	Dead End	Local	4	Overlay	\$51,900
17	Honeysuckle Ln	Magnolia St	Dead End	Local	4	Double Micro	\$6,667
18	Magnolia St	Linden Cir	Dead End	Local	4	Double Micro	\$13,900
19	Sycamore St	Willow Rd	Dead End	Local	3	Double Micro	\$87,800
20	Ash St	Linden Cir	Sycamore St	Local	4	Double Micro	\$7,600
21	Walnut Rd	Peach St	Sycamore St	Local	4	Double Micro	\$29,487
22	Beech Cir	Chestnut Dr	Dead End	Local	5	Double Micro	\$12,194
23	Chestnut Dr	Sycamore St (west)	Sycamore St (east)	Local	5	Double Micro	\$116,438
24	Elm Pl	Chestnut Dr	Linden Cir	Local	5	Double Micro	\$49,800
25	Linden Cir	Chestnut Dr	Louisville St	Local	5	Double Micro	\$85,477
26	Poplar Rd	Chestnut Dr	Linden Cir	Local	5	Double Micro	\$47,533
27	Peach St	Poplar Rd	Walnut Rd	Local	6	Double Micro	\$20,467
30	Mallory Ln	Abernathy Dr	Hwy 182	Minor Collector	5	Double Micro	\$128,800
28	John Calvin St	John Wesley Rd	Abernathy Dr	Local	5	Double Micro	\$35,389
29	John Wesley Rd	Dead End	Dead End	Local	5	Double Micro	\$34,429
31	Rutledge St	Abernathy Dr	Mallory Ln	Local	5	Double Micro	\$38,383
32	Colonial Circle	S Montgomery	Entire Street	Local	6	Crack Seal, Single Micro	\$96,689
33	Dunbrook Dr	S Montgomery	Briarwick Dr	Local	6	Crack Seal, Single Micro	\$33,385
34	Heritage Pl	Colonial Circle	Dead End	Local	6	Crack Seal, Single Micro	\$9,983
35	Pinewood Dr	S Montgomery	Briarwick Dr	Local	6	Crack Seal, Single Micro	\$31,844
36	Winterset Dr	Shadowood Ln	Dead End	Local	6	Crack Seal, Single Micro	\$28,841
37	W Gillespie St	Louisville St	S Jackson St	Minor Collector	7	Crack Seal, Fog Seal	\$24,751
38	Vine St	Hwy 12	E Gillespie St	Minor Collector	7	Crack Seal, Fog Seal	\$15,250
39	S Lafayette St	Roundabout	W Gillespie St	Minor Collector	7	Crack Seal, Fog Seal	\$13,214
40	Hancock St	Hwy 12	Spring St	Local	7	Crack Seal, Fog Seal	\$11,009
41	Spruill Industrial Rd	Lynn Lane	Industrial Park Rd	Local	7	Crack Seal, Fog Seal	\$23,428
42	W Main St	Ernest H Jones Jr Dr	Hwy 182	Minor Collector	8	Crack Seal, Fog Seal	\$5,823
43	Harlem St	Roosevelt Taylor Sr Dr	Dead End	Local	8	Crack Seal, Fog Seal	\$1,659
44	Roosevelt Taylor Sr Dr	W Main St	Hwy 182	Local	8	Crack Seal, Fog Seal	\$2,871
						Total =	\$3,512,326

40. CONSIDERATION OF THE CITY OF STARKVILLE CLAIMS DOCKET

Upon the motion of Alderman Rupp, duly seconded by Alderman Brooks, to approve the City of Starkville Claims Docket for all departments including Starkville Utilities, as of March 11, 2024 for fiscal year ending 9/30/24, 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 Kim Moreland	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Nay
Alderman Henry Vaughn, Sr.	Voted: Nay

Having received a tie vote, the Mayor voted aye and declared the motion passed.

General Fund	001	\$ 302,314.81
Airport Fund	015	55,998.82
Sanitation / Environ Services	022	49,245.04
Capital Projects Fund	300	18,265.00
2022 GO Bonds	305	3,660.00
Parks Capital Project Fund (2023)	312	214,728.50
MS 182 / MLK Corridor	377	102,288.59
Sub Total Before Utilities		\$ 746,500.76
Utilities Dept.	SED	506,776.29
Total Claims	Total	\$ 1,253,277.05

41. MOTION TO ADJOURN UNTIL APRIL 2, 2024 @ 5:30 P.M. IN THE COURT ROOM AT 110 WEST MAIN STREET.

Upon the motion of Alderman Rupp, duly seconded by Alderman Vaughn, for the Board of Aldermen to adjourn the meeting until April 2, 2024 @ 5:30 at 110 West Main Street in the Court Room of City Hall, the Board voted as follows:

Alderman Kim Moreland	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Jeffrey Rupp	Voted: Yea
Alderman Mike Brooks	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 16TH DAY OF APRIL, 2024.

Attest:

D. LYNN SPRUILL, MAYOR

LESA HARDIN, CITY CLERK