

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, October 6, 2015, at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Assistant Police Chief Shane Ellis, Russell Perry, Public Works Director Gary McElhannon, Court Clerk Cassandra Perry, Human Resources Director Julie Harris, Emily Harris, DW Gilbert, Henry Bailey, Arlie Walters, Robert Carter and Jason Paroli.

INVOCATION

Alderman Higdon gave the invocation.

APPROVAL OF AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

October 6, 2015

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 109708 – 109971 less 109727, 109728, 109729, 109730
- 5) Approve Docket of Claims No.'s (Lauderdale) 109729 and 109730
- 6) Approve Docket of Claims No.'s (Miller) 109727 and 109728
- 7) Approve Minutes
- 8) Consent Agenda
 - A) Authorize Katie Harbin, Carla Scallorn, Julie Harris, and Eva Ward to attend the Municipal Clerks Winter Conference in Jackson, MS on December 16 – 18, 2015, and also authorize to pay registration and travel expense.
 - B) Authorize Hubert Jones, Marshel Berry, Matt Massey, and Sam Witt to attend the MFIA Fall Seminar in Vicksburg, MS on October 21-23, 2015, also authorize to pay registration and travel expenses.
 - C) Authorize to give a step increase to Cody Caldwell from a P3 at a rate of \$18.48 to a P4 at a rate of \$20.59
 - D) Authorize to give a step increase to Crystal Kester from a D2 at a rate of \$14.31 to a D3 at a rate of \$15.79
 - E) Authorize Rob Alliston and Crystal Kester to attend the EMD Dispatch Certification Class in Southaven, MS on November 2 – 4, 2015, authorize to pay registration (reimbursed by the state)
- 9) Authorize to pay Mayor Johnson's hotel and per diem charges for the National Walking Summit in Washington, DC October 27 – November 1, 2015. (Conference registration and air fare are being paid by America Walks)

- 10) Authorize to hire Kenny Merriweather as a CDL driver in Public Works Department a rate of \$12.50 per hour
- 11) Authorize the City to apply for the Municipal Court Collection Fund Grant
- 12) Authorize Mayor Johnson to sign a contract with the South Delta Planning and Development District Delta Workforce Development Area
- 13) Adopt Resolution of the Mayor and Board of Aldermen of the City of Hernando, Mississippi (the "City"), Authorizing the employment of professionals in connection with the issuance of general obligation bonds, series 2015, of the City to raise money for the purpose of erecting or purchasing waterworks and other public utility plants or distribution systems, and repairing, improving and extending the same; erecting municipal buildings and purchasing buildings or land therefor, and for repairing, improving, adorning and equipping the same including existing municipal buildings; constructing, improving or paving streets, sidewalks and public parking facilities and purchasing land therefor; repairing, establishing, extending and improving sanitary, storm, drainage or sewerage systems; purchasing land for parks and playgrounds, and improving, equipping and adorning same, including repairing and equipping other recreational facilities; and purchasing fire-fighting equipment and apparatus, including fire hydrants, and providing housing for same, and purchasing land therefor; and paying for the cost of using the bonds
- 14) Adopt Resolution declaring the intention of the Mayor and Board of Aldermen of the City of Hernando, Mississippi (the "City"), to issue general obligation bonds, series 2015 (the "bonds"), of said City in the maximum principal amount of not to exceed five million dollars (\$5,000,000.00) to raise money for the purpose of erecting or purchasing waterworks and other public utility plants or distribution systems, and repairing, improving and extending the same; erecting municipal buildings and purchasing buildings or land therefor, and for repairing, improving, adorning and equipping the same including existing municipal buildings; construction, improving or paving streets, sidewalks and public parking facilities and purchasing land therefor; repairing, establishing, extending and improving sanitary, storm, drainage or sewerage systems; purchasing land for parks and playgrounds, and improving, equipping and adorning same, including repairing and equipping other recreational facilities; and purchasing fire-fighting equipment and apparatus, including fire hydrants, and providing housing for same, and purchasing land therefor; and paying for the costs of issuing the bonds; and directing publication of notice of such intention
- 15) Approve the Municipal Compliance Questionnaire fye 2014
- 16) Executive session for utility negotiations and police personnel
- 17) Adjourn

Motion was duly made by Alderman Miller, and seconded by Alderman Bryant to approve the agenda as presented after adding an item for Discussion of Parking on Commerce Street West of Elm Street. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015.

**APPROVE DOCKET OF CLAIMS NO.'S 109708 – 109971 LESS 109727, 109728, 109729
AND 109730**

The Board of Aldermen were presented with a docket of claims No. 109708 – 109971 less 109727, 109728, 109729 and 109730 in the amount of \$1,212,600.18 for approval.

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015

APPROVE DOCKET OF CLAIMS NO.'S 109729 AND 109730 (LAUDERDALE)

Alderman Lauderdale was not present at the meeting.

The Board of Aldermen were presented with a docket of claims No. 109729 and 109730 in the amount of \$403,292.40 for approval.

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015

APPROVE DOCKET OF CLAIMS NO.'S 109727 AND 109728 (MILLER)

Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 109727 and 109728 in the amount of \$70,498.15 for approval.

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Bryant, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015

**APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON SEPTEMBER
15, 2015**

Motion was duly made by Alderman Higdon, and seconded by Alderman McLendon to approve the Minutes from the regular Board Meeting on September 15, 2015 as presented. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015

CONSENT AGENDA

- A) Authorize Katie Harbin, Carla Scallorn, Julie Harris, and Eva Ward to attend the Municipal Clerks Winter Conference in Jackson, MS on December 16 – 18, 2015, and also authorize to pay registration and travel expense.
- B) Authorize Hubert Jones, Marshel Berry, Matt Massey, and Sam Witt to attend the MFIA Fall Seminar in Vicksburg, MS on October 21-23, 2015, also authorize to pay registration and travel expenses.
- C) Authorize to give a step increase to Cody Caldwell from a P3 at a rate of \$18.48 to a P4 at a rate of \$20.59
- D) Authorize to give a step increase to Crystal Kester from a D2 at a rate of \$14.31 to a D3 at a rate of \$15.79
- E) Authorize Rob Alliston and Crystal Kester to attend the EMD Dispatch Certification Class in Southaven, MS on November 2 – 4, 2015, authorize to pay registration (reimbursed by the state)

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon to approve the consent agenda as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015

AUTHORIZE TO PAY MAYOR JOHNSON'S HOTEL AND PER DIEM CHARGES FOR THE NATIONAL WALKING SUMMIT IN WASHINGTON, DC OCTOBER 27 – NOVEMBER 1, 2015. (CONFERENCE REGISTRATION AND AIR FARE ARE BEING PAID BY AMERICA WALKS)

Motion was duly made by Alderman Miller, and seconded by Alderwoman Brooks to authorize to pay Mayor Johnsons hotel and per diem charges for the National Walking summit in Washington, DC on October 27- November 1, 2015, with the conference registration and air rare being paid by American Walks. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderwoman Brooks.

Those voting "Nay": Alderman McLendon.

ORDERED AND DONE this the 6th day of October, 2015

AUTHORIZE TO HIRE KENNY MERRIWEATHER AS A CDL DRIVER IN THE PUBLIC WORKS DEPARTMENT AT A RATE OF \$12.50 PER HOUR

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon to authorize to hire Kenny Merriweather as a CDL driver in the Public Works Department at a rate of \$12.50 per hour, based on the Personnel Committee's recommendation, following the recommendation of the Public Works Director. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015

**AUTHORIZE THE CITY TO APPLY FOR THE MUNICIPAL COURT COLLECTION
FUND GRANT**

Motion was duly made by Alderwoman Brooks and seconded by Alderman Higdon to authorize the City to apply for the Municipal Court Collection Fund Grant. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015

**AUTHORIZE MAYOR JOHNSON TO SIGN A CONTRACT WITH THE SOUTH
DELTA PLANNING AND DEVELOPMENT DISTRICT DELTA WORKFORCE
DEVELOPMENT AREA**

Motion was duly made by Alderman Higdon, and seconded by Alderman Miller to authorize Mayor Johnson to sign a contract with the South Delta Planning and Development District Delta Workforce Development Area. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015

ADOPT RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, MISSISSIPPI (THE "CITY"), TO ISSUE GENERAL OBLIGATION BONDS, SERIES 2015 (THE "BONDS"), OF SAID CITY IN THE MAXIMUM PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION DOLLARS (\$5,000,000) TO RAISE MONEY FOR THE PURPOSE OF ERECTING OR PURCHASING WATERWORKS AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; ERECTING MUNICIPAL BUILDINGS AND PURCHASING BUILDINGS OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME INCLUDING EXISTING MUNICIPAL BUILDINGS; CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS AND PUBLIC PARKING FACILITIES AND PURCHASING LAND THEREFOR; REPAIRING, ESTABLISHING, EXTENDING AND IMPROVING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS; PURCHASING LAND FOR PARKS AND PLAYGROUNDS, AND IMPROVING, EQUIPPING AND ADORNING SAME, INCLUDING REPAIRING AND EQUIPPING OTHER RECREATIONAL FACILITIES; AND PURCHASING FIRE-FIGHTING EQUIPMENT AND APPARATUS, INCLUDING FIRE HYDRANTS, AND PROVIDING HOUSING FOR SAME, AND PURCHASING LAND THEREFOR; AND PAYING FOR THE COSTS OF ISSUING THE BONDS; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION

The Mayor and Board of Aldermen of the City of Hernando, Mississippi (the "City"), took up for consideration the matter of issuing General Obligation Bonds, Series 2015, of said City. After a discussion of the subject, Alderman Gary Higdon offered and moved the adoption of the following resolution:

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, MISSISSIPPI (THE "CITY"), TO ISSUE GENERAL OBLIGATION BONDS, SERIES 2015 (THE "BONDS"), OF SAID CITY IN THE MAXIMUM PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION DOLLARS (\$5,000,000) TO RAISE MONEY FOR THE PURPOSE OF ERECTING OR PURCHASING WATERWORKS AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; ERECTING MUNICIPAL BUILDINGS AND PURCHASING BUILDINGS OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME INCLUDING EXISTING MUNICIPAL BUILDINGS; CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS AND PUBLIC PARKING FACILITIES AND PURCHASING LAND THEREFOR; REPAIRING, ESTABLISHING, EXTENDING AND IMPROVING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS; PURCHASING LAND FOR PARKS AND PLAYGROUNDS, AND IMPROVING, EQUIPPING AND ADORNING SAME, INCLUDING REPAIRING AND EQUIPPING OTHER RECREATIONAL FACILITIES; AND PURCHASING FIRE-FIGHTING EQUIPMENT AND APPARATUS, INCLUDING FIRE HYDRANTS, AND PROVIDING HOUSING FOR SAME, AND PURCHASING LAND THEREFOR; AND PAYING FOR THE COSTS OF ISSUING THE BONDS; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.

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

1. The City is authorized by Section 21-33-301 through 21-33-329, Mississippi Code of 1972, as amended (the "Act"), to issue bonds hereinafter proposed to be issued for the purposes and the amounts set forth in paragraph 2 of this preamble.

2. It is necessary and in the public interest to issue General Obligation Bonds, Series 2015, of the City in the principal amount not to exceed Five Million Dollars (\$5,000,000) (the "Bonds"), to raise money for the purpose of erecting or purchasing waterworks and other public utility plants or distribution systems, and repairing, improving and extending the same; erecting municipal buildings and purchasing buildings or land therefor, and for repairing, improving, adorning and equipping the same including existing municipal buildings; constructing, improving or paving streets, sidewalks and public parking facilities and purchasing land therefor; repairing,

establishing, extending and improving sanitary, storm, drainage or sewerage systems; purchasing land for parks and playgrounds, and improving, equipping and adorning same, including repairing and equipping other recreational facilities; and purchasing fire-fighting equipment and apparatus, including fire hydrants, and providing housing for same, and purchasing land therefor; and for paying the costs of issuing the Bonds (the "Project").

3. The assessed value of all taxable property within the City, according to the last completed assessment for taxation, is One Hundred Thirty-Four Million, Six Hundred Thirty-Two Thousand Sixteen Dollars (\$134,632,016); the City has outstanding bonded indebtedness subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended, in the amount of Seven Million Thirty-Five Thousand Dollars (\$7,035,000), and outstanding bonded and floating indebtedness subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended, (which amount includes the sum set forth above subject to the 15% debt limit), in the amount of Seven Million Thirty-Five Thousand Dollars (\$7,035,000); the issuance of the Bonds hereinafter proposed to be issued pursuant to the Act, when added to the outstanding bonded indebtedness of the City, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of taxable property within the City, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City.

4. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds in anticipation of the issuance of the Bonds is made pursuant to Department of Treasury Regulations Section 1.150-2 (the reimbursement regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

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

SECTION 1. The Governing Body hereby declares its intention to issue General Obligation Bonds, Series 2015, of the City in the principal amount not to exceed Five Million Dollars (\$5,000,000) pursuant to the Act to raise money for the Project. The Bonds may be issued in one or more series and will be general obligations of the City 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 time, rate, or amount upon all the taxable property within the geographical limits of the City.

SECTION 2. The Governing Body proposes to direct the issuance of the Bonds in the amounts, for the purposes and secured as aforesaid at a meeting place of the Governing Body at its meeting place in the City Hall of the City of Hernando, Mississippi, at the hour of 6:00 o'clock p.m. on November 3, 2015.

SECTION 3. If on or before 6:00 o'clock p.m. on November 3, 2015, ten percent (10%) of the qualified electors of the City or fifteen hundred (1,500), whichever is less, shall file a written protest with the Clerk of the City of Hernando, Mississippi against the issuance of the Bonds pursuant to the Act, then Bonds for such purpose or purposes shall not be issued unless authorized at an election on the question of the issuance of such Bonds to be called and held as provided by law. If no protest be filed on or before 6:00 o'clock p.m. on November 3, 2015, against the issuance of Bonds, then the Bonds may be issued without an election on the question of the issuance thereof, at any time within a period of two (2) years after the date specified in Section 2 hereof.

SECTION 4. This resolution shall be published once a week for at least three (3) consecutive weeks in the *DeSoto Times-Tribune*, a newspaper published in and having a general circulation in the City of Hernando, Mississippi 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 twenty-one (21) days prior to the date fixed herein for the issuance of the Bonds, and the last publication shall be made not more than seven (7) days prior to such date.

SECTION 5. The Clerk of the City 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 2 hereof.

SECTION 6. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds in anticipation of the issuance of the Bonds is made pursuant to Department of Treasury Regulations Section 1.150-2 (the reimbursement regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

SECTION 7. 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.

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

Alderman E. R. "Sonny" Bryant	voted: yes
Alderman Andrew Miller	voted: yes
Alderman Gary Higdon	voted: yes
Alderman Michael McLendon	voted: yes
Alderman Cathy Brooks	voted: yes

Alderman Sam Lauderdale and Alderman Jeff Hobbs were not present.

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this the 6th day of October, 2015.



MAYOR

ATTEST:



CITY CLERK

PUBLISH: October 8, 15, 22 and 29, 2015

4



ADOPT RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, MISSISSIPPI (THE "CITY"), AUTHORIZING THE EMPLOYMENT OF PROFESSIONALS IN CONNECTION WITH THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2015, OF THE CITY TO RAISE MONEY FOR THE PURPOSE OF ERECTING OR PURCHASING WATERWORKS AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; ERECTING MUNICIPAL BUILDINGS AND PURCHASING BUILDINGS OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME INCLUDING EXISTING MUNICIPAL BUILDINGS; CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS AND PUBLIC PARKING FACILITIES AND PURCHASING LAND THEREFOR; REPAIRING, ESTABLISHING, EXTENDING AND IMPROVING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS; PURCHASING LAND FOR PARKS AND PLAYGROUNDS, AND IMPROVING, EQUIPPING AND ADORNING SAME, INCLUDING REPAIRING AND EQUIPPING OTHER RECREATIONAL FACILITIES; AND PURCHASING FIRE-FIGHTING EQUIPMENT AND APPARATUS, INCLUDING FIRE HYDRANTS, AND PROVIDING HOUSING FOR SAME, AND PURCHASING LAND THEREFOR; AND PAYING FOR THE COSTS OF ISSUING THE BONDS

The Mayor and Board of Aldermen of the City of Hernando, Mississippi (the "City"), took up for consideration the matter of employing professionals in connection with the issuance of General Obligation Bonds, Series 2015, of said City. After a discussion of the subject, Alderman Andrew Miller offered and moved the adoption of the following resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, MISSISSIPPI (THE "CITY"), AUTHORIZING THE EMPLOYMENT OF PROFESSIONALS IN CONNECTION WITH THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2015, OF THE CITY TO RAISE MONEY FOR THE PURPOSE OF ERECTING OR PURCHASING WATERWORKS AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; ERECTING MUNICIPAL BUILDINGS AND PURCHASING BUILDINGS OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME INCLUDING EXISTING MUNICIPAL BUILDINGS; CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS AND PUBLIC PARKING FACILITIES AND PURCHASING LAND THEREFOR; REPAIRING, ESTABLISHING, EXTENDING AND IMPROVING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS; PURCHASING LAND FOR PARKS AND PLAYGROUNDS, AND IMPROVING, EQUIPPING AND ADORNING SAME, INCLUDING REPAIRING AND EQUIPPING OTHER RECREATIONAL FACILITIES; AND PURCHASING FIRE-FIGHTING EQUIPMENT AND APPARATUS, INCLUDING FIRE HYDRANTS, AND PROVIDING HOUSING FOR SAME, AND PURCHASING LAND THEREFOR; AND PAYING FOR THE COSTS OF ISSUING THE BONDS.

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

1. The Governing Body has determined the necessity for the purpose of erecting or purchasing waterworks and other public utility plants or distribution systems, and repairing, improving and extending the same; erecting municipal buildings and purchasing buildings or land therefor, and for repairing, improving, adorning and equipping the same including existing municipal buildings; constructing, improving or paving streets, sidewalks and public parking facilities and purchasing land therefor; repairing, establishing, extending and improving sanitary, storm, drainage or sewerage systems; purchasing land for parks and playgrounds, and improving, equipping and adorning same, including repairing and equipping other recreational facilities; and purchasing fire-fighting equipment and apparatus, including fire hydrants, and providing housing for same, and purchasing land therefor; and for paying the costs of issuing the Bonds (the "Project").

2. It is necessary and in the public interest for the City to issue General Obligation Bonds, Series 2015 (the "Bonds"), to finance the cost of the Project.

S-1

3. That in order to prepare the necessary resolutions and documents for the sale and issuance of the Bonds it is in the best interest of the City to authorize the law firm of Butler Snow LLP, Ridgeland, Mississippi, as Bond Counsel, Kenneth E. Stockton, Esquire, Hernando, Mississippi, as Issuer's Counsel, and Government Consultants, Inc., Jackson, Mississippi, as Municipal Advisor, to prepare and distribute such resolutions and documents necessary in order to facilitate the sale and issuance of such Bonds at a subsequent date subject to the approval of the Governing Body of the City.

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

SECTION 1. The Governing Body hereby declares its intention to issue General Obligation Bonds, Series 2015 (the "Bonds"), of the City to raise money for the Project.

SECTION 2. The Governing Body herein employs the law firm of Butler Snow LLP, Ridgeland, Mississippi, as Bond Counsel, Kenneth E. Stockton, Esquire, Hernando, Mississippi, as Issuer's Counsel, and Government Consultants, Inc., Jackson, Mississippi, as Municipal Advisor, in connection with the sale and issuance of the Bonds, and authorizes them to prepare the necessary resolutions and offering documents for the subsequent sale and issuance of the Bonds subject to the approval of the Governing Body of the City.

SECTION 3. The terms of employment for Bond Counsel are set forth in the engagement letter (the "Engagement Letter") attached hereto as **EXHIBIT A**. All provisions of the Engagement Letter, when executed as hereinafter authorized, shall be incorporated herein, and shall be deemed to be part of this resolution fully and to the same extent as if separately set out verbatim herein. The form of the Engagement Letter and the execution thereof by the Mayor and/or the City Clerk is hereby approved and authorized.

SECTION 4. In connection with the employment of Government Consultants, Inc., Jackson, Mississippi, as Municipal Advisor, the City is hereby requested to execute the attached Independent Registered Municipal Advisor (IRMA) Representation letter (the "M/A IRMA Letter"), attached hereto as **EXHIBIT B**. The Mayor or City Clerk of the Governing Body is hereby authorized, acting for and on behalf of the City, to execute said M/A IRMA Letter.

SECTION 5. All orders, resolutions or proceedings of this Governing Body in conflict with the provisions of this resolution shall be and are hereby repealed, rescinded and set aside, but only to the extent of such conflict.

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

Alderman E. R. "Sonny" Bryant	voted: yes
Alderman Andrew Miller	voted: yes
Alderman Gary Higdon	voted: yes
Alderman Michael McLendon	voted: yes
Alderman Cathy Brooks	voted: yes

Alderman Jeff W. Hobbs and Alderman Same Lauderdale were not present.

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted, on this the 6th day of October, 2015.



MAYOR

ATTEST: 

CITY CLERK

(SEAL)



APPROVE THE MUNICIPAL COMPLIANCE QUESTIONNAIRE FYE 2014

Municipal Compliance Questionnaire

As part of the municipality's audit, the governing authorities of the municipality must make certain assertions with regard to legal compliance. The municipal compliance questionnaire was developed for this purpose.

The following questionnaire and related certification must be completed at the end of the municipality's fiscal year and entered into the official minutes of the governing authorities at their next regular meeting.

The governing authorities should take care to answer these questions accurately. Incorrect answers could reduce the auditor's reliance on the questionnaire responses, resulting in the need to perform additional audit procedures at added cost.

Information

Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no," and, as a result, more information on this questionnaire may be required and/or separate work papers may be needed.

- 1. Name and address of municipality:
City of Hernando
475 W Commerce St Hernando MS 38632
- 2. List the date and population of the latest official U.S. Census or most recent official census:
2010 14,090
- 3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).
See attached - page IV-B6
- 4. Period of time covered by this questionnaire:
 From: 10-1-14 To: 9-30-15
- 5. Expiration date of current elected officials' term: 6-30-17

IV-B0

MUNICIPAL COMPLIANCE QUESTIONNAIRE
 Year Ended September 30, 20__

Answer All Questions: Y - YES, N - NO, N/A - NOT APPLICABLE

PART I - General

- 1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) Y
- 2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27) Y
- 3. Are municipal records open to the public? (Section 25-61-5) Y
- 4. Are meetings of the board open to the public? (Section 25-41-5) Y
- 5. Are notices of special or recess meetings posted? (Section 25-41-13) Y
- 5. Are all required personnel covered by appropriate surety bonds?
 - Board or council members (Sec. 21-17-5) Y
 - Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter) Y
 - Municipal clerk (Section 21-15-38) Y
 - Deputy clerk (Section 21-15-23) Y
 - Chief of police (Section 21-21-1) Y
 - Deputy police (Section 45-5-9) (if hired under this law) Y
- 7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19) Y
- 8. Are minutes of board meetings signed by the mayor or majority of the board within 30 days of the meeting? (Section 21-15-33) Y
- 9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53) Y
- 10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) Y
- 11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31) Y

IV-B1

- 12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? (Section 21-35-31 or 21-17-19)

Y

PART II - Cash and Related Records

- 1. Where required, is a claims docket maintained? (Section 21-39-7)
- 2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9)
- 3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7)
- 4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13)
- 5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13)
- 6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9)
- 7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23)
- 8. Has the municipality held a public hearing and published its adopted budget? (Sections 21-35-5, 27-39-203, & 27-39-205)
- 9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25)
- 10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25)

Y

Y

Y

Y

Y

Y

Y

Y

Y

Y

IV-B2

- 11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) y
- 12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) y
- 13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) y
- 14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) y
- 15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) y
- 16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution) -- Sections 21-19-45 through 21-19-59, etc.] y
- 17. Are fixed assets properly tagged and accounted for? (Section II - Municipal Audit and Accounting Guide) y
- 18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? y
- 19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) y

PART III - Purchasing and Receiving

- 1. Are bids solicited for purchases, when required by law (written bids and advertising)? [Section 31-7-13(b) and (c)] y
- 2. Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] y
- 3. Are all one-source item and emergency purchases documented on the board's minutes? [Section 31-7-13(m) and (k)] y
- 4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23) y

IV-B3

PART IV - Bonds and Other Debt

- 1. Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) Y
- 2. Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) Y
- 3. Have the required trust funds been established for utility revenue bonds? (Section 21-27-65) N/A
- 4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) Y
- 5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) Y

PART V - Taxes and Other Receipts

- 1. Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167) Y
- 2. Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53) Y
- 3. Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63) N/A
- 4. Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53) Y
- 5. Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321) Y
- 6. Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) Y
- 7. Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) Y
- 8. Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) Y

IV-B4

- 9. Has the municipality levied or appropriated not less than 1/4 mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39) Y
- 10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73, 83-39-31, etc.) Y
- 11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21) Y
- 12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1) Y
- 13. Has the municipality determined the full and complete cost for solid waste for the previous fiscal year? (Section 17-17-347) Y
- 14. Has the municipality published an itemized report of all revenues, costs and expenses incurred by the municipality during the immediately preceding fiscal year in operating the garbage or rubbish collection or disposal system? (Section 17-17-348) Y
- 15. Has the municipality conducted an annual inventory of its assets in accordance with guidelines established by the Office of the State Auditor? (MMAAG) Y

IV-B5


Name	Title	Address	Phone Number
Chip Johnson	Mayor	2671 School Street Hernando, MS 38632	901-371-7743
Sam Lauderdale	Alderman at Large	2275 Mt. Pleasant Rd Hernando, MS 38632	901-833-5472
Sonny Bryant	Alderman - Ward 1	1909 West Oak Grove Rd Hernando, MS 38632	901-604-3818
Andrew Miller	Alderman - Ward 2	3030 Caffey St. Hernando, MS 38632	901-827-5651
Gary Higdon	Alderman - Ward 3	575 Augusta Dr Hernando, MS 38632	901-262-7212
Michael McLendon	Alderman - Ward 4	2245 Memphis St Hernando, MS 38632	901-219-0900
Cathy Brooks	Alderman - Ward 5	320 Shady Grove Rd Hernando, MS 38632	901-485-8486
Jeff Hobbs	Alderman - Ward 6	1055 Wooten Rd Hernando, MS 38632	901-233-3751
Kenny Stockton	City Attorney	449 West Commerce St, Hernando MS 38632	662-429-3469

IV-B6

City of Hernando
Certification to Municipal Compliance Questionnaire
Year Ended September 30, 2015

We have reviewed all questions and responses as contained in this Municipal Compliance Questionnaire for the Municipality of Hernando, and, to the best of our knowledge and belief, all responses are accurate.


Katie Harbin, City Clerk


Chip Johnson, Mayor

10/7/15
Date

Date

Minute Book References:
Book Number _____
Page _____

(Clerk is to enter minute book references when questionnaire is accepted by board.)

IV-B7

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to approve the Municipal Compliance Questionnaire fye 2014. A vote was taken with the following results:
Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.
Those voting "Nay": None.
ORDERED AND DONE this the 6th day of October, 2015

DISCUSSION ON PARKING ON COMMERCE STREET WEST OF ELM STREET

Alderman Miller requested that we give some attention to the parking on Commerce Street, west of Elm Street. Mr. Miller stated that it gets congested.

Mayor Johnson stated that he would look into that.

GO INTO CLOSED SESSION TO DISCUSS GOING INTO EXECUTIVE SESSION FOR UTILITY NEGOTIATIONS AND POLICE PERSONNEL

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to authorize to go into closed session to discuss going into executive session for utility negotiations and police personnel. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015

GO INTO EXECUTVIE SESSION FOR UTILITY NEGOTIATIONS AND POLICE PERSONNEL

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to go into executive session for utility negotiations and police personnel. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Bryant and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015

COME OUT OF EXECUTIVE SESSION FOR UTILITY NEGOTIATIONS AND POLICE PERSONNEL

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to come out of executive session for utility negotiations and police personnel. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of October, 2015

AUTHORIE TO HIRE SCOTT WORSHAM AS THE NEW POLICE CHIEF

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks authorize to hire Scott Worsham as the new Police Chief at a salary of \$62,400. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks and Alderman Higdon.

Those voting "Nay": Alderman Bryant and Alderman Miller.

Alderman McLendon abstained from voting.

Mayor Chip Johnson voted "Aye" breaking the tie vote.

ORDERED AND DONE this the 6th day of October, 2015

ADJOURN

There being no further business at this time a motion was duly made by Alderman Bryant, seconded by Alderwoman Brooks to adjourn.

Motion passed with a unanimous vote of "Aye".

MAYOR CHIP JOHNSON

ATTEST:

KATIE HARBIN, CITY CLERK