

BE IT REMEMBERED that the Mayor and Board of Aldermen met on May 16, 2023, 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: Deputy City Clerk Francis Johnson, City Attorney Ginger Miller, Police Chief Richard Chandler, Assistant Police Chief Defore, Building Official Stephen Hodges, Fire Chief Ethan Foresman, Fire Inspector Brevin Holden, FLSE/PIO Chantay Rhone, Interim Public Works Director /Gas Supervisor David Cooke, Parks Director Rob Boyd, Don Embrey, Community Development/Tourism Director Jamie Sowell, Brett Brown, Britt Herrin, Building Administrative Assistant, Jennifer Turner, Joe Cooper, Steven Sandridge, Zack and Jessica Keough, Jordon Redd, Anita Brown,

Alderman Moore gave the invocation.

Approve Agenda

City of Senatobia
Mayor and Board of Aldermen Agenda
May 16, 2023
City Hall 5pm

1. Call to Order, Prayer, Roll Call
2. Welcome
3. Approve Agenda
4. Public Hearing for an Application to Rezone 965 Country Club Rd Senatobia, MS from M-1 to R-2
5. Public Hearing to amend the Fireworks Ordinance
6. Approve Resolution for 2023 Bond for Sports Park Improvements
7. Request from Anita Brown for tree removal at 204 W Gilmore
8. Appeal from Briley Tomlinson, Burn Permit
9. Discussion of bid results for Artificial Turf at the Sports Park
10. Utility Adjustment Exception (Alderman Moore)
11. Economic Update – Britt Herrin

Consent Agenda

12. Approve Minutes from the Regular Mayor and Board of Aldermen meeting on May 2, 2023
13. Approve Minutes from the Special Mayor and Board of Aldermen meeting on May 9, 2023
14. Approve Docket of Claims numbers: 28813 – 29060 for a total of 1,421,450.09
15. Authorize FLSE/PIO Chantay Rhone to attend the Fire Safety Summit/MAPSE Conference on July 19 – 21, 2023, at the MS Fire Academy in Pearl, MS, also authorize to pay registration and travel expenses
16. Authorize Lt. Rushing in the Police Department to attend the ROCIC Conference on September 9 - 13, 2023 in Chattanooga, TN, also authorize to pay registration and travel expenses

17. Authorize the following to attend the 2023 MLEOA Summer Conference training on June 3-9, 2023, in Biloxi, MS, also authorize to pay travel expenses:
 - Police Chief Richard Chandler, K9 Instructor
 - Will Cunningham, K9 Instructor
 - Cristian Subia, K9 Training & Certification
 - Katie Studebaker, K9 Training & Certification
 - Danny Mathias, K9 Training & Certification
 - Jonathon Trentham, Drone Pilot School
 - Assistant Police Chief Matt Defore, Supervision Class Instructor
 - Stephen Hodges, Supervision 365
18. Authorize Judge Nick Smith to attend the MS Municipal Court Judges 2023 Seminar on May 31- June 2, 2023, in Biloxi, MS, also authorize to pay registration and travel expenses
19. Authorize City Attorney Ginger Miller to attend the MS Municipal Attorneys Summer Conference in Biloxi, MS on June 25 – 28, 2023, also authorize to pay registration and travel expenses
20. Authorize Dispatcher Lee Ann Caffrey to attend the Tactical Dispatcher class in Collins, MS on June 12-15, 2023, also authorize to pay registration and travel expenses (reimbursed)
21. Authorize Dispatcher Teresa White to attend the NECI Crimes in Progress class in Nesbit, MS on June 9, 2023, also authorize to pay registration (reimbursed)
22. Authorize Dispatcher Richard DeLeon to attend the 16- Hour Orientation class in Canton, MS on June 18-21, 2023, also authorize to pay registration and travel expenses (reimbursed)
23. Authorize Nathan Wallace to attend the 2023 Wastewater Certification training at NWCC on May 22 – 26, 2023, also authorize to pay registration and testing fees
24. Authorize Mayor Graves to sign Change Order #1 with PATH
25. Authorize to terminate Parks Employee John Triplett for job performance
26. Authorize to hire Matthew Hoskins as a part-time concession worker in the Sports Park
27. Authorize to hire Tyreese Hullette as a part-time concession worker in the Sports Park
28. Authorize to hire Chloe Wooten as a part-time concession worker in the Sports Park
29. Authorize to suspend Police Officer for violating city policy
30. Authorize to make Police Vehicle VIN # 2G1WD5E36D1261800 an unmarked vehicle (2013 Chevrolet Impala)
31. Authorize to make Police Vehicle VIN # 2G1WD5E38D1261927 an unmarked vehicle (2013 Chevrolet Impala)
32. Authorize Mayor Graves to sign the Subaward Agreement and any related documents with MDEQ for the MCWI Grant (matching ARPA funds for water project)
33. Approve Board Order ratifying approval for the purchase of .05 acres of the property located in Section 29, Township 5, Range 7, Tax Parcel number 099A07 0001200, the southwest corner, for the Main St., Scott St., Front St. Roundabout project
34. Approve Board Order ratifying approval for the purchase of .07 acres of the property located in Section 29, Township 5, Range 7, Tax Parcel number 099A01 0000400, the southeast corner, for the Main St., Scott St., Front St. Roundabout project
35. Authorize to use Moore Sites, Lance Moore, for website services
36. Executive Session for Economic Updates

Mayor's Corner

Securix
Calbee
5 Star City Fest
Paving
CDL Drivers

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

Public Hearing for an Application to Rezone 965 Country Club Rd Senatobia, MS from M-1 to R-2

Mayor Graves opened the public hearing and asked if anyone had any questions or comments.

The property owners/agent, Mr. and Mrs. Dickey were present.

Motion was made by Alderman Simpson, seconded by Alderman Moore to approve the application to rezone 965 Country Club Rd, Senatobia, MS, from M-1 to R-2. All present voting yea, motion carried.

Public Hearing to amend the Fireworks Ordinance

Mayor Graves opened the public hearing and asked if anyone had any questions or comments.

**Ordinance Prohibiting the sale and use of Fireworks
in the City of Senatobia**

Whereas, the Mayor and Board of Aldermen of the City of Senatobia, Mississippi, having made due investigation and on recommendation of the Senatobia Fire Department, have determined that the sale, possession and use of fireworks needs to be regulated for the protection of the public health, safety and welfare, and that the existing ordinances addressing this subject are outdated and in need repeal, and

Whereas, it is provided in Section 21-19-15 of the Mississippi Code Annotated, 1972, that the governing authorities of a municipality in Mississippi have the power to prohibit or regulate the sale or use of firecrackers, roman candles, torpedoes, skyrockets, and any and all explosives commonly known and referred to as fireworks.

Therefore, be it ordained by the Mayor and Board of Aldermen of the City of Senatobia, Mississippi:

Section 1. Short Title

That this shall be known as the Fireworks Ordinance, and the following sections of this ordinance be adopted and enforced in the City of Senatobia.

Section 2. Definitions

For the purpose of this ordinance, the following definitions shall apply when used herein:

- a. City means the City of Senatobia and any and every place within the corporate limits of the City.
- b. Fireworks means firecrackers, roman candles, torpedoes, skyrockets, and any and all explosives commonly known and referred to as fireworks; the term “fireworks” shall not include auto flares, toy pistols, toy canes, toy guns, and other devices in which paper caps manufactured in accordance with the United States Interstate Commerce Commission regulations for packing and shipping of toy paper caps are used, or toy pistol paper caps manufactured as provided under the law, the use of which shall be permitted at all times.

Section 3. Sale or Use of Fireworks

It shall be unlawful for any person, corporation, association, or other entity to sell or discharge fireworks within the municipal corporate limits of the city except as herein provided by special supervised public display permit.

It shall further be unlawful to do damage to or interfere with the use of occupation of public or private property with said fireworks.

Section 4. Special Supervised Public Display Permit

Any person, corporation, association, or other entity shall be allowed to obtain a permit for a supervised public display of fireworks at a cost of three hundred dollars (\$300.00), payable to the City of Senatobia, after having met the following conditions:

1. **Application.** Within ten (10) days of the scheduled supervised public display of fireworks, the applicant shall complete the application, which shall be obtained from the Fire Department and shall state that the applicant will comply with all fire and safety regulations as set forth by the Fire Department and brought to the attention of the applicant.
2. **Bond.** The applicant shall obtain a bond in a minimum amount of one hundred thousand dollars (\$100,000.00) to satisfy claims for damages to property or personal injuries arising out of any act or omission as a result of the supervised public display of fireworks event.
3. **Standby Firefighters.** Pay fees to the City of Senatobia in a total amount for hourly rates as set by the Fire Department and approved by the Mayor and Board of Aldermen (subject to adjustment by the Mayor and Board) for each piece of fire equipment and personnel deemed necessary by the Fire Chief or Fire Inspector, per event.

If, in the opinion of the Fire Official, emergency conditions exist which warrant the immediate revocation of the supervised public display permit without prior notice, all money shall be returned to the applicant.

Section 5. Violations and Penalties

Any person, firm, partnership, or corporation who shall knowingly and willfully violate the terms, conditions, or provisions of this Ordinance for violation of which no criminal penalty is prescribed, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of One Thousand dollars (\$1,000.00 and/or imprisonment in Tate County Jail not to exceed thirty (30) days. In case of continuing violations without reasonable effort on the part of the defendant to correct the same each day the violation continues thereafter shall be a separate offense.

Section 6. Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 7. Repeal of Prior Ordinances

Any and all ordinances or parts of ordinances of the City in conflict herewith are hereby repealed.

Section 8. Ordinance Repealed

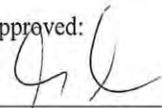
Any and all ordinances or parts of ordinances of the City in conflict herewith are repealed.

Section 9. Effective Date

This ordinance shall be in full force and effective thirty days after passage and being published according to the law.

Motion was made by Alderman Hale and seconded by Alderman Simpson to waive the reading and adopt this the Ordinance prohibiting the use and sale of fireworks in the City. After receiving the affirmative unanimous vote of the Aldermen present and voting, the Mayor declared the motion carried and Ordinance adopted this the 16th day of May, 2023.

Approved:



Greg Graves, Mayor

Attest:



Katie Harbin, City Clerk



Alderman Simpson stated they are normally shot on the days for the 4th of July and also for New Years, but the problem is when then do it all year long.

Police Chief Chandler stated the ordinance helps prevent fire hazard liability.

Motion was made by Alderman Hale, seconded by Alderman Simpson, to waive the reading and adopt the amended Fireworks Ordinance prohibiting the sale and use of Fireworks in the City of Senatobia. All present voting yea, motion carried.

Approve Resolution for 2023 Bond for Sports Park Improvements

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SENATOBIA, MISSISSIPPI, AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION PARKS AND RECREATION IMPROVEMENTS BONDS, SERIES 2023, OF THE CITY OF SENATOBIA, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF \$1,800,000, IN ONE OR MORE FEDERALLY TAXABLE OR TAX-EXEMPT SERIES, TO PROVIDE FUNDS FOR THE AUTHORIZED PURPOSES DESCRIBED HEREIN; PRESCRIBING THE FORM AND INCIDENTS OF THE BONDS; PROVIDING FOR THE PLEDGE OF SPECIAL SALES TAX REVENUES AND THE LEVY OF TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING FOR THE SALE OF THE BONDS; MAKING PROVISION FOR MAINTAINING THE TAX-EXEMPT STATUS OF THE BONDS; APPROVING AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT; ACKNOWLEDGING AND AUTHORIZING THE EXECUTION OF POST ISSUANCE COMPLIANCE PROCEDURES; AND FOR RELATED PURPOSES.

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

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

“Act” shall mean, together, the Authority Act, the Municipal Improvements Act, Section 17-1-3 Mississippi Code of 1972, as amended, and Sections 55-9-1 *et seq.*, Mississippi Code of 1972, as amended.

“Authority Act” shall mean, together, House Bill 1504, as approved by the Legislature in its Regular Session 2014 and signed by the Governor on March 21, 2014, House Bill No. 1473, as approved by the Legislature in its Regular Session 2017 and signed by the Governor on March 29, 2017, and House Bill No. 1483, as approved by the Legislature in its Regular Session 2021 and signed by the Governor on April 14, 2021.

“Authorized Purposes” shall mean the General Municipal Improvements Authorized Purpose and the Special Tax Authorized Purpose.

“Bond” or “Bonds” shall mean the General Obligation Parks and Recreation Improvements Bonds, Series 2023, of the Municipality, in the principal amount of \$1,800,000, in one or more federally taxable or tax-exempt series, authorized and directed to be issued in this Bond Resolution.

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

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

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

“Bond Resolution” shall mean the resolutions authorizing and directing the issuance of the Bonds adopted April 4, 2023, and May 16, 2023, by the Governing Body.

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

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

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

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

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

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

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

“General Municipal Improvements Authorized Purpose” shall mean erecting municipal buildings, auditoriums, community centers, gymnasiums, and athletic stadiums, preparing and equipping athletic fields, and purchasing buildings or land therefor, and for repairing, improving, adorning, and equipping the same; erecting or purchasing waterworks, gas, electric, and other public utility plants or distribution systems or franchises, and repairing, improving, and extending the same; establishing sanitary, storm, drainage, or sewerage systems, and repairing, improving, and extending the same; protecting the Municipality, its streets, and sidewalks from overflow, caving banks, and other like dangers; constructing, improving, or paving streets, sidewalks, driveways, parkways, walkways, or public parking facilities, and purchasing land therefor; purchasing land for parks and public playgrounds, and improving, equipping, and adorning the same, including the constructing, repairing, and equipping of swimming pools and other recreational facilities; constructing bridges and culverts; altering or changing the channels of streams and water courses to control, deflect, or guide the current thereof; purchasing fire-fighting equipment and apparatus, and providing housing for same, and purchasing land therefor; and purchasing machinery and equipment which have an expected useful life in excess of 10 years.

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

“Governor” shall mean the Governor of the State.

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

“Legislature” shall mean the Legislature of the State.

“Mayor” shall mean the Mayor of the Municipality.

“Municipal Advisor” shall mean Government Consultants, Inc., Madison, Mississippi, serving as Independent Registered Municipal Advisor to the Municipality pertaining to the sale of the Bonds.

“Municipal Improvements Act” shall mean Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended.

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

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

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

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

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

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

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

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

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

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

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

“Series 2015 Bonds” shall mean the \$5,000,000 General Obligation Bonds, Series 2015, dated and issued December 17, 2015, and maturing November 1, 2035, pursuant to a resolution of the Governing Body adopted on October 20, 2015.

“Special Sales Tax” shall mean a 2% tax upon the gross proceeds of room rentals for hotels and motels within the Municipality and a 2% tax upon the gross proceeds of restaurant sales within the Municipality, which funds shall be used for the Special Tax Authorized Purpose, as authorized by the Authority Act.

“Special Tax Authorized Purpose” shall mean the development of parks and recreation and tourism in the Municipality and for related purposes as authorized by the Authority Act.

“State” shall mean the State of Mississippi.

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

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

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

2. On April 1, 2014, the Governing Body adopted a resolution calling for a special election on the issue of levying the Special Sales Tax. After publication of notice of such election pursuant to the Authority Act, the citizens of the Municipality approved the Special Sales Tax by election on May 20, 2014.

3. The Series 2015 Bonds were issued for the Special Tax Authorized Purpose and are payable from the Special Sales Tax.

4. Heretofore, on April 4, 2023, the Governing Body adopted a resolution entitled **“RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SENATOBIA, MISSISSIPPI, DECLARING THE INTENTION TO ISSUE GENERAL OBLIGATION PARKS AND RECREATION IMPROVEMENTS BONDS OF THE MUNICIPALITY, TO ISSUE A GENERAL OBLIGATION PARKS AND RECREATION QUALIFIED OBLIGATION OF THE MUNICIPALITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT, OR TO ENTER INTO A LOAN AGREEMENT WITH THE MISSISSIPPI DEVELOPMENT BANK, OR ANY COMBINATION THEREOF, ALL IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$1,800,000, IN ONE OR MORE FEDERALLY TAXABLE OR TAX-EXEMPT SERIES, TO PROVIDE FUNDS**

FOR THE AUTHORIZED PURPOSES AS DEFINED HEREIN; DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES” (the “Resolution of Intent”), wherein the Governing Body found, determined, and adjudicated that it is necessary that the Bonds of the Municipality be issued in the amount and for the purpose aforesaid, declared its intention to issue the Bonds, and fixed 5:00 p.m. on May 16, 2023, as the date and hour on which it proposed to authorize the issuance of the Bonds, on or prior to which date and hour any protests to be made against the issuance of such Bonds were required to be filed.

5. As required by law and as directed by the Resolution of Intent, the Resolution of Intent was published once a week for at least 3 consecutive weeks in the *Tate Record*, a newspaper published in and having a general circulation in the Municipality, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, the 1st publication having been made not less than 21 days prior to May 16, 2023, and the last publication having been made not more than 7 days prior to May 16, 2023, said Resolution of Intent having been published in the *Tate Record* on April 19, 2023, April 26, 2023, May 3, 2023, and May 10, 2023, as evidenced by the publisher's affidavit, attached hereto as **Attachment B**.

6. The Governing Body finds, determines, and adjudicates that on or prior to May 16, 2023, at 5:00 p.m., the aforesaid hour and date set for the receipt of protests, no written protest or other objection of any kind or character against the issuance of the Bonds described in the Resolution of Intent had been filed or presented by qualified electors of the Municipality.

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

8. The assessed value of all property within the Municipality, according to the last completed assessment for taxation, is \$82,179,991; the Municipality has outstanding bonded indebtedness subject to the 15% debt limit prescribed by the Municipal Improvements Act in the amount of \$9,240,000, and outstanding bonded and floating indebtedness subject to the 20% debt limit prescribed by the Municipal Improvements Act (which amount includes the sum set forth above subject to the 15% debt limit), in the amount of \$9,240,000; the issuance of the Bonds hereinafter proposed to be issued, when added to the outstanding bonded indebtedness of the Municipality, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid 15% debt limit, of more than 15% of the assessed value of taxable property within the Municipality, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid 20% debt limit, in excess of 20% of the assessed value of taxable property within the Municipality and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the Municipality.

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

10. It is advisable and in the public interest to authorize the Mayor to arrange for a Bond Insurance Policy in the event that said officer determines that any such Bond Insurance Policy is in the best interests of the Municipality. The Governing Body should authorize the obtaining of such Bond Insurance Policy and the distribution or execution of any legal or financial documents necessary or appropriate for such purpose pertaining to any such Bond Insurance Policy by the Mayor if such officer or officer determines any such Bond Insurance Policy to be in the best interest of the Municipality. It is understood that the Bond Insurance Policy will be purchased at the sole expense of the prospective bidders for the Bonds and the Purchaser for the Bonds, to be hereafter designated by the Governing Body.

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

12. The Bonds are not “private activity bonds” as such term is defined in Section 141 of the Code and the Governing Body does not reasonably anticipate that the Municipality or any other subordinate entities thereof will issue more than \$10,000,000 of “qualified tax-exempt obligations” (other than “private activity bonds”) in calendar year 2023.

13. It is necessary to designate the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code.

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

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

16. It is now necessary to direct the issuance of and offer for sale the Bonds, in the principal amount of \$1,800,000 out of the authorized maximum principal amount of \$1,800,000.

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SENATOBIA, MISSISSIPPI, AS FOLLOWS:

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

SECTION 2. Amount; Purpose. The Bonds are hereby authorized and ordered to be prepared and issued in the principal amount of \$1,800,000 to provide funds for the Authorized Purposes as authorized by the Act.

SECTION 3. (a) Payments. Payments of interest on the Bonds will be made to the Record Date Registered Owner, and payments of principal will be made upon presentation and surrender thereof at the principal office of the Paying Agent to the Record Date Registered Owner in lawful money of the United States of America. Interest will be paid on the principal amount of each Bond from the date of such Bond or from the most recent interest payment date to which interest has been paid at the rate of interest per annum set forth therein.

(b) Bond Details. The Bonds will be registered as to both principal and interest; will be dated the date of delivery thereof; will be issued in the denomination and in the integral multiples thereof up to the amount of a single maturity, as set forth in the Notice and by further order of the Governing Body; will be numbered from one upward in the order of issuance; will bear interest from the date thereof at the rate or rates as set forth in the Notice and specified by further order of the Governing Body, payable semiannually on the dates as set forth in the Notice and by further order of the Governing Body; and will mature and become due and payable, with option of prior payment, as set forth in the Notice and by further order of the Governing Body, on the principal payment dates and in the principal payment amounts set forth in the Notice.

(c) Prior Redemption. The Bonds will be subject to redemption prior to their respective maturities at the election of the Municipality on and after the date set forth in the Notice and by further order of the Governing Body, either in whole or in part on any date, with the maturities and principal amounts thereof to be determined by the Municipality, at the principal amount thereof together with accrued interest to the date fixed for redemption. Notice of each such redemption shall be mailed, postage prepaid, not less than 30 days prior to the redemption

date, to all Registered Owners of the Bonds to be redeemed at their addresses as they appear on the registration books of the Municipality kept by the Paying Agent.

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

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

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

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

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

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

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

(f) Bond Certificates. Certificates, blank as to denomination, rate of interest, date of maturity, and CUSIP number (if any), and sufficient in quantity in the judgment of the Municipality to meet the reasonable transfer and reissuance needs for the Bonds, may be printed and delivered to the Paying Agent in generally-accepted format, and held by the Paying Agent until needed for transfer or reissuance, whereupon the Paying Agent will imprint the appropriate information as to denomination, rate of interest, date of maturity, and CUSIP number (if any) prior to the registration, authentication and delivery thereof to the transferee holder. The Paying Agent

is hereby authorized upon the approval of the Governing Body to have printed from time to time as necessary additional certificates bearing the manual or facsimile seal of the Municipality and manual or facsimile signatures of the persons who were the officials of the Governing Body as of the date of original issue of the Bonds.

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

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

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

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

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

(3) In the event of a change of Paying Agents, the predecessor Paying Agent will cease to be custodian of any funds held pursuant to this Bond Resolution in connection with

its role as such Paying Agent, and the successor Paying Agent will become such custodian; provided, however, that before any such delivery is required to be made, all fees, advances, and expenses of the retiring or removed Paying Agent will be fully paid. Every predecessor Paying Agent will deliver to its successor Paying Agent all records of account, registration records, lists of Registered Owners and all other records, documents and instruments relating to its duties as such Paying Agent.

(4) Any successor Paying Agent appointed under the provisions hereof will be a bank, trust company or national banking association having Federal Deposit Insurance Corporation insurance of its accounts, duly authorized to exercise corporate trust powers and subject to examination by and in good standing with the federal and/or state regulatory authorities under the jurisdiction of which it falls.

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

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

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

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

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

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

UNITED STATES OF AMERICA
STATE OF MISSISSIPPI
CITY OF SENATOBIA, MISSISSIPPI
\$1,800,000 GENERAL OBLIGATION PARKS AND RECREATION IMPROVEMENTS
BONDS, SERIES 2023

No. R-_____ \$ _____
Rate of Interest Maturity Dated Date CUSIP
_____% _____, 20__ _____, 20__
Registered Owner:
Principal Amount: _____ DOLLARS

The Mayor and Board of Aldermen of the City of Senatobia, Mississippi (the "Governing Body" of the "Municipality"), a body politic existing under the Constitution and laws of the State of Mississippi (the "State"), acknowledges itself to owe and for value received, promises to pay in lawful money of the United States of America to the Registered Owner identified above, on the maturity date stated above, upon the presentation and surrender of this bond, at the principal office of _____, _____, _____, or its successor, as paying agent (the "Paying Agent") for the \$1,800,000 General Obligation Parks and Recreation Improvements Bonds, Series 2023, of the Municipality (the "Bonds"), on the maturity date identified above, the principal amount identified above. Payment of the principal amount of this Bond will be made to the Registered Owner hereof whose name will appear in the registration records of the Municipality maintained by the Paying Agent, which will also serve as registrar and transfer agent for the Bonds, as of the 15th day of the calendar month preceding the maturity date hereof.

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

All capitalized terms not otherwise defined herein will have the meaning set forth in the resolutions authorizing and directing the issuance of the Bonds adopted by the Governing Body on April 4, 2023, and May 16, 2023 (together, the "Bond Resolution").

Payments of principal of and interest on this Bond will be made by check or draft delivered directly to or mailed on the date on which interest or principal and interest will be due and payable (or, with respect to principal, such later date on which any Bond will be presented and surrendered for payment as provided herein) to such Registered Owner at his address as it appears on such registration records. The Registered Owner hereof may change such address by written notice to the Paying Agent by certified mail, return receipt requested, or such other method as may be

subsequently prescribed by the Paying Agent, such notice to be received by the Paying Agent not later than the 15th day of the calendar month preceding the applicable principal or interest payment date.

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

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to denomination, number, rate of interest and date of maturity, issued in the aggregate authorized principal amount of \$1,800,000, out of an authorized amount of \$1,800,000, to provide funds for the purpose of erecting municipal buildings, auditoriums, community centers, gymnasiums, and athletic stadiums, preparing and equipping athletic fields, and purchasing buildings or land therefor, and for repairing, improving, adorning, and equipping the same; erecting or purchasing waterworks, gas, electric, and other public utility plants or distribution systems or franchises, and repairing, improving, and extending the same; establishing sanitary, storm, drainage, or sewerage systems, and repairing, improving, and extending the same; protecting the Municipality, its streets, and sidewalks from overflow, caving banks, and other like dangers; constructing, improving, or paving streets, sidewalks, driveways, parkways, walkways, or public parking facilities, and purchasing land therefor; purchasing land for parks and public playgrounds, and improving, equipping, and adorning the same, including the constructing, repairing, and equipping of swimming pools and other recreational facilities; constructing bridges and culverts; altering or changing the channels of streams and water courses to control, deflect, or guide the current thereof; purchasing fire-fighting equipment and apparatus, and providing housing for same, and purchasing land therefor; purchasing machinery and equipment which have an expected useful life in excess of 10 years (the "General Municipal Improvements Authorized Purpose") and providing funds for the development of parks and recreation and tourism in the Municipality and for related purposes as authorized by the Authority Act (the "Special Tax Authorized Purpose") (together, the "Authorized Purposes").

This Bond is issued under the authority of the Constitution and statutes of the State, House Bill 1504, as approved by the Legislature of the State (the "Legislature") in its Regular Session 2014 and signed by the Governor (the "Governor") of the State on March 21, 2014, House Bill No. 1473, as approved by the Legislature in its Regular Session 2017 and signed by the Governor on March 29, 2017, House Bill No. 1483, as approved by the Legislature in its Regular Session 2021 and signed by the Governor on April 14, 2021 (together, the "Authority Act"), Section 17-1-3 Mississippi Code of 1972, as amended, Sections 55-9-1 *et seq.*, Mississippi Code of 1972, as amended, Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended (the "Municipal Improvements Act") (together, the "Act"), and by the further authority of proceedings duly had by the Governing Body, including the Bond Resolution.

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

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

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

The Bonds shall be general obligations of the Municipality payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to rate or amount upon all the taxable property within the geographical limits of the Municipality. To the extent other moneys are not available, the Municipality will levy annually a direct and continuing tax upon all taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, will be adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due; provided, however, that such tax levy for any year shall be abated *pro tanto* to the extent the Municipality on or prior to September 1 of that year has transferred money to the Parks and Recreation Bond Fund, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds due during the ensuing fiscal year of the Municipality, in accordance with the provisions of the Bond Resolution. Provided, however, any other funds available to the Municipality which may be lawfully used for payment of the principal of, premium, if any, and interest on the Bonds, and which the Governing Body, in its discretion, may direct to be deposited into the Parks and Recreation Bond Fund, including, but not limited to, the 2% tax upon the gross proceeds of room rentals for hotels and motels within the Municipality and a 2% tax upon the gross proceeds of restaurant sales within the Municipality (the "Special Sales Tax"), pursuant to the Act, may be used for the payment of the principal and interest due on the Bonds. Should there be a failure in any year to comply with these requirements, such failure will not impair the right of the Registered Owners of any of the Bonds in any subsequent year to have adequate taxes levied and collected to meet the obligations of the Bonds, both as to principal and interest.

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

IT IS HEREBY CERTIFIED, RECITED, AND REPRESENTED that all conditions, acts, and things required by law to exist, to have happened, and to have been performed precedent to and in the issuance of the Bonds, in order to make the same legal and binding general obligations of the Municipality, according to the terms thereof, do exist, have happened and have been

performed in regular and due time, form, and manner as required by law. For the performance in apt time and manner of every official act herein required, and for the prompt payment of this Bond, both principal and interest, the full faith and credit of the Municipality are hereby irrevocably pledged.

IN WITNESS WHEREOF, the Municipality has caused this Bond to be executed in its name by the manual or facsimile signature of the Mayor of the Municipality, countersigned by the manual or facsimile signature of the City Clerk of the Municipality, under the manual or facsimile seal of the Municipality, which said facsimile signatures of said officials adopt as and for their own proper signatures, all as of _____, 20__.

City of Senatobia, Mississippi

Mayor

Countersigned:

City Clerk

(seal)

REGISTRATION AND VALIDATION CERTIFICATE

I, the undersigned City Clerk of the City of Senatobia, Mississippi, do hereby certify that the within Bond has been duly registered by me as an obligation of said Municipality pursuant to law in a book kept in my office for that purpose, and has been validated and confirmed by Validation Judgment of the Chancery Court of Tate County, Mississippi, rendered on _____, 20__.

City of Senatobia, Mississippi

(seal)

City Clerk

CERTIFICATE OF REGISTRATION AND AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned Bond Resolution and is one of the \$1,800,000 General Obligation Parks and Recreation Improvements Bonds, Series 2023, of the City of Senatobia, Mississippi.

_____, _____, _____,
as Paying Agent

Authorized Signatory

Date of Registration and Authentication: _____

ASSIGNMENT

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

(Name and Address of Assignee)

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

Signature guaranteed:

(Bank, Trust Company or Paying Agent)

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

(Authorized Signatory)

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

Date of Assignment: _____

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

[END OF BOND FORM]

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

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

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

SECTION 10. (a) Initial Registration. In the event the Purchaser will fail to designate the names, addresses, and social security or tax identification numbers of the Registered Owners of the Bonds within 30 days of the date of sale, or at such other later date as may be designated by the Municipality, 1 Bond registered in the name of the Purchaser may be issued in the full amount for each maturity. Ownership of the Bonds will be in the Purchaser until the initial Registered Owner has made timely payment and, upon request of the Purchaser within a reasonable time of the initial delivery of the Bonds, the Paying Agent will re-register any such Bond upon its records in the name of the Registered Owner to be designated by the Purchaser in the event timely payment has not been made by the initial Registered Owner.

(b) Registered Owner as Owner. Except as hereinabove provided, the Person in whose name any Bond will be registered in the records of the Municipality maintained by the Paying Agent may be deemed the absolute owner thereof for all purposes, and payment of or on account of the principal of or interest on any Bond will be made only to or upon the order of the

Registered Owner thereof, or his legal representative, but such registration may be changed as hereinafter provided. All such payments will be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

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

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

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

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

- (1) The accrued interest, if any, received upon delivery of the Bonds;
- (2) The avails of the Special Sales Tax collected pursuant to the Authority Act;
- (3) The avails of any of the ad valorem taxes levied and collected pursuant to Section 8 hereof;
- (4) Any income received from investment of moneys in the Parks and Recreation Bond Fund; and
- (5) Any other funds available to the Municipality which may be lawfully used for payment of the principal of and interest on the Bonds, and which the Governing Body, in its discretion, may direct to be deposited into the Parks and Recreation Bond Fund.

(b) Payments by City Clerk. As long as any principal of and interest on the Bonds remains outstanding, the City Clerk is hereby irrevocably authorized and directed to withdraw from the Parks and Recreation Bond Fund sufficient moneys to make the payments herein provided for and to transfer same to the account of the Paying Agent in time to reach said

Paying Agent prior to the date on which said interest or principal and interest shall become due, and in accordance with any statutory requirements.

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

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

SECTION 14. (a) Payments of Principal. Payment of principal on the Bonds will be made, upon presentation and surrender of the Bonds at the principal office of the Paying Agent, to the Record Date Registered Owner thereof whose name will appear in the registration records of the Municipality maintained by the Paying Agent as of the Record Date.

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

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

SECTION 15. Validation. The Bonds shall be submitted to validation as provided by Sections 31-13-1 *et seq.*, Mississippi Code of 1972, as amended, and to that end the City Clerk is hereby directed to make up a transcript of all legal papers and proceedings relating to the Bonds and to certify and forward the same to the State Bond Attorney for the institution of validation proceedings.

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

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

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

Nothing in this Bond Resolution will, however, affect or impair the right of any Bondholder to enforce the payment of the principal of and interest on any Bond at and after the maturity thereof, or the obligation of the Municipality to pay the principal of and interest on each of the Bonds issued hereunder to the respective Bondholders thereof at the time and place and in the manner in expressed in the Bonds.

SECTION 18. Preliminary Official Statement. The Governing Body hereby approves the Preliminary Official Statement pertaining to the sale of the Bonds, and the distribution of said

Preliminary Official Statement is hereby authorized in substantially the form attached hereto, as **Attachment C**.

SECTION 19. Official Statement.

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

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

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

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

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

SECTION 22. Notice of Bond Sale: Publication and Form. As required by Section 31-19-25, Mississippi Code of 1972, as amended, the City Clerk is hereby authorized and directed to give the Notice by publishing an advertisement at least 2 times in the *Tate Record*, a newspaper published in and having a general circulation in the Municipality, the first publication thereof to be made at least 10 days preceding the date fixed herein for the receipt of bids. The Notice will be in substantially the following form:

NOTICE OF BOND SALE

**\$1,800,000 GENERAL OBLIGATION PARKS AND RECREATION IMPROVEMENTS
BONDS, SERIES 2023
CITY OF SENATOBIA, MISSISSIPPI**

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of the City of Senatobia, Mississippi (the "Governing Body" of the "Municipality") will receive bids, which may be in electronic form, for the purchase in its entirety, at not less than par and accrued interest to the date of delivery thereof, of an issue of \$1,800,000 General Obligation Parks and Recreation Improvements Bonds, Series 2023, of the Municipality (the "Bonds") on _____, _____, 20__, until the hour of _____. The City Clerk will act on behalf of the Governing Body to receive bids at the aforesaid date, time, and place. Immediately following said time on said date, said bids will be publicly opened and read, for consideration by the Governing Body at their regular meeting at 5:00 p.m. on _____, _____, 20__. All bids will remain firm for 4 hours after the time specified for the opening of bids, and an award of the Bonds, or rejection of bids, will be made by the Governing Body within said period of time.

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

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

<u>YEAR</u>	<u>AMOUNT</u>
20	\$
20	\$
20	\$
20	\$
20	\$
20	\$
20	\$
20	\$
20	\$
20	\$

REDEMPTION: Bonds maturing after _____, 20__, are subject to redemption prior to their respective maturities at the election of the Municipality on and after _____, 20__.

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

AUTHORITY AND SECURITY: The Bonds will be issued pursuant to the provisions of House Bill 1504, as approved by the Legislature of the State of Mississippi (the "Legislature" of the "State") in its Regular Session 2014 and signed by the Governor (the "Governor") of the State on March 21, 2014, House Bill No. 1473, as approved by the Legislature in its Regular Session 2017 and signed by the Governor on March 29, 2017, House Bill No. 1483, as approved by the Legislature in its Regular Session 2021 and signed by the Governor on April 14, 2021 (together, the "Authority Act"), Section 17-1-3 Mississippi Code of 1972, as amended, Sections 55-9-1 *et seq.*, Mississippi Code of 1972, as amended, Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended (the "Municipal Improvements Act"), and other applicable laws of the State (together, the "Act"), and the resolutions authorizing and directing the issuance of the Bonds adopted by the Governing Body on April 4, 2023, and May 16, 2023 (together, the "Bond Resolution"). The Bonds shall be general obligations of the Municipality payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to rate or amount upon all the taxable property within the geographical limits of the Municipality. To the extent other moneys are not available, the Municipality will levy annually a direct and continuing tax upon all taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, will be adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due; provided, however, that such tax levy for any year shall be abated *pro tanto* to the extent the Municipality on or prior to September 1 of that year has transferred money to the Parks and Recreation Bond Fund, as defined in the Bond Resolution, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds due during the ensuing fiscal year of the Municipality, in accordance with the provisions of the Bond Resolution. Provided, however, any other funds available to the Municipality which may be lawfully used for payment of the principal of, premium, if any, and interest on the Bonds, and which the Governing Body, in its discretion, may direct to be deposited into the Parks and Recreation Bond Fund, including, but not limited to, the 2% tax upon the gross proceeds of room rentals for hotels and motels within the Municipality and a 2% tax upon the gross proceeds of restaurant sales within the Municipality (the "Special Sales Tax"), pursuant to the Act, may be used for the payment of the principal and interest due on the Bonds. Should there be a failure in any year to comply with these requirements, such failure will not impair the right of the Registered Owners of any of the Bonds in any subsequent year to have adequate taxes levied and collected to meet the obligations of the Bonds, both as to principal and interest.

PURPOSE: The Bonds are being issued to provide funds for the purpose of erecting municipal buildings, auditoriums, community centers, gymnasiums, and athletic stadiums, preparing and equipping athletic fields, and purchasing buildings or land therefor, and for repairing, improving, adorning, and equipping the same; erecting or purchasing waterworks, gas, electric, and other public utility plants or distribution systems or franchises, and repairing, improving, and extending the same; establishing sanitary, storm, drainage, or sewerage systems,

and repairing, improving, and extending the same; protecting the Municipality, its streets, and sidewalks from overflow, caving banks, and other like dangers; constructing, improving, or paving streets, sidewalks, driveways, parkways, walkways, or public parking facilities, and purchasing land therefor; purchasing land for parks and public playgrounds, and improving, equipping, and adorning the same, including the constructing, repairing, and equipping of swimming pools and other recreational facilities; constructing bridges and culverts; altering or changing the channels of streams and water courses to control, deflect, or guide the current thereof; purchasing fire-fighting equipment and apparatus, and providing housing for same, and purchasing land therefor; purchasing machinery and equipment which have an expected useful life in excess of 10 years (the “General Municipal Improvements Authorized Purpose”) and providing funds for the development of parks and recreation and tourism in the Municipality and for related purposes as authorized by the Authority Act (the “Special Tax Authorized Purpose”) (together, the “Authorized Purposes”).

FORM OF BIDS: Bids should be addressed to the Governing Body and should be plainly marked “Bid for \$1,800,000 General Obligation Parks and Recreation Improvements Bonds, Series 2023, of the City of Senatobia, Mississippi.” All bids should be submitted in substantially the form prepared by the Municipality as the Official Bid Form. A copy of the Official Bid Form may be obtained from the City Clerk of the Municipality at kharbin@cityofsenatobiams.gov, from Government Consultants, Inc., Madison, Mississippi (the “Municipal Advisor”), at nschorr@gc-ms.net, or from Watkins & Eager PLLC, Jackson, Mississippi (“Bond Counsel”) at bdavis@watkinseager.com. All bids submitted in electronic form should be delivered via email to the Municipal Advisor at nschorr@gc-ms.net and/or to the City Clerk of the Municipality at kharbin@cityofsenatobiams.gov. All bids not in electronic form should be sealed and delivered to the City Clerk at her office in the City Hall located at 133 North Front Street in the Municipality.

INTEREST RATE AND BID RESTRICTIONS: The Bonds will not bear a greater overall maximum interest rate to maturity than 11% per annum, nor will the interest rate for any one maturity exceed 11% per annum. No Bond will bear more than 1 rate of interest; each Bond will bear interest from its date to its stated maturity date at the interest rate specified in the bid; all Bonds of the same maturity will bear the same rate of interest from date to maturity; and the lowest interest rate specified will not be less than 70% of the highest interest rate specified. Each interest rate specified in any bid must be a multiple of 1/8th of 1% or 1/10th of 1% and a 0% rate of interest cannot be named.

GOOD FAITH DEPOSIT: Each bid must be accompanied by a cashier's check, certified check, or exchange, issued or certified by a bank located in the State of Mississippi, payable to the “Mayor and Board of Aldermen of the City of Senatobia, Mississippi,” in the amount of \$36,000 as a guaranty that the bidder will carry out its contract and purchase the Bonds if its bid be accepted. All checks of unsuccessful bidders will be returned immediately on award of the Bonds. If the successful bidder fails to purchase the Bonds pursuant to its bid and contract, then the amount of such good faith check will be retained by the Municipality as liquidated damages for such failure. No interest will be allowed on the amount of the good faith deposit.

DTC BOOK-ENTRY: Unless specifically declined by the purchaser, the Bonds are being initially offered as registered in the name of Cede & Co., as Registered Owner and nominee for The Depository Trust Company, New York, New York (“DTC”) under DTC’s Book-entry system of registration. Purchasers of interests in the Bonds (the “Beneficial Owners”) will not receive

physical delivery of bond certificates and ownership by the Beneficial Owners of the Bonds will be evidenced by book-entry. As long as Cede & Co. is the Registered Owner of the Bonds as nominee of DTC, payments of principal and interest will be made directly to such Registered Owner which will in turn remit such payments to the DTC participants for subsequent disbursement to the Beneficial Owners.

AWARD OF BONDS: The award, if any, will be made to the bidder complying with the terms of sale and offering to purchase the Bonds at the lowest net interest cost to the Municipality, which will be determined by computing the aggregate interest on the Bonds over the life of the issue at the rate or rates of interest specified by the bidder, less premium offered, if any. It is requested that each bid be accompanied by a statement of the net interest cost (computed to 6 decimal places), but such statement will not be considered a part of the bid. All bids will remain firm for 4 hours after the time specified for the opening of bids, and an award of the Bonds, or rejection of bids, will be made by the Governing Body within said period of time.

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

PAYING AGENT, TRANSFER AGENT, AND REGISTRAR: The successful bidder may designate a bank or trust company located within the State to serve as paying agent (the "Paying Agent") for the Bonds within 48 hours of the date of sale of the Bonds, subject to the approval of the Governing Body. The Governing Body's approval of the Paying Agent shall be contingent on a determination as to the willingness and ability of the Paying Agent to perform the duties of registrar and transfer agent and on the satisfactory negotiation of service fees. The Paying Agent shall be subject to change by order of the Governing Body under the conditions and in the manner provided in the Bond Resolution under which the Bonds are issued. Both principal of and interest on the Bonds will be payable by check or draft mailed to Registered Owners of the Bonds as of the 15th day of the month preceding the maturity date for such principal or interest payment at the addresses appearing in the registration records of the Municipality maintained by the Paying Agent. The Bonds will be transferable only upon the books of the Paying Agent, and payment of principal at maturity shall be conditioned on the proper presentation and surrender of the Bonds to the Paying Agent.

DELIVERY: The successful bidder must designate within 30 days of the date of sale, or at such other later date as may be designated by the Governing Body, the names and addresses of the Registered Owners of the Bonds and the denominations in which the Bonds of each maturity are to be issued. If the successful bidder fails to submit such information within the required time, one Bond may be issued for each maturity in the full amount maturing on that date registered in the name of the successful bidder. The Bonds will be delivered at a place to be designated by the

purchaser and without cost to the purchaser, and payment therefor will be made in immediately available funds.

CUSIP NUMBERS: Unless specifically declined by the purchaser, it is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any bond nor any error with respect thereto will constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the Bonds will be paid by the Municipality; the CUSIP Service Bureau charge for the assignment of said numbers will be the responsibility of and will be paid for by the purchaser.

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

BONDS AS “QUALIFIED TAX-EXEMPT OBLIGATIONS”: The Municipality has designated the Bonds as “qualified tax-exempt obligations” within the meaning and for purposes of Section 265(b)(3) of the Code.

FURTHER INFORMATION: The Municipality has prepared a Preliminary Official Statement which it deems, for purposes of S.E.C. Rule 15(c)2-12, to be final and complete as of this date except for the omission of the offering prices, interest rates, and any other terms of the Bonds depending on such matters, and the identity of the underwriters, subject to revision, amendment and completion in a final Official Statement. By submission of its bid, the successful bidder will be deemed to have certified that it has obtained and reviewed the Preliminary Official Statement. Upon the award of the Bonds, the Municipality will publish an Official Statement in substantially the same form as the Preliminary Official Statement, subject to minor additions, deletions, and revisions as required to complete the Preliminary Official Statement.

ISSUE PRICE: The successful bidder shall assist the Municipality in establishing the issue price of the Bonds and shall execute and deliver to the Municipality at the closing for the Bonds an “issue price” or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, in a form reasonably required by the Municipality and Bond Counsel. The Municipality intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the “competitive sale requirements”) because: (a) the Municipality shall disseminate this Notice to potential underwriters in a manner that is reasonably designed to reach potential underwriters; (b) all bidders shall have an equal opportunity to bid; (c) the Municipality may receive bids from at least three underwriters of municipal bonds who

have established industry reputations for underwriting new issuances of municipal bonds; and (d) the Municipality anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice. Any bid submitted pursuant to this Notice shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. In the event that the competitive sale requirements are not satisfied, the Municipality shall so advise the winning bidder. The Municipality shall treat the first price at which 10% of a maturity of the Bonds (the “10% test”) is sold to the public as the issue price on that maturity applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The winning bidder shall advise the Municipality if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The Municipality will not require bidders to comply with the “hold-the-offering-price rule” and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds. If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the Municipality the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing of the Bonds has occurred, until the 10% test has been satisfied as to the Bonds of that maturity or until all Bonds of that maturity have been sold. By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires. Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice. Further, for purposes of this Notice: (a) “public” means any person other than an underwriter or a related party, (b) “underwriter” means (A) any person that agrees pursuant to a written contract with the Municipality (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail

distribution agreement participating in the initial sale of the Bonds to the public), (c) a purchaser of any of the Bonds is a “related party” to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or Interests by one entity of the other), and (d) “sale date” means the date that the Bonds are awarded by the Municipality to the winning bidder.

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

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

By order of the Mayor and Board of Aldermen of the City of Senatobia, Mississippi, on May 16, 2023.

City of Senatobia, Mississippi

City Clerk

(seal)

Publication Instructions:
Tate Record
_____, 20 __, and _____, 20 __

[END OF FORM OF NOTICE]

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

SECTION 24. Continuing Disclosure. The Municipality hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement.

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

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

With respect to Bonds registered in the Bond Register in the name of Cede & Co., as nominee of DTC, the Municipality and the Paying Agent will have no responsibility or obligation to any participant for whom DTC is a security depository nominee (“DTC participants”) or to any Person on behalf of whom such a DTC participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the Municipality and the Paying Agent will have no responsibility or obligation with respect to (a) the accuracy of the records of DTC, Cede & Co. or any DTC participant with respect to any ownership interest in the Bonds, (b) the delivery to any DTC participant or any other Person, other than a Registered Owner, as shown in the Bond Register, of any notice with respect to the Bonds, including any notice of redemption, or (c) the payment to any DTC participant or any other Person, other than a Registered Owner, as shown in the Bond Register, of any amount with respect to principal of, premium, if any, or interest on the Bonds. Notwithstanding any other provision of this Bond Resolution to the contrary, the Municipality and the Paying Agent will be entitled to treat and consider the Person in whose name each Bond is registered in the Bond Register as the absolute owner of such Bond for the purpose of payment of principal, premium, if any, and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent, will pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Registered Owners, as shown in the Bond Register as provided in this Bond Resolution, or their respective attorneys duly authorized in writing, and all such payments will be valid and effective to fully satisfy and discharge the Municipality's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the Bond Register, will receive a Bond certificate evidencing the obligation of the Municipality to make payments of principal, premium, if any, and interest pursuant to this Bond Resolution. Upon delivery by DTC to the Paying Agent of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Bond Resolution with respect to interest checks or drafts being mailed to the Registered Owner at the close of business on the Record Date, the words “Cede & Co.” in this Bond Resolution will refer to such new nominees of DTC.

SECTION 26. Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Municipality and the Paying Agent determine that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter or that it is in

the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the Municipality and the Paying Agent will (a) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC participants of the appointment of such successor securities depository and transfer one or more separate Bond certificates to such successor securities depository or (b) notify DTC and DTC participants of the availability through DTC of Bond certificates and transfer one or more separate Bond certificates to DTC participants having Bonds credited to their DTC accounts. In such event, the Bonds will no longer be restricted to being registered in the Bond Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Registered Owners transferring or exchanging Bonds will designate, in accordance with the provisions of this Bond Resolution.

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

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

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

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

with respect to certain actions which will assure compliance with the covenants set forth above, in which event the Municipality will thereafter comply with all such alternative instructions.

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

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

(e) The Mayor and/or the City Clerk are hereby authorized to execute a “non-arbitrage and federal tax certificate” in connection with the sale and delivery of the Bonds, setting forth the reasonable expectations of the Municipality with respect to the investment and use of proceeds of the Bonds and also setting forth certain covenants, stipulations, and certifications with respect to the investment and expenditures of the proceeds of the Bonds, and the Municipality will comply with all certifications, stipulations, and covenants set forth in such certificate. In addition, such officials are authorized to make such elections on behalf of the Municipality as are necessary or appropriate under the Code or the Subsection 148(f) Regulations.

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

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

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

(d) None of the Bond proceeds will be used for any private business use (within the meaning of Section 141 of the Code) which is not related to the governmental use (within the meaning of Section 141 of the Code) of such Bond proceeds.

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

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

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

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

(i) The Municipality covenants and certifies that no payment of principal of or interest on the Bonds is or will be guaranteed (in whole or in part, directly or indirectly) by the United States of America, or any agency or instrumentality thereof or any entity with statutory authority to borrow from the United States of America. The Municipality represents, warrants, and covenants that none of the bond proceeds will be: (1) used to make loans, the payment of principal of or interest on which is or will be guaranteed (in whole or in part, directly or indirectly) by the United States of America or any agency or instrumentality thereof or any entity with statutory authority to borrow from the United States of America; or (2) invested (directly or indirectly) in any deposit or account which is insured under federal law by the Federal Deposit Insurance Corporation, the National Credit Union Administration or any similar federally chartered corporation other than: (A) the investment of the bond proceeds for an initial temporary period (within the meaning of subparagraph 3(B) of Subsection 149(b) of the Code) until such proceeds are needed for the purpose for which the Bonds are being issued; (B) investments of a bona fide debt service fund (within the meaning of Subparagraph 3(B) of Subsection 149(b) of the Code); (C) investments of a reserve which meets the requirements of Subsection 148(d) of the Code; (D) investments in bonds issued by the Treasury of the United States of America; or (E) other investments permitted under regulations promulgated by the Internal Revenue Service pursuant to Subsection 149(b) of the Code.

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

SECTION 30. When Computations, Deposits, or Rebate Payments Are Not Required. In the event it is determined the Bonds do not meet the requirements of paragraph (4) of Subsection 148(f), but in the event the Municipality receives an opinion of “nationally-recognized bond

counsel” to the effect that any of the computations, deposits, or payments referenced herein are not required to be made in order to maintain the tax-exempt status of interest on the Bonds, the Municipality need not make such computations, deposits, or payments.

SECTION 31. Bonds as “Qualified Tax-Exempt Obligations”. The Bonds are hereby designated as a portion of the \$10,000,000 of “qualified tax-exempt obligations” for calendar year 2023 within the meaning and for the purposes of Section 265(b)(3) of the Code.

SECTION 32. Covenant Regarding Hedge Bonds. The Municipality reasonably expects that not less than 85% of the spendable proceeds of the Bonds will be used to carry out the governmental purposes of the Bonds within a three-year period beginning on the date of issuance of the Bonds. No more than 50% of the proceeds of the Bonds will be invested in non-purpose investments (as defined in Section 148(f)(6)(A) of the Code) having a substantially guaranteed yield for four years or more.

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

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

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

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

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

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

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

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

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

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

SECTION 37. Bond Insurance. The Mayor is hereby authorized within his discretion to arrange for an “Insurance Policy Commitment” from a Bond Insurer for a Bond Insurance Policy. The fees and expenses of said Insurance Policy Commitment and Bond Insurance Policy shall be paid for by prospective bidders for the Bonds and the Purchaser of the Bonds. The Mayor is further authorized to execute and deliver the Insurance Policy Commitment for the provision of the Bond Insurance Policy and any additional documents and certificates which are required by the Bond Insurer to provide credit enhancement in connection with the issuance of the Bonds. Any reasonable changes, insertions, and omissions, as may be required by the Bond Insurer as conditions to the issuance of its Bond Insurance Policy, to any documents are to be approved by the Mayor, such approval being hereby authorized and the execution of the Insurance Policy Commitment for said Bond Insurance Policy being conclusive evidence of such approval. In anticipation of the issuance of the Insurance Policy Commitment by the Bond Insurer for its Bond Insurance Policy, the Municipality hereby approves (1) the engagement of the Bond Insurer and (2) the references to said Bond Insurer, the Bond Insurance Policy, and the documents related to the issuance of the Bonds in all documents associated therewith and the deletion of said references if the Bond Insurer should not provide the Insurance Policy Commitment for its Bond Insurance Policy.

SECTION 38. Repealer; Effective Date. All orders, resolutions, or proceedings of the Governing Body in conflict with any provision hereof will be, and the same are hereby repealed, rescinded, and set aside, but only to the extent of such conflict. For cause, this Bond Resolution will become effective upon the adoption hereof.

Following the reading of the foregoing resolution and discussion thereof, Alderman Dear made the motion to adopt the foregoing resolution and Alderman Moore seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

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

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this day, May 16, 2023.

City of Senatobia, Mississippi

Mayor

City Clerk

(seal)

Attachment A

Post Issuance Compliance Procedures

Attachment B

Proof of Publication

Tate Record

April 19, 2023; April 26, 2023; May 3, 2023; May 10, 2023

Attachment C

Preliminary Official Statement

Motion was made by Alderman Dear, seconded by Alderman Moore, to approve the Resolution of the Mayor and Board of Aldermen of the City of Senatobia, Mississippi, Authorizing and Directing the Issuance of General Obligation Parks and Recreation Improvement Bonds, Series 2023, of the City of Senatobia, Mississippi, in the Principal amount of \$1,800,000.00 in one or more Federally Taxable or Tax-Exempt Series, to Provide funds for the authorized purposes described herein; Prescribing the form and incidents of the bonds; Providing for the pledge of Special Sales Tax Revenues and the Levy of Taxers for the payment of bonds; Providing for the sale of the bonds; Making provision for maintaining the tax-exempt status of the bonds; Approving and authorizing the distribution for a preliminary official statement; Authorizing the execution and distribution of an official statement; Authorizing the execution of a continuing disclosure agreement; Acknowledging and authorizing the execution of post issuance compliance procedures; And for related purposes. All present voting yea, motion carried.

Request from Anita Brown for tree removal at 204 W Gilmore

Anita Brown and Jordan Red were present with pictures and quotes.

Motion was made by Alderman Moore, seconded by Alderman Hale, to authorize to pay half of the expense removing two trees located partially on a city right of way by 204 W Gilmore St., using 3T Tree Service who had the lowest and best quote of a total of \$8,500.00 with the city's portion being \$4,250.00. All present voting yea, motion carried.

Appeal from Briley Tomlinson, Burn Permit

Mr. Tomlinson was not present, so no motion was made.

Alderman Moore stated maybe we need to look at revamping the ordinance to add larger private burns.

Discussion of bid results for Artificial Turf at the Sports Park

Mayor Graves advised the Board that the Architect, Sam Henry, recommended we accept the bid from Diamond Design. Mayor Graves stated that he also recommends we accept the bid from Diamond Design, stating that the lowest bidder, Grassland, did not submit a turf sample as required by the bid specifications and also going by past work quality and experience with them. We have had to go back and redo a lot of things that weren't done correctly to begin with.

Motion was made by Alderman Moore, seconded by Alderman Hale, to make the finding that accepting the lowest bid would not be the best option for the city and citizens, noting that; the lowest bidder did not submit a turf sample as required by specifications; noting previous experience with and quality of work from the lowest bidder: being that in 2015 Grassland was a subcontractor for the building of the fields at the Sports Park; In 2019 all of the fields had to have the topcoat material stripped off and replaced with a better product – the material that was originally used caused prolonged saturation and unplayable conditions at times resulting in loss of paly in league and tournament games, costing \$35,400; noting that in 2021 the entire irrigation system installed by Grassland had to be repaired due to poor installation, including over 7,000 feet of wire, 60 solenoid valves, surge protectors, decoders, new control computer, costing \$44,250; noting that between 2020 and 2022 approximately 70 irrigation heads were found to have been installed with improper nozzle size resulting in constant adjusting for underperforming water cycles and irrigation heads requiring to be replaced or relocated due to improper placement during initial construction, costing \$3,500; and also noting that 3 fields have had very poor drainage in the outfield areas; all of these facts were taken into consideration of this decision being made to accept the best bid from Diamond Design for the base bid of fields 1 through 6, contingency, testing, and add alternate for fields 7, 8 and 9 and contingency, for a total of \$2,721,204.48, also authorizing Mayor Graves to sign all necessary documents. All present voting yea, motion carried.

Utility Adjustment Exception (Alderman Moore)

Alderman Moore stated he didn't realize we didn't add an exception for pools when we adopted the utility adjustment policy.

Alderman Simpson stated what about sprinklers, or toilets leaking for a long time.

Motion was made by Alderman Moore, seconded by Alderman Hale, to add an exception for filling up a pool to the utility adjustment policy, of a one-time a year, per customer, adjustment to be based on an average use of the previous three (3) months. A vote was taken with the following results:

Those voting "Yea": Alderman Dear, Alderman Hale and Alderman Moore.

Those voting "Nay": Alderman Tanksley and Alderman Simpson.

Motion carried.

This action was vetoed by Mayor Graves. Proper notification was sent to the Board of Aldermen on May 23, 2023 at 8:45 am.*Utility adjustment policy*

GREG GRAVES <GGRAVES@cityofsenatobiams.gov>

Tue 5/23/2023 8:45 AM

To:

ginger@gingermillerlaw.com <ginger@gingermillerlaw.com>;

KATIE HARBIN <KHARBIN@cityofsenatobiams.gov>;

Amoore@montgomerymartin.com <amoore@montgomerymartin.com>;

BRIAN HALE <BHALE@cityofsenatobiams.gov>;

atanksley.74@gmail.com <atanksley.74@gmail.com>;

Alderman Allen Tanksley <Atanksley74@gmail.com>;

walterkevindear@hotmail.com <walterkevindear@hotmail.com>;

Alderman Larry Simpson <jlsimpson0310@gmail.com>

On March 21st, the Board of Aldermen unanimously approved a utility adjustment policy that allows a one time per year per customer adjustment to their sewer bill due to a leak or filling of a swimming pool with a maximum of \$100 with proper documentation. This action came after several weeks of us discovering what a debacle we had in public works and in billing- people that washed cars claiming to have leaky toilets, frozen pipes, etc. The new policy seemed to be a very reasonable and measured response to a crisis we were experiencing.

On May 16th, the Board of Aldermen, on a 3-2 vote, chose to modify that policy specifically for the benefit of swimming pool owners.

Today, May 23rd, I am using my authority as authorized by Mississippi statute 21-3-15, to veto the May 16th modification to the utility adjustment policy. My objections are as follows:

- 1) A pool is a luxury item with many ongoing associated costs such as chemicals, cleaning, maintenance, and equipment. Water usage should be factored in also.*
- 2) Demographically, it gives the appearance that the city favors the wealthier people.*
- 3) It appears that we modified a unanimous policy over someone complaining. Sincerely,*

Greg Graves

Mayor

City of Senatobia

662-562-4474

No meeting was called by the Board of Aldermen to vote on the veto. According to MS State Statue 21-3-15, the above motion to amend the utility adjustment policy is now void.

Economic Update – Britt Herrin

Mr. Herrin needs executive session.

Consent Agenda

Mayor Graves went over each consent agenda item, numbers 12 - 35, asked if anyone had any questions.

No questions asked.

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

Approve Minutes from the Regular Mayor and Board of Aldermen meeting on May 2, 2023

Motion was made by Alderman Hale, seconded by Alderman Dear, to approve the Minutes from the Regular Mayor and Board of Aldermen Meeting on May 2, 2023. All voting yea, motion carried.

Approve Minutes from the Special Mayor and Board of Aldermen meeting on May 9, 2023

Motion was made by Alderman Hale, seconded by Alderman Dear, to approve the Minutes from the Special Mayor and Board of Aldermen Meeting on May 9, 2023. All voting yea, motion carried.

Approve Docket of Claims numbers: 28813 – 29060 for a total of 1,421,450.09

Motion was made by Alderman Hale, seconded by Alderman Dear, to approve the Docket of Claim numbers 28813 – 29060 for a total of 1,421,450.09. All voting yea, motion carried.

Authorize FLSE/PIO Chantay Rhone to attend the Fire Safety Summit/MAPSE Conference on July 19 – 21, 2023, at the MS Fire Academy in Pearl, MS, also authorize to pay registration and travel expenses

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize FLSE/PIO Chantay Rhone to attend the Fire Safety Summit/MAPSE Conference on July 19 – 21, 2023, at the MS Fire Academy in Pearl, MS, also authorize to pay registration and travel expenses. All voting yea, motion carried.

Authorize Lt. Rushing in the Police Department to attend the ROCIC Conference on September 9 - 13, 2023 in Chattanooga, TN, also authorize to pay registration and travel expenses

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize Lt. Rushing in the Police Department to attend the ROCIC Conference on September 9 - 13, 2023 in Chattanooga, TN, also authorize to pay registration and travel expenses. All voting yea, motion carried.

Authorize the following to attend the 2023 MLEOA Summer Conference training on June 3-9, 2023, in Biloxi, MS, also authorize to pay travel expenses: Police Chief Richard Chandler, K9 Instructor; Will Cunningham, K9 Instructor; Cristian Subia, K9 Training & Certification; Katie Studebaker, K9 Training & Certification; Danny Mathias, K9 Training & Certification; Jonathon Trentham, Drone Pilot School; Assistant Police Chief Matt Defore, Supervision Class Instructor; Stephen Hodges, Supervision 365

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize the following to attend the 2023 MLEOA Summer Conference training on June 3-9, 2023, in Biloxi, MS, also authorize to pay travel expenses: Police Chief Richard Chandler, K9 Instructor; Will Cunningham, K9 Instructor; Cristian Subia, K9 Training & Certification; Katie Studebaker, K9 Training & Certification; Danny Mathias, K9 Training & Certification; Jonathon Trentham, Drone Pilot School; Assistant Police Chief Matt Defore, Supervision Class Instructor; Stephen Hodges, Supervision 365. All voting yea, motion carried.

Authorize Judge Nick Smith to attend the MS Municipal Court Judges 2023 Seminar on May 31- June 2, 2023, in Biloxi, MS, also authorize to pay registration and travel expenses

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize Judge Nick Smith to attend the MS Municipal Court Judges 2023 Seminar on May 31- June 2, 2023, in Biloxi, MS, also authorize to pay registration and travel expenses. All voting yea, motion carried.

Authorize City Attorney Ginger Miller to attend the MS Municipal Attorneys Summer Conference in Biloxi, MS on June 25 – 28, 2023, also authorize to pay registration and travel expenses

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize City Attorney Ginger Miller to attend the MS Municipal Attorneys Summer Conference in Biloxi, MS on June 25 – 28, 2023, also authorize to pay registration and travel expenses. All voting yea, motion carried.

Authorize Dispatcher Lee Ann Caffrey to attend the Tactical Dispatcher class in Collins, MS on June 12-15, 2023, also authorize to pay registration and travel expenses (reimbursed)

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize Dispatcher Lee Ann Caffrey to attend the Tactical Dispatcher class in Collins, MS on June 12-15, 2023, also authorize to pay registration and travel expenses (reimbursed). All voting yea, motion carried.

Authorize Dispatcher Teresa White to attend the NECI Crimes in Progress class in Nesbit, MS on June 9, 2023, also authorize to pay registration (reimbursed)

Motion was made by Alderman Hale, seconded by Alderman Dear, to appoint authorize Dispatcher Teresa White to attend the NECI Crimes in Progress class in Nesbit, MS on June 9, 2023, also authorize to pay registration (reimbursed). All voting yea, motion carried.

Authorize Dispatcher Richard DeLeon to attend the 16- Hour Orientation class in Canton, MS on June 18-21, 2023, also authorize to pay registration and travel expenses (reimbursed)

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize Dispatcher Richard DeLeon to attend the 16- Hour Orientation class in Canton, MS on June 18-21, 2023, also authorize to pay registration and travel expenses (reimbursed). All voting yea, motion carried.

Authorize Nathan Wallace to attend the 2023 Wastewater Certification training at NWCC on May 22 – 26, 2023, also authorize to pay registration and testing fees

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize Nathan Wallace to attend the 2023 Wastewater Certification training at NWCC on May 22 – 26, 2023, also authorize to pay registration and testing fees. All voting yea, motion carried.

Authorize Mayor Graves to sign Change Order #1 with PATH

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize Mayor Graves to sign Change Order #1 with PATH. All voting yea, motion carried.

Authorize to terminate Parks Employee John Triplett for job performance

Motion was made by Alderman Hale, seconded by Alderman Dear, authorize to terminate Parks Employee John Triplett for job performance. All voting yea, motion carried.

Authorize to hire Matthew Hoskins as a part-time concession worker in the Sports Park

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize to hire Matthew Hoskins as a part-time concession worker in the Sports Park. All voting yea, motion carried.

Authorize to hire Tyreese Hullette as a part-time concession worker in the Sports Park

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize to hire Tyreese Hullette as a part-time concession worker in the Sports Park. All voting yea, motion carried.

Authorize to hire Chloe Wooten as a part-time concession worker in the Sports Park

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize to hire Chloe Wooten as a part-time concession worker in the Sports Park. All voting yea, motion carried.

Authorize to suspend Police Officer Greene for violating city policy

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize to suspend Police Officer Green for a total of 36 hours to be served at a date determined by the Police Chief, for violating city policy. All voting yea, motion carried.

Authorize to make Police Vehicle VIN # 2G1WD5E36D1261800 an unmarked vehicle (2013 Chevrolet Impala)

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize to make Police Vehicle VIN # 2G1WD5E36D1261800 an unmarked vehicle (2013 Chevrolet Impala). All voting yea, motion carried.

Authorize to make Police Vehicle VIN # 2G1WD5E38D1261927 an unmarked vehicle (2013 Chevrolet Impala)

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize to make Police Vehicle VIN # 2G1WD5E38D1261927 an unmarked vehicle (2013 Chevrolet Impala). All voting yea, motion carried.

Authorize Mayor Graves to sign the Subaward Agreement and any related documents with MDEQ for the MCWI Grant (matching ARPA funds for water project)

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize Mayor Graves to sign the Subaward Agreement and any related documents with MDEQ for the MCWI Grant (matching ARPA funds for water project). All voting yea, motion carried.

Approve Board Order ratifying approval for the purchase of .05 acres of the property located in Section 29, Township 5, Range 7, Tax Parcel number 099A07 0001200, the southwest corner, for the Main St., Scott St., Front St. Roundabout project

Motion was made by Alderman Hale, seconded by Alderman Dear, to approve Board Order ratifying approval for the purchase of .05 acres of the property located in Section 29, Township 5, Range 7, Tax Parcel number 099A07 0001200, the southwest corner, for the Main St., Scott St., Front St. Roundabout project. All voting yea, motion carried.

Approve Board Order ratifying approval for the purchase of .07 acres of the property located in Section 29, Township 5, Range 7, Tax Parcel number 099A01 0000400, the southeast corner, for the Main St., Scott St., Front St. Roundabout project

Motion was made by Alderman Hale, seconded by Alderman Dear, to approve Board Order ratifying approval for the purchase of .07 acres of the property located in Section 29, Township 5, Range 7, Tax Parcel number 099A01 0000400, the southeast corner, for the Main St., Scott St., Front St. Roundabout project. All voting yea, motion carried.

Authorize to use Moore Sites, Lance Moore, for website services

Motion was made by Alderman Hale, seconded by Alderman Dear, to authorize to use Moore Sites, Lance Moore, for website services. All voting yea, motion carried.

Mayor's Corner

Securix

Mayor Graves advised the Board that the next court date for the matter regarding Securix is July 11th.

Calbee

Mayor Graves advised the Board that Calbee never responded to the letter we sent. Mr. Mozingo is helping us with it right now with the situation.

5 Star City Fest

Mayor Graves advised the Board that the 5 Star City Festival had a great turnout this past weekend and everything seemed to go very well.

Paving

Mayor Graves advised the Board that the bids are running, and the bid opening will be on June 20th.

CDL Driver

Mayor Graves stated we are in need of a CDL Driver, they are hard to find with the pay that we offer. Francis will run the numbers of what it would be to increase the pay for that position, and I will have it at the next meeting.

Flag Designs

Mayor Graves mentioned that some flag designs were included in their packet for their review. We are looking at updating our flag.

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.

Alderman Simpson left the meeting.

Authorize to go into executive session for economic updates

Motion was made by Alderman Dear, seconded by Alderman Hale, 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 Dear, to authorize to come out of executive session. All voting yea, motion carried.

Adjourn

Motion was made by Alderman Dear, and seconded by Alderman Tanksley, to adjourn. All voting yea, motion carried.

Greg Graves, Mayor

ATTEST:

Katie Harbin –City Clerk