

The Mayor and Board of Aldermen of the City of Hernando met in recessed session at City Hall on Tuesday, December 8, 2015, at 5:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, Planning Director Jared Darby, Henry Bailey, Demery Grubbs, and Elizabeth Clark.

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**INVOCATION**

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Alderman Miller gave the invocation.

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**APPROVAL OF AGENDA**

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Agenda  
City of Hernando  
Mayor and Board of Alderman  
Regular Meeting

December 8, 2015

5:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Adoption of a resolution in connection with the sale of the \$4,500,000 General Obligation Bonds, Series 2015.
- 5) Adoption of a resolution in connection with the sale of the not to exceed \$255,000 City of Hernando, MS Taxable Tax Increment Limited Obligation Bonds, Series 2015 (Hampton Inn Hotel Project)
- 6) Adoption of the Bond Resolution in connection with the \$255,000 City of Hernando, MS Taxable Tax Increment Limited Obligation Bonds, Series 2015 (Hampton Inn Hotel Project)
- 7) Authorize to activate the MPO Transportation Alternatives Program
- 8) Adjourn

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 8<sup>th</sup> day of December, 2015.

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**ADOPTION OF A RESOLUTION IN CONNECTION WITH THE SALE OF THE  
\$4,500,000 GENERAL OBLIGATION BONDS, SERIES 2015**

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**RESOLUTION DIRECTING THE SALE AND AWARD OF GENERAL  
OBLIGATION BONDS, SERIES 2015, OF THE CITY OF HERNANDO,  
MISSISSIPPI, DATED DECEMBER 1, 2015, IN THE PRINCIPAL AMOUNT OF  
FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$4,500,000) (THE**

**“BONDS”); AND A RESOLUTION APPROVING AND AUTHORIZING THE FORM OF, EXECUTION OF AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING TO THE BONDS; A RESOLUTION AUTHORIZING AND APPROVING AN AMENDMENT TO THE BOND RESOLUTION APPROVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, MISSISSIPPI ON NOVEMBER 3, 2015; AND FOR RELATED PURPOSES.**

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

The Governing Body on November 3, 2015, did adopt a resolution directing that General Obligation Bonds, Series 2015 (the "Bonds"), of the City in the principal amount of Four Million Five Hundred Thousand Dollars (\$4,500,000) be offered for sale on sealed bids to be received up to and until the hour of 4:00 p.m. on December 8, 2015, by, and at the office of, the City Clerk located in the City Hall of the City, for subsequent presentation to the Governing Body of the City at 5:00 p.m. on December 8, 2015, in their meeting place in the City Hall of the City.

As directed by the aforesaid resolution, notice of sale of the Bonds was duly published in the *DeSoto Times-Tribune*, a newspaper published in and having a circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, said notice having been published in said newspaper on November 24 and December 1, 2015, the first publication having been made at least ten (10) days preceding the date fixed herein for the receipt of bids, all as shown by the proof of publication of said notice filed in the office of the City Clerk and attached hereto as **EXHIBIT A**.

The Governing Body did meet at their meeting place in the City Hall in the City of Hernando, Mississippi, at 5:00 p.m. on December 8, 2015.

At said time and place three (3) sealed proposals for the purchase of the Bonds were presented by the City Clerk and examined and considered by the Governing Body said bids having heretofore been presented and attached hereto as **EXHIBIT B**.

The Governing Body does now find, determine and adjudicate that the highest and best bid made and offered for the Bonds on the basis of the lowest net interest cost over the life of the issue was made by First Security Bank, Batesville, Mississippi, and said bid was accompanied by a cashier's check, certified check or exchange payable to the City of Hernando, Mississippi, in the amount of Ninety Thousand Dollars (\$90,000.00), issued or certified by a bank located in the State of Mississippi, as a guarantee that said bidder would carry out its contract and purchase the Bonds if its bid be accepted.

The Governing Body hereby desires to amend the bond resolution, adopted on November 3, 2015 (the "Bond Resolution") in connection with the Bonds.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY AS FOLLOWS:**

**SECTION 1.** The Bonds are hereby awarded and sold to First Security Bank, Batesville, Mississippi, in accordance with the offer submitted to Governing Body in words and figures as follows:

**OFFICIAL BID FORM**

December 8, 2015

Mayor and Board of Aldermen  
City of Hernando, Mississippi

Ladies and Gentlemen:

We hereby offer to pay \$ 4,500,000 to the date of delivery for the Four Million Five Hundred Thousand Dollars (\$4,500,000) principal amount General Obligation Bonds, Series 2015, to be dated December 1, 2015 (the "Bonds"), of the City of Hernando, Mississippi (the "City"), as described in the Notice of Bond Sale, dated November 3, 2015, maturing and bearing interest as follows:

<u>YEAR OF MATURITY</u>	<u>PRINCIPAL AMOUNT</u>	<u>INTEREST RATE</u>	<u>YEAR OF MATURITY</u>	<u>PRINCIPAL AMOUNT</u>	<u>INTEREST RATE</u>
2016	\$155,000	<u>2.50</u> %	2026	\$225,000	<u>2.50</u> %
2017	160,000	—	2027	235,000	—
2018	165,000	—	2028	240,000	—
2019	175,000	—	2029	250,000	—
2020	180,000	—	2030	260,000	—
2021	185,000	—	2031	270,000	—
2022	195,000	—	2032	280,000	—
2023	200,000	—	2033	290,000	—
2024	210,000	—	2034	300,000	—
2025	215,000	—	2035	310,000	—

Based upon the interest rate or rates specified above, we compute the gross interest cost to the City to be \$ 1,317,500, the net interest cost (deducting premium of \$ \_\_\_\_\_, if any) to be \$ 1,317,500 and the average annual net interest rate from the date of the Bonds to their respective maturities to be 2.50 %.

If there is any discrepancy as between the actual interest cost computed upon the rate or rates of interest above specified and the interest cost or average rate hereinabove set forth, the interest rate or rates above specified and the actual interest cost or average interest rate computed upon said rate or rates shall prevail.

A (cashier's check) (certified check) (bank exchange), **ISSUED OR CERTIFIED BY A BANK LOCATED IN THE STATE OF MISSISSIPPI** and payable to the City of Hernando, Mississippi, in the amount of Ninety Thousand Dollars (\$90,000.00) accompanies this proposal as a guarantee that we will carry out this contract and accept delivery of the Bonds if this proposal is accepted, which shall be returned to the undersigned (1) if this bid be not accepted or (2) if the City should fail to deliver the Bonds to the undersigned in accordance with the terms of

this proposal, or applied as and for liquidated damages in the event that the undersigned fails to take up and pay for the Bonds.

This proposal is submitted subject to all of the terms and conditions of the Notice of Bond Sale, dated November 3, 2015, which by reference is hereby made a part of this Bid.

BIDDER: FIRST SECURITY BANK  
BY: ADRIAN SMITH  
TITLE: S.V.P.

Associates (if any):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Return of good faith deposit is hereby acknowledged.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

**ACCEPTANCE**

The above proposal accepted by resolution of the Mayor and Board of Aldermen of the City of Hernando, Mississippi and receipt of the within-mentioned check is hereby acknowledged.

**CITY OF HERNANDO, MISSISSIPPI**

BY: [Signature]  
City Clerk

(SEAL)



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SECTION 2. The Mayor and City Clerk are hereby authorized and directed to endorse upon a copy or duplicate of the aforesaid offer a suitable notation as evidence of the acceptance thereof, for and on behalf of the City.

SECTION 3. The good faith checks filed by all unsuccessful bidders shall forthwith be returned to them upon their respective receipts therefor, and the good faith check filed by the successful bidder shall be retained by the Governing Body as a guarantee that said bidder shall carry out its contract and purchase the Bonds. If said successful bidder fails to purchase the Bonds pursuant to its bid and contract, the amount of such good faith check shall be retained by the City as liquidated damages for such failure.

SECTION 4. The Bonds will be issued in fully registered form; will be dated December 1, 2015, shall be of the denomination of Five Thousand Dollars (\$5,000) each, or integral multiples thereof up to the amount of a single maturity; will be numbered from one upward; will be issued in fully registered form; will be payable, both as to principal and interest, in lawful money of the United States of America to at First Security Bank, Batesville, Mississippi, said bank to act as paying agent, registrar and transfer agent for said Bonds; and will bear interest

from the date thereof at the rate or rates hereinafter set forth, payable on June 1 and December 1 in each year (each an "Interest Payment Date"), commencing December 1, 2016; and will mature and become due and payable serially, on December 1 in the years and principal amounts as follows:

	YEAR AMOUNT	INTEREST RATE
2016	\$155,000	2.500%
2017	160,000	2.500
2018	165,000	2.500
2019	175,000	2.500
2020	180,000	2.500
2021	185,000	2.500
2022	195,000	2.500
2023	200,000	2.500
2024	210,000	2.500
2025	215,000	2.500
2026	225,000	2.500
2027	235,000	2.500
2028	240,000	2.500
2029	250,000	2.500
2030	260,000	2.500
2031	270,000	2.500
2032	280,000	2.500
2033	290,000	2.500
2034	300,000	2.500
2035	310,000	2.500

The Bonds maturing on December 1, 2026 and thereafter, are subject to redemption prior to their stated dates of maturity, at par, plus accrued interest to the date of redemption, either in whole or in part, at any time on or after December 1, 2025.

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**SECTION 1.** SECTION 2 of the Bond Resolution is hereby amended as follows:

SECTION 2. Reserved.

**SECTION 2.** Any reference to Book-Entry System and/or Book-Entry Bonds, DTC, DTC Participants, Indirect Participants, Direct Participants, Letter of Representations, Securities Depository and Securities Depository Nominee in the Bond Resolution and the form of the Bond are hereby deleted in its entirety.

**SECTION 3.** All orders, resolutions or proceedings of the 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.

**SECTION 4.** For cause, this resolution shall become effective immediately upon the adoption thereof.

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

Alderman Sam Lauderdale	voted: "yea"
Alderman E. R. "Sonny" Bryant	voted: "yea"
Alderman Andrew Miller	voted: "yea"
Alderman Gary Higdon	voted: "yea"
Alderman Michael McLendon	voted: "yea"
Alderswoman Cathy Brooks	voted: absent
Alderman Jeff W. Hobbs	voted: absent

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 8th day of December, 2015.

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**MAYOR**

ATTEST:

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CITY CLERK

(SEAL)

**ADOPTION OF A RESOLUTION IN CONNECTION WITH THE SALE OF THE NOT TO EXCEED \$255,000 CITY OF HERNANDO, MS TAXABLE TAX INCREMENT LIMITED OBLIGATION BONDS, SERIES 2015 (HAMPTON INN HOTEL PROJECT)**

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Motion was duly made by Alderman Higdon, and seconded by Alderman Higdon to adopt the Resolution in connection with the sale of the not to exceed \$255,000 City of Hernando, MS taxable tax increment Limited Obligation Bonds, Series 2015 (Hampton Inn Hotel Project). A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderman Hobbs, Alderman Lauderdale, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 8<sup>th</sup> day of December, 2015

**ADOPTION OF THE BOND RESOLUTION IN CONNECTION WITH THE \$255,000 CITY OF HERNANDO, MS TAXABLE TAX INCREMENT LIMITED OBLIGATION BONDS, SERIES 2015 (HAMPTON INN HOTEL PROJECT)**

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Motion was duly made by Alderman Miller, and seconded by Alderman Bryant to adopt the Bond Resolution in connection with the \$255,000 City of Hernando, MS Taxable Tax Increment Limited Obligation Bonds, Series 2015 (Hampton Inn Hotel Project). A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 8<sup>th</sup> day of December, 2015

**AUTHORIZE TO ACTIVATE THE MPO TRANSPORTATION ALTERNATIVES PROGRAM**

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Motion was duly made by Alderman Miller, and seconded by Alderman Lauderdale to authorize activate the MPO Transportation Alternatives Program. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 8<sup>th</sup> day of December, 2015

**ADJOURN**

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

Motion passed with a unanimous vote of "Aye".

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MAYOR CHIP JOHNSON

ATTEST:

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KATIE HARBIN, CITY CLERK