

BE IT REMEMBERED that the Mayor and Board of Aldermen met on August 16, 2022, at 5:00 P.M., this being the regular meeting time. Mayor Greg Graves called the meeting to order, and the following Aldermen were present: Simpson, Dear, Hale, Moore, and Tanksley. Also present were: City Clerk Katie Harbin, City Attorney Ginger Miller, Police Chief Richard Chandler, Police Officer Jenkins, Police Officer Warren, Police Officer Rushing, Fire Chief Ethan Foresman, Fire Inspector Brevin Holden, FLSE/PIO Chantay Rhone, Building Official Jim Huestis, Stephanie Cunningham, Tate Record, Steve Bigelow, Civil Link, Greg Smith, Mendrop Engineering, Carl Davis, Michael Cathey, Kerry Golf, and Michelle Huestis.

Alderman Hale gave the invocation.

Approve Agenda

CITY OF SENATOBIA

CITY HALL

August 16, 2022

5:00 P.M.

1. Call to Order, Prayer, Roll Call
2. Welcome
3. Approve Agenda
4. Request for sponsorship from the NWCC Performing Arts Center, Kerry Goff
5. Road Paving Project Update – Mendrop/Civil Link
6. Set Medical Cannabis Permit Fee
7. Economic Update – Britt Herrin

Consent Agenda

8. Approve Minutes from the Special Mayor and Board of Aldermen meeting on August 1, 2022
9. Approve Minutes from the Special Mayor and Board of Aldermen meeting on August 2, 2022
10. Approve Minutes from the Regular Mayor and Board of Aldermen meeting on August 2, 2022
11. Approve Minutes from the Special Mayor and Board of Aldermen meeting on August 8, 2022
12. Approve Docket of Claims numbers: 25273 – 25464 with a total of \$437,271.42
13. Authorize to pay Senatobia Fire and Rescue for Volunteer Fire Service in the amount of \$5,516.00
14. Authorize to reimburse Assistant Police Chief Defore \$620.00 for a seminar training expense
15. Authorize to pay Tekton Textiles \$325.00 for City uniform shirts
16. Authorize Mayor and Board of Aldermen to attend the CMO Elective Evening Class “Technology in Government focusing on Cybersecurity” class in Oxford, MS October 20, 2022, also authorize to pay registration and travel expenses

17. Authorize Public Works Employees David Cooke, Tanner Weaver, and Nathan Wallace to attend the MS Damage Prevention Summit in Biloxi, MS on November 1-3, 2022, also authorize to pay registration and travel expenses
18. Authorize Police Officer Subia and Mathias to attend the K-9 Olympics in Peru, IN on August 22-26, also authorize to pay registration and travel expenses
19. Authorize Police Officer Will Cunningham to attend the AWD K9 Olympics in Peru, Indiana as a Judge and Trainer on August 22-26, 2022, also authorize to pay registration and travel expenses (correcting dates)
20. Authorize to hire Martin Gipson Jr as a fulltime Certified Police Officer at the rate of P4, pending background and physical results
21. Authorize to move Police Officer McKenzie from full time to part time, per his resignation notice and request
22. Authorize to hire Matthew Cunningham as a fulltime Street Department employee in the Public Works Department at a rate of \$11.00 per hour, pending drug and background screening results
23. Authorize to hire Drew Hamby as a parttime Concession worker in the Parks Department
24. Authorize to raise the pay to \$9.25 for the part time Concession and Field worker positions in the Parks Department
25. Authorize to accept the resignation from Public Works employee Thomas Larry effective August 5, 2022
26. Authorize to accept the resignation from Public Works employee Susan Cook effective August 4, 2022
27. Authorize to accept the resignation from Public Works employee Brandon Dowl effective August 4, 2022
28. Authorize Mayor Graves to sign an agreement with Energy Savers adding additional lights at the Public Works building
29. Authorize Mayor Graves to sign an MOU with the MS Department of Finance and Administration for HB 1353, receiving \$1,000,000 for Facility Lighting funds
30. Authorize Mayor Graves to sign an MOU with the MS Department of Finance and Administration for HB 1353, receiving \$500,000 for Front Street Fire Station Renovation funds
31. Approve and authorize Mayor Graves to sign the Taxable Loan Anticipation Note, Line of Credit, extension from Guaranty Bank and Trust for the WWTP
32. Authorize Mayor Graves to sign the Resolution approving the Extension and Renewal of a Non-Revolving Line of Credit Secured by a Taxable Loan Anticipation Note (Non-Revolving Line of Credit), Dated July 22, (The "2021 Note") of the City in the Maximum Principal Amount of not to Exceed Nine Million Six Hundred Sixty Thousand Dollars (\$9,660,000); Approving the Form of the Amended Note; Authorizing the Mayor and City Clerk to Execute and Deliver Documents Necessary to Effectuate the Purpose of this Resolution, and Ratifying Actions of the Same Heretofore taken on behalf of the City; and for other related matters
33. Authorize to pay the requested Interest Only payment on the 2021 Note to Guaranty Bank and Trust for the WWTP project

34. Authorize to surplus a vault door with frame and dispose of (was for vault in the current EDF building)
35. Authorize to surplus a 2002 Chevy Suburban VIN 1GNEC16Z22J182426 from the Fire Department and dispose of

Mayor's Corner

Sportsplex, artificial turf

Motion was made by Alderman Moore, seconded by Alderman Hale, to approve the agenda as presented. All present voting yea, motion carried.

Request for sponsorship from the NWCC Performing Arts Center, Kerry Goff

Kerry Goff with the Northwest Community College presented information for a sponsorship request. Mr. Goff stated that this is a new facility, and they are excited about having a place to hold shows for community. Mr. Goff stated they will have a full schedule and programs for all ages. They are requesting the city sponsor some of the local talent.

Mayor Graves thanked Mr. Goff and advised him that we will give the Aldermen time to process this request, since he added it at the last minute.

Road Paving Project Update and Presentation – Mendrop/Civil Link

Greg Smith, Mendrop, stated that they have finalized the road study and are here to present their report.

Steve Bigalow, Civil Link, presented to the Mayor and Board of Aldermen the report of their road study. Mr. Bigalow stated that we have some bad roads, and some bad or weak soil in this area. The study was done using the Paser system, which is a recognized rating system. It's somewhat objective. Mr. Bigalow stated we had some good roads, some bad ones and a couple pretty bad ones. I believe 64% of your roads can be treated with either a crack seal, fog seal, micro surfacing, a thin lift or scrub seal. Mr. Bigalow went over the treatment costs. The process is that y'all will select the roads you want to treat and then as a Board decide how much you want to spend. At that point we can start the process. Mr. Bigalow stated that the maintenance cost is about 32% and the correction cost is about 68%. For everything that needs to be done to bring all of the streets up total of \$14,815,000 in 2022 dollars. Mr. Bigalow stated they normally prepare two budget cycle plans. They could do a 7-year cycle, where every road in the city will be addressed over 7 years and would be about \$2 million annually. Or they could do a 10-year cycle plan, where every road in the city will be addressed over 10 years and would be about \$1.4 million annually. We recommend doing the more traveled roads first. Once you decide how much you want to spend, we can help put a plan in place.

Mayor Graves asked Mr. Bigalow to explain to the Aldermen, as you did for me, why you don't go just fix the worse roads.

Steve Bigalow answered if you only fix your worse roads, the other will end up being the worse ones. Mr. Bigalow stated you'll need to invest in a maintenance plan. Maintenance the ones that are ok, not as bad, and fix some worse ones, every year.

Mayor Graves stated we need to digest the information and then come back to decide what we want to do.

Greg Smith stated yes, we can do a work session also if you'd like.

Alderman Dear asked how many miles of roads are in the city.

Steve Bigalow answered 54. You have some roads that would benefit from a chip and seal, and some would benefit from a brush and seal. A slurry seal usually lasts about 12 years.

Mayor Graves asked if anyone had any other questions. Mayor Graves thanked Mr. Smith and Mr. Bigalow for the information.

Set Medical Cannabis Permit Fee

Mayor Graves stated that Jim has found out some permit fee information about Hernando and Batesville. Alderman Moore, what was it that you heard.

Alderman Moore stated that the state said we could have a fee it just couldn't be unreasonable.

Alderman Graves stated that Hernando is \$1,000 annually and Batesville is \$2,500 for the first one and then \$1,000 annually. What do y'all think about \$1,500 annually.

Alderman Moore stated I think that sounds good.

Motion was made by Alderman Moore, seconded by Alderman Dear to approve to set a Business Permit fee of \$1,500, annually, for all Medical Cannabis related facilities. All voting yea, motion carried.

Economic Update – Britt Herrin

Mr. Herrin stated his updates will need to be in executive session.

Consent Agenda

Mayor Graves went over each consent agenda item numbers 8-35, asked if anyone had any questions.

No questions were asked.

Motion was made by Alderman Hale, seconded by Alderman Simpson, to approve the consent agenda. All voting yea, motion carried

Approve Minutes from the Special Mayor and Board of Aldermen meeting on August 1, 2022

Motion was made by Alderman Hale, seconded by Alderman Simpson, to approve the Minutes from the Special Mayor and Board of Aldermen Meeting on August 1, 2022. All voting yea, motion carried.

Approve Minutes from the Special Mayor and Board of Aldermen meeting on August 2, 2022

Motion was made by Alderman Hale, seconded by Alderman Simpson, to approve the Minutes from the Special Mayor and Board of Aldermen meeting on August 2, 2022. All voting yea, motion carried.

Approve Minutes from the Regular Mayor and Board of Aldermen meeting on August 2, 2022

Motion was made by Alderman Hale, seconded by Alderman Simpson, to approve the Minutes from the Regular Mayor and Board of Aldermen meeting on August 2, 2022. All voting yea, motion carried.

Approve Minutes from the Special Mayor and Board of Aldermen meeting on August 8, 2022

Motion was made by Alderman Hale, seconded by Alderman Simpson, to approve the Minutes from the Special Mayor and Board of Aldermen meeting on August 8, 2022. All voting yea, motion carried.

Approve Docket of Claims numbers: 25273 – 25445 with a total of \$433,848.65

Motion was made by Alderman Hale, seconded by Alderman Simpson, to approve Docket of Claim numbers 25273 - 25445 for a total of \$433,848.65. All voting yea, motion carried.

Approve to pay Senatobia Fire and Rescue for Volunteer Fire Service in the amount of \$5,516.00

Motion was made by Alderman Hale, seconded by Alderman Simpson, to approve to pay Senatobia Fire and Rescue for Volunteer Fire Services in the amount of \$5,516.00. All voting yea, motion carried.

Approve to reimburse Assistant Police Chief Defore \$620.00 for a seminar training expense

Motion was made by Alderman Hale, seconded by Alderman Simpson, to approve to reimburse Assistant Police Chief Defore \$620.00 for a seminar training expense. All voting yea, motion carried

Approve to pay Tekton Textiles \$325.00 for City uniform shirts

Motion was made by Alderman Hale, seconded by Alderman Simpson, to approve to pay Tekton Textiles \$325.00 for City uniform shirts. All voting yea, motion carried

Authorize Mayor and Board of Aldermen to attend the CMO Elective Evening Class “Technology in Government focusing on Cybersecurity” class in Oxford, MS on October 20, 2022, also authorize to pay registration and travel expenses

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize the Mayor and Board of Aldermen to attend the CMO Elective Evening Class “Technology in Government focusing on Cybersecurity” class in Oxford, MS on October 20, 2022, also authorizing to pay registration and travel expenses. All voting yea, motion carried.

Authorize Public Works Employees David Cooke, Tanner Weaver and Nathan Wallace to attend the MS Damage Prevention Summit in Biloxi, MS on November 1-3, 2022, also authorize to pay registration and travel expenses, also authorize to pay registration and travel expenses

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize Public Works Employees David Cooke, Tanner Weaver and Nathan Wallace to attend the MS Damage Prevention Summit in Biloxi, MS on November 1-3, 2022, also authorize to pay registration and travel expenses. All voting yea, motion carried.

Authorize Police Officers Subia and Mathias to attend the K9 Olympics in Peru, IN on August 22 – 26, 2022, also authorize to pay registration and travel expenses

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize Police Officers Subia and Mathias to attend the K9 Olympics in Peru, IN on August 22-26, 2022, also authorize to pay registration and travel expenses. All voting yea, motion carried.

Authorize Police Officer Will Cunningham to attend the K9 Olympics in Peru, IN, as a Judge and Trainer, on August 22 – 26, 2022, also authorize to pay registration and travel expenses (previously approved – corrected dates)

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize Police Officer Will Cunningham to attend the AWD K9 Olympics in Peru, IN as a Judge and Trainer on August 22-26, 2022, also authorize to pay registration and travel expenses. All voting yea, motion carried.

Authorize to hire Martin Gipson Jr. as a fulltime Certified Police Officer at the rate of P4, pending background and physical results

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize to hire Martin Gipson Jr. as a fulltime Certified Police Officer at the rate of P4, pending background and physical results. All voting yea, motion carried.

Authorize to move Police Officer McKenzie from fulltime to parttime, per his resignation notice and request

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize to move Police Officer McKenzie from fulltime to parttime, per his resignation notice and request. All voting yea, motion carried.

Authorize to hire Matthew Cunningham as a fulltime Street Department employee in the Public Works Department at a rate of \$11.00 per hour, pending drug and background screening results

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize to hire Matthew Cunningham as a fulltime Street Department employee in the Public Works Department, at a rate of \$11.00 per hour, pending background and drug screening results. All voting yea, motion carried.

Authorize to hire Drew Hamby as a parttime Concession worker in the Parks Department

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize to hire Drew Hamby as a parttime Concession worker in the Parks Department. All voting yea, motion carried.

Authorize to raise the pay to \$9.25 an hour for the parttime Concession and Field Worker positions in the Parks Department

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize to raise the pay to \$9.25 an hour for the parttime Concession and Field Worker positions in the Parks Department. All voting yea, motion carried.

Authorize to accept the resignation from Public Works employee Thomas Larry effective August 5, 2022

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize to accept the resignation from Public Works employee Thomas Larry effective August 5, 2022. All voting yea, motion carried.

Authorize to accept the resignation from Public Works employee Susan Cook effective August 4, 2022

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize to accept the resignation from Public Works employee Susan Cook effective August 4, 2022. All voting yea, motion carried

Authorize to accept the resignation from Public Works employee Brandon Dowl effective August 4, 2022

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize to accept the resignation from Public Works employee Brandon Dowl effective August 4, 2022. All voting yea, motion carried

Authorize Mayor Graves to sign an agreement with Energy Savers adding additional lights at the Public Works building

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize Mayor Graves to sign an agreement with Energy Savers adding additional lights at the Public Works building. All voting yea, motion carried.

Authorize Mayor Graves to sign an MOU with the MS Department of Finance and Administration for HB 1353, receiving \$1,000,000 for Facility Lighting Funds

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize Mayor Graves to sign an MOU with the MS Department of Finance and Administration for HB 1353, receiving \$1,000,000 for Facility Lighting Funds. All voting yea, motion carried.

Authorize Mayor Graves to sign an MOU with the MS Department of Finance and Administration for HB 1353, receiving \$500,000 for Front Street Fire Station Renovation

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize Mayor Graves to sign an MOU with the MS Department of Finance and Administration for HB 1353, receiving \$500,000 for Front Street Fire Station Renovation. All voting yea, motion carried.

Approve and Authorize Mayor Graves to sign the Taxable Loan Anticipation Note, Line of Credit, extension from Guaranty Bank and Trust for the WWTP

Motion was made by Alderman Hale, seconded by Alderman Simpson, to approve and authorize Mayor Graves to sign the Taxable Loan Anticipation Note, Line of Credit, extension from Guaranty Bank and Trust for the WWTP. All voting yea, motion carried.

Authorize Mayor Graves to sign the Resolution approving the Extension and Renewal of a Non-Revolver Line of Credit Secured by a Taxable Loan Anticipation Note (Non-Revolver Line of Credit), Dated July 22, (The "2021 Note") of the City in the Maximum Principal Amount of not to Exceed Nine Million Six Hundred Sixty Thousand Dollars (\$9,660,000); Approving the Form of the Amended Note; Authorizing the Mayor and City Clerk to Execute and Deliver Documents Necessary to Effectuate the Purpose of this Resolution, and Ratifying Actions of the Same Heretofore taken on behalf of the City; and for other related matters

The Mayor and Board of Aldermen (the "**Governing Body**") of the City of Senatobia, Mississippi (the "**City**"), took up for consideration the matter of approving an extension and renewal to the City's existing non-revolving line of credit secured by a Taxable Loan Anticipation Note (Non-Revolving Line of Credit), dated July 22, 2021, of said City. After a discussion of the subject, Alderman Hale offered and moved for the adoption of the following resolution:

RESOLUTION APPROVING THE EXTENSION AND RENEWAL OF A NON-REVOLVING LINE OF CREDIT SECURED BY A TAXABLE LOAN ANTICIPATION NOTE (NON-REVOLVING LINE OF CREDIT), DATED JULY 22, 2021 (THE "2021 NOTE") OF THE CITY IN THE MAXIMUM PRINCIPAL AMOUNT OF NOT TO EXCEED NINE MILLION SIX HUNDRED SIXTY THOUSAND DOLLARS (\$9,660,000); APPROVING THE FORM OF THE AMENDED NOTE; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER DOCUMENTS NECESSARY TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION, AND RATIFYING ACTIONS OF THE SAME HERETOFORE TAKEN ON BEHALF OF THE CITY; AND FOR OTHER RELATED MATTERS.

WHEREAS, the Governing Body of the City, acting for and on behalf of the City, hereby finds, determines, adjudicates and declares as follows:

1. The City, by and through the Governing Body, has received a commitment from the United States Department of Agriculture - Rural Utilities Services ("**USDA-RUS**") for the improvement, repair and extension of the water, sewer and gas facilities of the combined water, sewer and gas system of the City (the "**Loan**").
2. The City is authorized by Section 21-33-326 *et seq.* of the Mississippi Code of 1972, as amended from time to time (the "**Act**") to borrow money in anticipation of receipt of funds from a confirmed loan, such as the Loan, from the United States of America, or an agency thereof, such as USDA-RUS, and may assign and pledge as security for such interim financing the proceeds of any such grant or loan.
3. On April 7, 2021, the City adopted a resolution (the "**Authorizing Resolution**") authorizing (i) the issuance of a non-revolving line of credit with an amount not to exceed \$9,660,000 and (ii) the execution and delivery of a Taxable Loan Anticipation Note for up to \$9,660,000.
4. On May 18, 2021, the City adopted a resolution (the "**Sales Resolution**") awarding the 2021 Note (as defined herein) to the Lender (as defined herein) and authorizing the execution and delivery of the 2021 Note.
5. On July 22, 2021, the City issued its Taxable Loan Anticipation Note (Non-Revolving Line of Credit), dated July 22, 2021, for an amount not to exceed \$9,660,000 (the "**2021 Note**") to Guaranty Bank & Trust Company, Belzoni, Mississippi (the "**Lender**"), which 2021 Note was scheduled to mature on July 22, 2022.
6. At the City's request and pursuant to the Act, the Lender has offered an additional

extension of the term of the 2021 Note to May 22, 2023, subject to an increased interest rate of 3.5%, which may be extended and/or renewed upon the mutual agreement of the Lender and City, and subject to an interest only payment on the 2021 Note, the balance of which to be determined on the date of the original issue of the Amended Note, which offer is attached hereto as **Exhibit A** (the "**Extension**").

7. To effectuate the Extension, the 2021 Note must be amended and approved, the form of which is attached hereto as **Exhibit B** (the "**Amended Note**").

8. It is necessary and in the public interest to approve the Extension, as reflected in the Amended Note, and to authorize the Mayor and City Clerk of the City to execute the Extension, the Amended Note and other documents necessary to effectuate the purposes of this Extension Resolution, and to make an interest only payment on the 2021 Note, and to ratify and approve their actions heretofore taken.

9. That it is in the best interest of the City to employ and authorize the law firm of Butler Snow LLP, Ridgeland, Mississippi, as Note Counsel, Ginger Miller, Esquire, as Counsel to the City, to prepare and distribute such resolutions, certifications and documents necessary in order to facilitate the Extension and the Amended Note.

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

SECTION 1. This Extension Resolution is adopted by the Governing Body of the City pursuant to the Act, the 2021 Note and the Amended Note, and all matters and things recited in the premises and preamble of this Extension Resolution are found and determined to be true and accurate.

SECTION 2. The Governing Body hereby accepts and approves the terms and conditions of the Extension attached hereto as **Exhibit A**, and the form of the Amended Note reflecting the same attached hereto as **Exhibit B** and directs to the Clerk to forward the executed Extension, Amended Note, and a certified copy of this Extension Resolution to the Lender.

SECTION 3. The Governing Body hereby authorizes and directs the Mayor or the City Clerk to approve an interest only payment on the balance of the 2021 Note, as requested by the Lender in the Extension, the balance of which will be provided by the Lender on the date of execution of the Amended Note.

SECTION 4. The Mayor and the City Clerk of the City, and their actions heretofore, are hereby ratified, and they are authorized and directed for and on behalf of the City to take any and all such action as may be required by the City, to carry out and to give effect to the Extension and the Amended Note authorized pursuant to this Extension Resolution and to execute the Extension, the Amended Note, and all papers, documents and certificates that may be required to effectuate the purposes of this Extension Resolution.

SECTION 5. Except as provided herein and in the Amended Note, the 2021 Note and the Note Resolution and the terms therein remain in full force and effect.

SECTION 6. The interest on the Amended Note is not exempt from Federal income taxes under existing laws, regulations, rulings and judicial decisions with such exceptions as shall be required by the Code. Under existing law, interest on the Amended Note is exempt from present taxes imposed by the State of Mississippi (the "**State**") and any city, municipality or other political subdivision of the State, except for inheritance, estate and transfer taxes.

SECTION 7. The Governing Body hereby authorizes and directs the Mayor to approve the payment of costs incidental to the issuance of the Amended Note, including but not limited to the payment of legal fees, which may be paid from proceeds of the Amended Note.

SECTION 8. The Mayor and the City Clerk of the City or any other officer of the City are hereby authorized and directed for and on behalf of the City to take any and all such action as may be required by the City, to carry out and to give effect to the aforesaid Amended Note authorized pursuant to this Extension Resolution and to execute all papers, documents and certificates that may be required to effectuate the purposes of this Extension Resolution, the Extension and the Amended Note.

SECTION 9. All orders, resolutions or proceedings of the Governing Body in conflict with the provisions of this Extension Resolution shall be and are hereby repealed, rescinded and set aside, but only to the extent of such conflict.

SECTION 10. For cause, this Extension Resolution shall become effective immediately upon the adoption thereof.

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

Alderman Adam Moore	voted: "Aye"
Alderman Larry Simpson	voted: "Aye"
Alderman Kevin Dear	voted: "Aye"
Alderman Allen Tanksley	voted: "Aye"
Alderman Brian Hale	voted: "Aye"

The motion having received the foregoing vote of the Governing Body, the Mayor declared the motion carried and the resolution adopted, on this the 16th day of August 2022.

APPROVED:


MAYOR

ATTEST:


CITY CLERK
(SEAL)



August 16, 2022

Mayor and Board of Aldermen
City of Senatobia, Mississippi

Re: City of Senatobia, Mississippi Taxable Loan Anticipation Note (Non-revolving Line of Credit) in the amount of \$9,660,000 dated July 22, 2021 (the "2021 Note")

On July 22, 2021, the City of Senatobia, Mississippi ("**City**") issued the 2021 Note to Guaranty Bank & Trust for the purpose of obtaining interim financing in anticipation of a loan commitment from the United States Department of Agriculture, Rural Utility Service ("**USDA**") dated June, 1, 2021, and September 23, 2019, which loan proceeds are for constructing and improving a water treatment facility in the City. The 2021 Note matured July 22, 2022. The project has been delayed, and USDA has not approved making the final loan to the City to pay off the 2021 Note. Consequently, the City has asked that the maturity for the 2021 Note be extended until May 22, 2023.

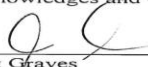
In response to such request, Guaranty Bank & Trust hereby extends the maturity of the 2021 Note to May 22, 2023, subject to increasing the rate to a fixed rate of 3.5%, with the same terms and conditions as specified in the Renewal Letter. We hereby request the City to provide an Amended Note with the extended maturity date of May 22, 2023 at a fixed rate of interest of 3.5%.

In addition, Guaranty Bank & Trust hereby requests the City to make an interest only payment on the 2021 Note for interest accrued during the initial term. As of the date of this letter, the interest only payment balance is \$54,613.65. Upon execution of the Amended Note, we will update the interest only payment balance as of the date of the execution of the Amended Note.

Guaranty Bank & Trust


Daniel New
EVP – Chief Credit Officer

Acknowledges and Consents:



Greg Graves
Mayor of the City of Senatobia, Mississippi

Authorized pursuant to the Resolution of the City adopted 8/16/2022
65356772.v2

**EXHIBIT A
LENDER LETTER**

**EXHIBIT B
FORM OF AMENDED NOTE
CITY OF SENATOBIA, MISSISSIPPI
TAXABLE LOAN ANTICIPATION AMENDED NOTE
(NON-REVOLVING LINE OF CREDIT)**

NO. R-1 **NOT TO EXCEED \$9,660,000**

<u>Rate of Interest</u>	<u>Date of Original Issue</u>	<u>Date of Maturity</u>
3.500%	_____, 2022	May 22, 2023

The City of Senatobia, Mississippi (the "**City**"), a body politic existing under the Constitution and laws of the State of Mississippi, acknowledges itself to owe and for value received, promises to pay in lawful money of the United States of America to Guaranty Bank & Trust Company, Belzoni, Mississippi (the "**Lender**"), the sum of

NOT TO EXCEED NINE MILLION SIX HUNDRED SIXTY THOUSAND DOLLARS

or so much thereof as may from time to time be advanced and remain unpaid hereunder, and to pay interest on the principal sum remaining unpaid hereunder annually until May 22, 2023.

Interest shall be computed and shall accrue at the rate of 3.500%, and such interest shall be payable in arrears on (i) the date(s) of each advance hereunder, (ii) on each anniversary date of the Amended Note, and (iii) upon maturity, until said principal sum shall have been paid in full. Interest shall be calculated on the basis of actual days elapsed and a 360-day year, and shall not exceed that allowed in Section 75-17-107, Mississippi Code of 1972, as amended from time to time.

The Amended Note is subject to redemption prior to its stated date of maturity, in whole or in part, at any time, at par, plus accrued interest to the date of redemption. The entire remaining outstanding principal balance of the indebtedness evidenced by this Amended Note, together with all accrued and unpaid interest thereon, if not sooner paid, shall be due and payable in full on May 22, 2023, provided, however, this Amended Note may be extended and/or renewed for a term not exceed that allowed by the Act upon the mutual agreement of both parties.

All payments of principal, interest and other amounts payable on or in respect of this Amended Note or the indebtedness evidenced hereby shall be made to the Lender at its principal office in Belzoni, Mississippi, in lawful money of the United States of America, in funds immediately available to the Lender as the Lender may from time to time direct.

This Amended Note evidences a non-revolving line of credit by the Lender in favor of the City, and, accordingly, the City shall have the right to obtain advances of principal hereunder during the term of this Amended Note, up to a maximum aggregate principal amount equal to \$9,660,000; provided, however, that the Lender shall have no obligation to make any further

advances hereunder in the event that an event of default shall have occurred and be continuing. Such advances and re-advances may be made by the City without notice to or consent of any other person or entity. The amount of each advance will be submitted to the Lender by the Mayor or City Clerk of the City, in substantially the same form attached hereto as **EXHIBIT A**, and the signature of the Mayor or City Clerk of the City shall be affixed in witness of each such advance in the place provided therefor.

This Amended Note is the Amended Note issued in the aggregate authorized principal amount of not to exceed Nine Million Six Hundred Sixty Thousand Dollars (\$9,660,000), to raise money for the purpose of providing interim financing in anticipation of receipt of proceeds of the Loan from the United States Department of Agriculture - Rural Utilities Services ("**USDA-RUS**") dated September 23, 2019, as amended as amended June 2, 2021, (the "**Loan**"), to defray the cost of (i) improving, repairing and extending the combined water, sewer and gas system of the City, as referenced in the Loan, (ii) for other related improvements; and (iii) the payment of expenses incidental to the issuance of the Amended Note, all as authorized under the Act.

This Amended Note is issued under the City of the Constitution and statutes of the State of Mississippi, including the Act, and by the further City of proceedings duly had by the Mayor and Board of Aldermen of the City, including the resolutions adopted on April 6, 2021 (the "**Note Resolution**"), May 18, 2021 (the "**Sales Resolution**") and August 16, 2022 (the "**Extension Resolution**") and together with the Note Resolution and the Sales Resolution, the "**Resolution**").

The Lender may, at any time, sell, transfer or assign this Amended Note and/or participation interests in this Amended Note.

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 Amended Note, in order to make the same a legal and binding limited obligation of the City, 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.

IN WITNESS WHEREOF, the City has caused this Amended Note to be executed in its name by the signature of the Mayor and the Board of Aldermen of the City, countersigned by the signature of the City Clerk of the Board of Aldermen of the City, which said signatures said officials adopt as and for their own proper signatures, as of the 16th day of August 2022.

CITY OF SENATOBIA, MISSISSIPPI

By: [Signature]
Mayor

COUNTERSIGNED:

[Signature]
City Clerk

CERTIFICATE OF REGISTRATION AND AUTHENTICATION

This Amended Note is the Amended Note described in the within mentioned Extension Resolution and is the Taxable Loan Anticipation Amended Note (Non-Revolving Line of Credit) of the City of Senatobia, Mississippi.

CITY OF SENATOBIA, MISSISSIPPI

BY: [Signature]
City Clerk

Date of Registration and Authentication: 8-16-2022

REGISTRATION CERTIFICATE

**STATE OF MISSISSIPPI
COUNTY OF TATE
CITY OF SENATOBIA, MISSISSIPPI**

I, the undersigned City Clerk of the City of Senatobia, Mississippi, do hereby certify that the within Amended Note has been duly registered by me as an obligation of said City pursuant to law in a record kept in my office for that purpose.

(SEAL) [Signature]
City Clerk



**Exhibit A
FORM OF ADVANCE ON NON-REVOLVING LINE OF CREDIT UNDER
\$9,660,000 LOAN ANTICIPATION AMENDED NOTE**

Borrower Name:	City of Senatobia, Mississippi	Effective Date:	
Borrower Number:	64-6008064	Amount of Advance:	
Amended Note Number:	R-1	Date Due:	May 22, 2023

Advance on line of credit, evidenced by note dated _____, 2022, in the amount of _____
subject to the same terms and conditions of the aforesaid note. A total amount of _____ has been borrowed out of a total \$9,660,000.00 available pursuant to the aforesaid note, and a total of _____ remains available for borrowing, including the subject amount of this advance.

Deposit to DDA		in the amount of:	
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PROJECT IDENTIFICATION: Wastewater Treatment Facility Upgrades
PROJECT DESCRIPTION: _____
*(See Attached Invoices)

CITY OF SENATOBIA, MISSISSIPPI
By: 
Mayor

65355335.v2

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize Mayor Graves to sign the Resolution approving the Extension and Renewal of a Non-Revolving Line of Credit Secured by a Taxable Loan Anticipation Note (Non-Revolving Line of Credit), Dated July 22, (The "2021 Note") of the City in the Maximum Principal Amount of not to Exceed Nine Million Six Hundred Sixty Thousand Dollard (\$9,660,000); Approving the Form of the Amended Note; Authorizing the Mayor and City Clerk to Execute and Deliver Documents Necessary to Effectuate the Purpose of this Resolution, and Ratifying Actions of the Same Heretofore taken on behalf of the City; and for other related matters. All voting yea, motion carried.

Authorize to pay the requested Interest Only payment on the 2021 Note to Guaranty Bank and Trust for the WWTP project

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize to pay the requested Interest Only payment on the 2021 Note to Guaranty Bank and Trust for the WWTP project. All voting yea, motion carried.

Authorize to surplus a vault door with frame and dispose of (was for vault in the current EDF building)

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize to surplus a vault door and frame and dispose of. All voting yea, motion carried.

Authorize to surplus a 2002 Chevy Suburban VIN 1GNEC16Z22J182426 from the Fire Department and dispose of

Motion was made by Alderman Hale, seconded by Alderman Simpson, to authorize to surplus a 2002 Chevy Suburban VIN 1GNEC16Z22J182426 and dispose of. All voting yea, motion carried.

Authorize to go into closed session to discuss going into Executive Session for Economic Updates

Motion was made by Alderman Tanksley, seconded by Alderman Moore, to authorize to go into closed session to discuss going into Executive Session for Economic Updates. All voting yea, motion carried.

Authorize to go into Executive Session for Economic Updates

Motion was made by Alderman Hale, seconded by Alderman Tanksley, to authorize to go into Executive Session for Economic Updates. All voting yea, motion carried.

Authorize to come out of Executive Session

Motion was made by Alderman Tanksley, seconded by Alderman Moore, to authorize to come out of Executive Session. All voting yea, motion carried.

Mayor's Corner

Sportsplex, artificial turf

Mayor Graves advised the Board that he and Rob spoke regarding the artificial turf. Rob is going to speak to someone to get numbers on how much it might cost.

Recess

Motion was made by Alderman Simpson, and seconded by Alderman Tanksley, to recess until August 22, 2022, at 5pm. All voting yea, motion carried.

Greg Graves, Mayor

ATTEST:

Katie Harbin –City Clerk