

**MINUTES OF THE REGULAR MEETING  
OF THE MAYOR AND BOARD OF ALDERMEN  
The City of Starkville, Mississippi  
August 7, 2012**

Be it remembered that the Mayor and Board of Alderman met in a Regular Meeting on August 7, 2012 at 5:30 p.m. in the Courtroom of City Hall, located at 101 E. Lampkin Street, Starkville, MS. There being present were Mayor Parker Wiseman, Aldermen Sandra Sistrunk, Ben Carver, Eric Parker, Richard Corey, Jeremiah Dumas, Roy A.' Perkins, and Henry Vaughn, Sr. Attending the Board were City Attorney Chris Latimer and City Clerk Taylor Adams.

Mayor Parker Wiseman opened the meeting with the Pledge of Allegiance followed by a moment of silence.

Mayor Parker Wiseman asked for any revisions to the Official Agenda.

**REQUESTED REVISIONS TO THE OFFICIAL AGENDA:**

Alderman Richard Corey requested the Agenda Item X.A. be removed from the Consent Agenda.

Alderman Roy A.' Perkins asked for a reorder to the agenda to move the published revised agenda item Agenda Item X.A to Agenda Item VII immediately following Citizen Comments.

Mayor Wiseman asked if there were any objections to Agenda Item X.A. being reordered to appear on the Agenda as Agenda Item VII. There being no objections, the agenda was revised to reflect the change.

Mayor Wiseman asked for further revisions to the published Official Agenda.

**Alderman Jeremiah Dumas** requested the following changes to the published revised August 7, 2012 Official Agenda:

**Add to Consent Item X.B** Approval of the annual budget for the expenditure of the 2% funds for fiscal year 2013.

**Add to Consent Item XI B-1** Consideration to approve P&Z item #RZ 12-01

**Add to Consent Item XI I-4** Authorization to promote Ulyess Gray to fill the vacant position of crew leader in the Water Division of Public Services.

**Add to Consent Item XI I-5** Authorization to promote James Merritt to fill a vacant position of equipment operator in New Construction/Rehab Division of Public Services

**Add to Consent Item XI I-6** Authorization to hire LaDaniel Jordan and Joseph B. Pennell to fill the vacant positions of maintenance worker in New Construction/Rehab Division of Public Services.

**Add to Consent Item XI I-7** Authorization to hire Latoya Brown to fill the vacant position of Service Writer in the Auto Maintenance Division of Public Services.

**Add to Consent Item XI I-8** Authorization to hire Courtney Goodson to fill a vacant position of Deputy Court Clerk in the Municipal Court Division.

**Add to Consent Item XI I-9** Authorization to hire Michael St. Louis to fill the vacant position of Electrical Building Inspector in the Electric Department.

**Alderman Richard Corey** requested the following changes to the published August 7, 2012 Official Agenda:

**Add to Consent Item IV-A** Approval of the Minutes of the July 3, 2012 Regular Meeting of the Mayor and Board of Aldermen

**Add to Consent Item IV-B** Approval of the Minutes of the July 17, 2012 Recess Meeting of the Mayor and Board of Aldermen

**Remove from Consent Agenda Item X-A and Insert as Item VII** Consideration of the adoption of a resolution to issue general obligation notes in the maximum aggregated principal amount of \$2,240,000.

The Mayor asked for further revisions to the published August 7, 2012 Official Agenda. No further revisions were requested.

## **1. A MOTION TO APPROVE THE OFFICAL AGENDA AS REVISED**

There came for consideration the matter of approving and adopting the August 7, 2012, Official Agenda of the Regular Meeting of the Mayor and Board of Aldermen, as revised. After discussion, and

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, to approve the August 7, 2012, Official Agenda as modified with items listed as consent, the Board voted unanimously to approve the motion.

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion carried.

### **OFFICIAL AGENDA**

#### **THE MAYOR AND BOARD OF ALDERMEN OF THE**

#### **CITY OF STARKVILLE, MISSISSIPPI**

REGULAR MEETING OF TUESDAY, AUGUST 7, 2012  
5:30 P.M., COURT ROOM, CITY HALL  
101 EAST LAMPKIN STREET

**PROPOSED CONSENT AGENDA ITEMS ARE NOTED ##### AND PROVIDED AS APPENDIX A  
ATTACHED**

**I. CALL THE MEETING TO ORDER**

**II. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE**

**III. APPROVAL OF THE OFFICIAL AGENDA**

A. APPROVAL OF THE CONSENT AGENDA

**IV. APPROVAL OF BOARD OF ALDERMEN MINUTES**

A. CONSIDERATION OF THE APPROVAL OF THE JULY 3, 2012 MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

B. CONSIDERATION OF THE APPROVAL OF THE JULY 17, 2012 MINUTES OF THE RECESS MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE.

**V. ANNOUNCEMENTS AND COMMENTS**

A. MAYOR'S COMMENTS:

ANNOUNCEMENT OF THE CRS CERTIFICATION LETTER FOR THE CITY OF STARKVILLE &

THE HOME LOAN GRANT PROGRAM PUBLIC HEARING ON WEDNESDAY, AUGUST 8, 2012 IN THE MUNICIPAL COURTROOM AT CITY HALL

INTRODUCTION OF NEW EMPLOYEES:

**PAMELA SIMPSON – DEPUTY COURT CLERK**

**TAVARES SMITH- LABORER, SANITATION & ENVIRONMENTAL SERVICES**

**TAYLOR ADAMS – DIRECTOR OF FINANCE/CITY CLERK**

B. BOARD OF ALDERMEN COMMENTS:

ANNOUNCEMENT OF THE EMPLOYEE OF THE MONTH:

ALDERMAN PERKINS WILL PRESENT THE EMPLOYEE OF THE MONTH AWARD.

**VI. CITIZEN COMMENTS**

**VII. PUBLIC APPEARANCES**

- A. PUBLIC APPEARANCE BY MR. ALVIN TURNER OF WARD 7 ON CITIZEN'S CONCERNS ON THE MATTERS OF THE BUDGET CHAIRMAN, SANITATION DEPARTMENT HEAD AND THE HEALTH DEPARTMENT REGARDING CARVER DRIVE.
- B. PUBLIC APPEARANCE BY SHELBY BALIUS, STUDENT ASSOCIATION PRESIDENT, BILL BROYLES FROM THE MSU STUDENT AFFAIRS AND THOMAS BOURGEOIS FROM THE DEAN OF STUDENTS, PRESENTING THE BUDGET FOR THE UPCOMING FISCAL YEAR 2013 FOR THE USE OF THE 2% SALES TAX FUNDS IN ACCORDANCE WITH THE REQUIREMENTS OF HOUSE BILL 1833 AND BOARD RESOLUTION DATED MARCH 16, 2004.

**VIII. PUBLIC HEARING**

*THERE ARE NO PUBLIC HEARINGS SCHEDULED*

**IX. MAYOR'S BUSINESS**

- ##### A. CONSIDERATION OF THE RESOLUTION STATING THAT THE CITY OF STARKVILLE WILL ADOPT A HOME SECTION 3 PLAN FOR THE HOME GRANT PROGRAM.
- ##### B. CONSIDERATION OF A RESOLUTION TO ADOPT A FAIR HOUSING POLICY FOR THE CITY OF STARKVILLE, MISSISSIPPI.
- ##### C. CONSIDERATION OF A RESOLUTION ADOPTING MINORITY/WOMEN BUSINESS GOALS AND OBJECTIVES.
- ##### D. CONSIDERATION OF A RESOLUTION ADOPTING AN AFFIRMATIVE MARKETING PLAN FOR THE CITY OF STARKVILLE, MISSISSIPPI.

**X. BOARD BUSINESS**

- ##### A. CONSIDERATION OF THE ADOPTION OF A RESOLUTION TO ISSUE GENERAL OBLIGATION NOTES IN THE MAXIMUM AGGREGATED PRINCIPAL AMOUNT OF \$2,240,000 FOR THE PURPOSE OF REFINANCING OUTSTANDING SRF LOANS AT A LOWER INTEREST RATE.
- B. CONSIDERATION OF THE APPROVAL OF THE ANNUAL BUDGET FOR THE EXPENDITURE OF THE 2% FUNDS FOR FISCAL YEAR 2013 IN ACCORDANCE WITH THE REQUIREMENTS OF HOUSE BILL 1833 AND BOARD RESOLUTION DATED MARCH 16, 2004.
- C. CONSIDERATION OF THE ADOPTION OF REDISTRICTING PLAN 4A AS PRESENTED BY GOLDEN TRIANGLE PLANNING AND DEVELOPMENT DISTRICT.
- D. CONSIDERATION OF AUTHORIZING ALL NECESSARY AND PROPER STEPS FOR THE SUBMISSION OF THE APPROVED REDISTRICTING PLAN TO THE DEPARTMENT OF JUSTICE FOR PRECLEARANCE.
- E. REPORT ON THE EVALUATION OF THE OPERATIONAL AND FINANCIAL EFFICIENCIES SPECIFIC TO THE SANITATION AND ENVIRONMENTAL SERVICES DEPARTMENT.

F. CONSIDERATION OF SELECTING THE CANDIDATES FOR THE INTERVIEW PROCESS FOR THE SANITATION AND ENVIRONMENTAL SERVICES DEPARTMENT HEAD POSITION.

##### G. CONSIDERATION OF CORRECTING THE TITLE OF SANITATION AND ENVIRONMENTAL SERVICES DEPARTMENT HEAD FROM MANAGER TO DIRECTOR.

##### H. CONSIDERATION OF THE ACCEPTANCE OF THE LOWEST AND BEST BID FOR THE MAINTENANCE OF BRUSH ARBOR CEMETERY.

**XI. DEPARTMENT BUSINESS**

A. AIRPORT

##### 1. REQUEST CONSIDERATION OF THE APPROVAL OF THE CONTRACT WITH THE FIXED BASE OPERATOR AT THE GEORGE M. BRYAN FIELD.

B. BUILDING, CODES AND PLANNING DEPARTMENT

1. REQUEST CONSIDERATION TO APPROVE P&Z ITEM #RZ 12-01: A REQUEST BY MS. SHENESTIA THOMPSON FOR APPROVAL OF A ZONING CHANGE FROM R-1 (SINGLE FAMILY) TO R-M (MOBILE HOME) LOCATED AT 1646 ROCKHILL ROAD IN WARD 6.

C. COURTS

*THERE ARE NO ITEMS FOR THIS AGENDA*

D. ELECTRIC DEPARTMENT

##### 1. REQUEST CONSIDERATION OF THE APPROVAL OF THE CONTRACT WITH TVA FOR A WHOLESALE RATE CHANGE FOR STARKVILLE ELECTRIC DEPARTMENT.

##### 2. REQUEST APPROVAL OF THE ACCEPTANCE OF THE LOWEST AND BEST SOURCE OF SUPPLY BIDS FOR THE MONTHS JULY 2012 THROUGH DECEMBER 2012.

##### 3. REQUEST AUTHORIZATION TO ENTER INTO A SERVICE AGREEMENT WITH ACC FOR INTERNET SERVICE FOR THE STARKVILLE ELECTRIC DEPARTMENT.

4. REPORT ON THE STATUS OF RESEARCH ON AUTOMATED METER READING PROVIDERS AND TECHNOLOGY IMPROVEMENTS FOR MOBILE APPLICATIONS IN THE ELECTRIC DEPARTMENT WITH A REQUEST FOR AUTHORIZATION FOR THE MAYOR TO SIGN AN AGREEMENT FOR IMPLEMENTATION.

E. ENGINEERING AND STREETS

*THERE ARE NO ITEMS FOR THIS AGENDA*

F. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR THE FIRE DEPARTMENT AS OF AUGUST 2, 2012.

##### 2. REQUEST CONSIDERATION OF THE APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS EXCEPT THE FIRE DEPARTMENT AS OF AUGUST 2, 2012.

G. FIRE DEPARTMENT

##### 1. REQUEST AUTHORIZATION TO ADVERTISE FOR A REQUEST FOR QUOTES (RFQ) FOR A REPLACEMENT QUINT FIRE TRUCK FOR THE FEMA GRANT # EMW-2011-FV-04641.

H. INFORMATION TECHNOLOGY

*THERE ARE NO ITEMS FOR THIS AGENDA*

I. PERSONNEL

##### 1. REQUEST AUTHORIZATION TO ADVERTISE TO FILL VACANT POSITION OF CERTIFIED POLICE OFFICER.

##### 2. REQUEST AUTHORIZATION TO ADVERTISE TO FILL VACANT POSITION OF EQUIPMENT OPERATOR, LANDSCAPE DIVISION OF SANITATION AND ENVIRONMENTAL SERVICES.

##### 3. REQUEST AUTHORIZATION TO ADVERTISE TO FILL VACANT POSITION OF LABORER IN SANITATION AND ENVIRONMENTAL SERVICES.

4. REQUEST AUTHORIZATION TO PROMOTE ULYESS GRAY TO FILL THE VACANT POSITION OF CREW LEADER IN THE WATER DIVISION OF PUBLIC SERVICES.

5. REQUEST AUTHORIZATION TO PROMOTE JAMES MERRITT TO FILL A VACANT POSITION OF EQUIPMENT OPERATOR IN NEW CONSTRUCTION\REHAB DIVISION OF PUBLIC SERVICES.

6. REQUEST AUTHORIZATION TO HIRE LADANIEL JORDAN AND JOSEPH B. PENNELL TO FILL THE VACANT POSITIONS OF MAINTENANCE WORKER IN NEW CONSTRUCTION\REHAB DIVISION OF PUBLIC SERVICES.

7. REQUEST AUTHORIZATION TO HIRE LATOYA BROWN TO FILL THE VACANT POSITION OF SERVICE WRITER IN THE AUTO MAINTENANCE DIVISION OF PUBLIC SERVICES.

8. REQUEST AUTHORIZATION TO HIRE COURTNEY GOODSON TO FILL A VACANT POSITION OF DEPUTY COURT CLERK IN THE MUNICIPAL COURT DIVISION.

9. REQUEST AUTHORIZATION TO HIRE MICHAEL ST. LOUIS TO FILL THE VACANT POSITION OF ELECTRICAL BUILDING INSPECTOR IN THE ELECTRIC DEPARTMENT.

J. POLICE DEPARTMENT

- ##### 1. REQUEST APPROVAL TO PAY TYLER TECHNOLOGY THE ANNUAL MAINTENANCE AND SUPPORT FEE FOR THE TIMEFRAME FROM JULY 1, 2012 TO JUNE 30, 2012.

K. PUBLIC SERVICES

- ##### 1. REQUEST APPROVAL TO ADVERTISE FOR QUALIFICATIONS FOR A SEWER COLLECTION SYSTEM ASSESSMENT COMPANY TO LOCATE MAJOR SOURCES OF STORM WATER INFLOW IN THE CITY OF STARKVILLE SYSTEM.

- ##### 2. REQUEST APPROVAL TO PURCHASE PVC WATER AND SEWER PIPE FROM CENTRAL PIPE, THE SUBMITTER OF THE LOWEST QUOTE, IN THE AMOUNT OF \$34,027.52.

- ##### 3. REQUEST APPROVAL TO ISSUE A NOTICE TO PROCEED TO PARKS AND PARKS WATER WELL SERVICE, THE SUBMITTER OF THE LOWEST QUOTE, TO CLOSE TWO (2) ABANDONED WATER WELLS IN THE AMOUNT OF \$16,000.

- ##### 4. REQUEST APPROVAL TO PURCHASE STEEL CASING PIPE FROM EMPIRE PIPE, THE SUBMITTER OF THE LOWEST QUOTE, IN THE AMOUNT OF \$15,910.00.

- ##### 5. REQUEST APPROVAL OF A CHANGE ORDER TO STIDHAM CONSTRUCTION FOR THE ROCKHILL COMMUNITY FIRE LINE INSTALLATION PROJECT, IN THE AMOUNT OF \$6,677.00.

L. SANITATION DEPARTMENT

*THERE ARE NO ITEMS FOR THIS AGENDA*

**XII. CLOSED DETERMINATION SESSION**

**XIII. OPEN SESSION**

**XIV. EXECUTIVE SESSION**

- A. PENDING LITIGATION
- B. PERSONNEL
- C. PROPERTY ACQUISITION

**XV. OPEN SESSION**

**XVI. RECESS UNTIL AUGUST 14, 2012 @ 5:00 AT 405 LYNN LANE IN THE SPORTSPLEX CONFERENCE ROOM.**

*The City of Starkville is accessible to persons with disabilities. Please call the ADA Coordinator, Joyner Williams, at (662) 323-2525, ext. 121 at least forty-eight (48) hours in advance for any services requested.*

## **APPENDIX A**

### **PROPOSED CONSENT AGENDA**

#### **IX. MAYOR'S BUSINESS**

- A. CONSIDERATION OF THE RESOLUTION STATING THAT THE CITY OF STARKVILLE WILL ADOPT A HOME SECTION 3 PLAN FOR THE HOME GRANT PROGRAM.
- B. CONSIDERATION OF A RESOLUTION TO ADOPT A FAIR HOUSING POLICY FOR THE CITY OF STARKVILLE, MISSISSIPPI.
- C. CONSIDERATION OF A RESOLUTION ADOPTING MINORITY/WOMEN BUSINESS GOALS AND OBJECTIVES.
- D. CONSIDERATION OF A RESOLUTION ADOPTING AN AFFIRMATIVE MARKETING PLAN FOR THE CITY OF STARKVILLE, MISSISSIPPI.

#### **X. BOARD BUSINESS**

- A. CONSIDERATION OF THE ADOPTION OF A RESOLUTION TO ISSUE GENERAL OBLIGATION NOTES IN THE AGGREGATED PRINCIPAL AMOUNT OF \$2,240,000 FOR THE PURPOSE OF REFINANCING OUTSTANDING SRF LOANS AT A LOWER INTEREST RATE.
- G. CONSIDERATION OF CORRECTING THE TITLE OF SANITATION AND ENVIRONMENTAL SERVICES DEPARTMENT HEAD FROM MANAGER TO DIRECTOR.
- H. CONSIDERATION OF THE ACCEPTANCE OF THE LOWEST AND BEST BID FOR THE MAINTENANCE OF BRUSH ARBOR CEMETERY.

#### **XI. DEPARTMENT BUSINESS**

- A. AIRPORT
  - 1. REQUEST CONSIDERATION OF THE APPROVAL OF THE CONTRACT WITH THE FIXED BASE OPERATOR AT THE GEORGE M. BRYAN FIELD.
- B. BUILDING DEPARTMENT – NO ITEMS
- C. COURTS – NO ITEMS
- D. ELECTRIC DEPARTMENT
  - 1. REQUEST CONSIDERATION OF THE APPROVAL OF THE CONTRACT WITH TVA FOR A WHOLESALE RATE CHANGE FOR STARKVILLE ELECTRIC DEPARTMENT.
  - 2. REQUEST APPROVAL OF THE ACCEPTANCE OF THE LOWEST AND BEST SOURCE OF SUPPLY BIDS FOR THE MONTHS JULY 2012 THROUGH DECEMBER 2012.

3. REQUEST AUTHORIZATION TO ENTER INTO A SERVICE AGREEMENT WITH ACC FOR INTERNET SERVICE FOR THE STARKVILLE ELECTRIC DEPARTMENT.
- E. ENGINEERING AND STREETS – NO ITEMS
- F. FINANCE AND ADMINISTRATION
2. REQUEST CONSIDERATION OF THE APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS EXCEPT THE FIRE DEPARTMENT AS OF AUGUST 2, 2012.
- G. FIRE DEPARTMENT
1. REQUEST AUTHORIZATION TO ADVERTISE FOR A REQUEST FOR QUOTES (RFQ) FOR A REPLACEMENT QUINT FIRE TRUCK FOR THE FEMA GRANT # EMW-2011-FV-04641.
- H. INFORMATION TECHNOLOGY – NO ITEMS
- I. PERSONNEL
1. REQUEST AUTHORIZATION TO ADVERTISE TO FILL VACANT POSITION OF CERTIFIED POLICE OFFICER.
  2. REQUEST AUTHORIZATION TO ADVERTISE TO FILL VACANT POSITION OF EQUIPMENT OPERATOR, LANDSCAPE DIVISION OF SANITATION AND ENVIRONMENTAL SERVICES.
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1. REQUEST APPROVAL TO PAY TYLER TECHNOLOGY THE ANNUAL MAINTENANCE AND SUPPORT FEE FOR THE TIMEFRAME FROM JULY 1, 2012 TO JUNE 30, 2012.
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5. REQUEST APPROVAL OF A CHANGE ORDER TO STIDHAM CONSTRUCTION FOR THE ROCKHILL COMMUNITY FIRE LINE INSTALLATION PROJECT, IN THE AMOUNT OF \$6,677.00.

L. SANITATION DEPARTMENT – NO ITEMS

### **CONSENT ITEMS 2-31**

**2. APPROVAL OF THE JULY 3, 2012 MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMAN OF THE CITY OF STARKVILLE, MS**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of the July 3, 2012 minutes of the regular meeting of the Board of Aldermen of the City of Starkville, MS" is enumerated, this consent item is thereby approved.

**3. APPROVAL OF THE JULY 17, 2012 MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMAN OF THE CITY OF STARKVILLE, MS**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of the July 17, 2012 minutes of the regular meeting of the Board of Aldermen of the City of Starkville, MS" is enumerated, this consent item is thereby approved.

**4. APPROVAL OF THE RESOLUTION STATING THAT THE CITY OF STARKVILLE WILL ADOPT A HOME SECTION 3 PLAN FOR THE HOME GRANT PROGRAM.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of the resolution stating that the City of Starkville will adopt a Home Section 3 plan for the Home Grant Program," is enumerated, this consent item is thereby approved.

### **SECTION 3 PLAN RESOLUTION**

#### **CITY OF STARKVILLE, MISSISSIPPI**

WHEREAS, the City of Starkville, Mississippi is applying for HOME grant funds from the Mississippi Development Authority. By virtue of its receipt of HOME program funds, the City of Starkville is required by the Mississippi Development Authority and Section 3 of the Housing and Urban Development Act of 1968 to adopt a Section 3 Plan; and

WHEREAS, the Section 3 Plan is intended to ensure, to the greatest extent feasible, that training and employment opportunities generated by the U. S. Department of Housing and Urban Development projects be given to low income residents of the Section 3 project area and that contract for work in connection with this project be awarded to qualified Section 3 Business Concerns; and

WHEREAS, it is the intention of the City of Starkville to implement its HOME project in accordance with all program regulations including the said Section 3 requirements.

NOW, THEREFORE, BE IT RESOLVED that the City of Starkville adopts the HOME Section 3 Plan, which is attached hereto as "Attachment A" and made a part hereof.

ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

CITY OF STARKVILLE, MISSISSIPPI

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

Mayor

ATTEST:

\_\_\_\_\_

City Clerk

**5. APPROVAL OF THE RESOLUTION TO ADOPT A FAIR HOUSING POLICY FOR THE CITY OF STARKVILLE, MS.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of the resolution to adopt a Fair Housing Policy for the City of Starkville, MS," is enumerated, this consent item is thereby approved.

CITY OF STARKVILLE

SECTION 3 ACTION PLAN

The City of Starkville, Mississippi agrees to develop local procedures designed to implement the following steps to increase opportunities for training and employment for lower income residents of the City of Starkville, and increase the utilization of business concerns within the City or owned by Section 3 area residents.

- A. To identify projected employment, training and contracting opportunities as the recipient of federal funds and to facilitate the training and employment of Section 3 residents and contracting with Section 3 businesses.
- B. To recruit Section 3 residents for available opportunities through: local advertising media; posted signs; community organizations and public institutions operating within or served the project area.
- C. To identify eligible business concerns for federal funded contract through: the Chamber of Commerce, business associations, and local advertising media including newspapers; public signage; citizen advisory boards; and all other appropriate referral sources.
- D. To maintain a list of eligible business concerns for utilization in federally funded procurements, to notify appropriate project area business concerns of pending contractual opportunities and to make available this list for procurement needs.
- E. To require all bidders on contracts to submit a written Section 3 Hiring and Business Utilization Plan and to require the contractor to submit reports to document actual accomplishments.
- F. To include Section 3 information in procurement solicitations, incorporate Section 3 clauses in contractual documents, and review Section 3 information at the preconstruction conference and then monitor contractor compliance.
- G. To maintain records, including copies of correspondence, memoranda, reports, contracts, etc., which document that the above action steps have been taken and any barriers encountered. To submit reports on accomplishments as required.
- H. To designate a local governmental official to coordinate implementation of this Section 3 Plan.
- I. To the extent feasible, additional affirmative steps will be taken to encourage and utilize Section 3 residents and businesses and to reach employment, training and contracting goals.

As the chief local elected official, I have read and fully agree to this Section 3 Action Plan and agree to actively pursue full implementation of this program.

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\_\_\_\_\_  
 Mayor, City of Starkville, Mississippi

\_\_\_\_\_  
 Date

**6. APPROVAL OF THE RESOLUTION TO ADOPT MINORITY/WOMEN BUSINESS GOALS FOR THE CITY OF STARKVILLE, MS.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of the resolution to adopt Minority/Women Business Goals for the City of Starkville, MS," is enumerated, this consent item is thereby approved.

**RESOLUTION ADOPTING  
 MINORITY/WOMEN BUSINESS GOALS AND OBJECTIVES**

The City of Starkville, Mississippi will encourage the promotion and participation of Minority/Women Business Enterprise (MBE/WBE) in every aspect of their HOME Grants and or CDBG projects. The City does hereby adopt the following requirements as a part of their

MBE/WBE program goals: Public Law 95-507, Executive Orders 11625 and 12432 (MBE), and Executive Order 12138 (WBE).

The City further agrees to the following actions:

(a) Contact at least two (2) minority/women-owned businesses by certified mail and allow them the opportunity to submit a proposal or bid to provide any service needed.

(b) Maintain records to document the extent of MBE/WBE contracting and subcontracting.

(c) Adopt by means of this resolution a local goal of at least ten percent (10%) for MBE participation and five percent (5%) for WBE participation.

(d) The City will incorporate the goal statement in all bid packets.

(e) The City will use the current Mississippi Minority Directory and other available lists to ensure that every effort is made to secure minority participation in all CDBG and HOME projects.

The City does, hereby, adopt the foregoing goals and objectives on this the \_\_\_\_ day of August, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

**7. APPROVAL OF THE RESOLUTION TO ADOPT AN AFFIRMATIVE MARKETING PLAN FOR THE CITY OF STARKVILLE, MS.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of the resolution to adopt an Affirmative Marketing Plan for the City of Starkville, MS," is enumerated, this consent item is thereby approved.

AFFIRMATIVE MARKETING PLAN

CITY OF STARKVILLE, MISSISSIPPI

The City of Starkville, Mississippi does hereby resolve to comply with 24 CFR, Part 92, Subpart H 92.351. In order to comply, the following affirmative marketing procedures and requirements are hereby adopted:

The City shall display in public view posters affirming Equal Housing Opportunity, as amended under the Fair Housing Amendment Act of 1988.

The City certifies that HOME program funds will be used in accordance with the nondiscrimination and equal opportunity requirements set forth in the program regulations.

The City will establish the following procedures and requirements to affirmatively market units in the HOME project and will assess the results of their efforts, in accordance with the HOME program regulations:

(a) The City will inform the public, homeowners, and potential tenants about the federal fair housing laws and the City's affirmative marketing procedures by means of advertising in the local paper and displaying Fair Housing posters.

(b) The requirements and practices for homeowners to follow in carrying out the City's affirmative marketing procedures and requirements will be discussed at public meetings and by means of advertising and displaying posters.

(c) The City will use special outreach procedures to inform and solicit applications from persons in the area who would not otherwise apply. The City will use community organizations, places of worship, employment centers, fair housing groups, housing counseling agencies, social service centers and other resources for this outreach.

(d) If applicable, The City will maintain a list of all tenants/owners residing in each unit at the time of application submittal through the end of compliance period.

(e) The City will maintain a file containing all marketing efforts, (i.e., newspaper ads, letters, records of phone calls, etc.).

(f) Records will be kept on file describing efforts and results of the City's affirmatively marketing units.

(g) When applicable, advertisement of vacant units will contain the fair housing opportunity logo or statement.

The City of Starkville does hereby, adopt the foregoing Affirmative Marketing Plan on this the \_\_\_\_\_ day of August, 2012.

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Mayor

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City Clerk

**8. CONSIDERATION OF THE APPROVAL OF THE ANNUAL BUDGET FOR THE EXPENDITURE OF THE 2% FUNDS FOR FISCAL YEAR 2013 IN ACCORDANCE WITH REQUIREMENTS OF HOUSE 1833 AND BOARD RESOLUTION DATED MARCH 16, 2004.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of the annual budget for the expenditure of the 2% funds for fiscal 2013 in accordance with the requirements of HB 1833 and Board Resolution Dated March 16, 2004," is enumerated, this consent item is thereby approved.



## Proposed Distribution of 2013 Food & Beverage Sales Tax Allocation

Distribution	Actual 2012	Proposed 2013
Music Maker Productions	\$95,000	\$105,000
Bulldog Bash	\$75,000	\$112,000
The Night Route	\$65,000	\$45,000
Old Main Music Festival	\$20,000	\$20,000
Lyceum Series	\$35,000	\$35,000
<b>Total</b>	<b>\$290,000</b>	<b>\$317,000</b>

*As presented to the Starkville Board of Aldermen*

FY 2012 Surplus	\$19,000
FY 2013 Revenue Projection	\$298,000
<b>Total</b>	<b>\$317,000</b>



**MISSISSIPPI STATE**  
UNIVERSITY™

**9. CONSIDERATION OF CORRECTING THE TITLE OF SANITATION AND ENVIRONMENTAL SERVICES DEPARTMENT HEAD FROM MANAGER TO DIRECTOR.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "correcting the title of Sanitation and Environmental Services Department Head from Manager to Director" is enumerated, this consent item is thereby approved.

**10. CONSIDERATION OF THE ACCEPTANCE OF THE LOWEST AND BEST BID FOR THE MAINTENANCE OF BRUSH ARBOR CEMETERY.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "acceptance of the lowest and best bid for the maintenance of Brush Arbor Cemetery" is enumerated, this consent item is thereby approved.



CITY OF STARKVILLE

AGENDA DATE: August 7, 2012

RECOMMENDATION FOR BOARD ACTION

PAGE: 1

SUBJECT: Mowing and Maintenance Contracts for Brush Arbor.

AMOUNT & SOURCE OF FUNDING: 2011-2012 Fiscal Budget

**REQUESTING**  
**DEPARTMENT:** FINANCE AND  
ADMINISTRATION

**DIRECTOR'S**  
**AUTHORIZATION:** Taylor Adams  
Director of Finance/City Clerk

FOR MORE INFORMATION CONTACT: Emma Gandy

PRIOR BOARD ACTION:

BOARD AND COMMISSION ACTION: May 15, 2012 Board authorized approval to advertise and accept for bids for Mowing and Maintenance Contracts for Brush Arbor, University and ML King Odd Fellow Cemeteries.

PURCHASING:

**STAFF RECOMMENDATION:** Staff recommends approval of the lowest bid received for the Mowing and Maintenance Contracts for Brush Arbor

<b>PURCHASING AND PROCURMENTS</b>			
<b>DEPARTMENT OF FINANCE AND ADMINISTRATION</b>			
<b>ITEM: BRUSH ARBOR CEMETERY MOWING CONTRACTS</b>		<b>BID DATE: 8/2/2012</b>	
<b>COMPANY NAME</b>	<b>SITE PREPERATION</b>	<b>MAINTNANCE PER CUT</b>	<b>BEST BID</b>
<b>ABILITY WORKS, INC 207 INDUSTRIAL WORKS ROAD STARKVILLE, MS 39759</b>	<b>\$800.00</b>	<b>\$300.00</b>	
<b>HOOD LAWN SERVICE P O BOX 1097 ACKERMAN, MS 39735</b>	<b>\$750.00</b>	<b>\$200.00</b>	<b>BEST BID</b>
<b>DEAN LANDSCAPING &amp; PROPERTY MAINT. 1465 PARKER ROBERSON ROAD MABEN, MS 39750</b>	<b>\$720.00</b>	<b>\$250.00</b>	

**11. CONSIDERATION OF THE APPROVAL OF THE CONTRACT WITH THE FIXED BASE OPERATOR AT THE GEORGE M. BRYAN FIELD.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of the contract with the Fixed Base Operator at the George M. Bryan Field," is enumerated, this consent item is thereby approved.

STARKVILLE/OKTIBBEHA COUNTY AIRPORT  
GEORGE M. BRYAN FIELD  
Revised Fixed Base Operators Lease

This revised lease agreement is entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2012

by and between Starkville/Oktibbeha County Airport George M. Bryan Field, ("Lessor"), established pursuant to "Municipal Airport Law," §§ 61-5-1 through 61-5-49 of the Mississippi Code, and owned and operated by the City of Starkville, Mississippi, pursuant to the terms and conditions of the "Airport Contract" dated April 7, 1986, and amended on December 7, 1992, and \_\_\_\_\_ ("Lessee"), a \_\_\_\_\_.<sup>1</sup> In addition, the parties agree to the following:

1. Lessor rents to Lessee, as a fixed base operator, a part of Starkville/Oktibbeha County Airport on George M. Bryan Field, consisting of a hangar with office spaces therein and five (5) tie-down spaces on the ramp as designated by Lessor for Lessee's aircraft and/or aircraft awaiting space for maintenance or that have completed maintenance work and are awaiting pick-up by the owner. A sketch attached hereto as "Exhibit A," and made a part hereof, shows all property and tie-downs described under this lease. Lessor and Lessee understand that this agreement does not grant an exclusive right to Lessee for any services described herein. Areas of George M. Bryan Field are available on an equal basis to other qualified Fixed Base Operators.
2. This lease is for a term of twelve (12) months, commencing on August 1, 2012 and terminating on July 31, 2013, with a yearly option to renew on terms agreeable to the parties.
3. Lessor leases said premises to Lessee solely for Lessee's use and purpose of conducting the business of a "Fixed Base Operator" as described in the "Minimum Standards" for Fixed Base Operators as adopted by the City of Starkville on or about June 4, 1985, and recorded in Minute Book 29 and Ordinance Book 2, a copy of which is attached hereto as "Exhibit B." Any future updates to the "Minimum Standards" for "Fixed Base Operators" shall also apply to Lessee and all other Fixed Base Operators at George M. Bryan Field.
4. Lessee agrees to operate the leased premises for the use and benefit of the public and make available to the public on fair and reasonable terms all leased airport facilities, and furnish all services on a fair, equal, and non-discriminatory basis to all users thereof, and to charge fair and reasonable prices for each unit or service. Lessor agrees that the rates and charges for such activities and services shall be fixed by the Lessee subject to the Lessor's concurrence and

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<sup>1</sup> The parties to this revised lease agreement expressly adopt and incorporate, as if fully set forth herein, the Rules and Regulations for the Operation and Use of George M. Bryan Field contained in Ordinance 1985-2, including Appendix A, adopted by the Mayor and Board of Aldermen of the City of Starkville, Mississippi on or about June 4, 1985, and recorded in Minute Book 29, pages 390-398.

approval. Lessee shall file a list of all rates with Lessor and keep said file updated at such time a change is made. In the event of dispute as to the reasonableness of any charge or fee by Lessee, Lessee agrees and understands that the final determination of such charge or fee will be made by Lessor. All services offered by Lessee shall be performed with promptness and courtesy. Notwithstanding anything to the contrary, nothing contained herein shall be construed to authorize the granting of exclusive rights within the meaning of Section 308(a) of the Federal Aviation Act of 1968, as amended. Lessee further agrees to keep the leased premises in a neat and orderly manner, free of offensive or dangerous materials or conditions.

5. Lessee shall be responsible for its actions and the actions of its employees, agents, and/or representatives. Lessee shall assume the defense, hold harmless, and fully indemnify Lessor from any and all claims, suits, judgments, damages, attorney's fees, costs and any and all other expenses whatsoever arising out of or relating in any manner to Lessee's use of the leased premises. This indemnification provision shall survive the termination of this lease agreement.
6. Lessee shall, at its sole expense, maintain and keep on file the following insurance: public general liability with minimum limits of \$1,000,000.00; statutory limits for workers compensation (if applicable); employers liability with minimum limits of \$1,000,000.00; commercial general liability with minimum limits of \$1,000,000.00; personal injury and/or death with minimum limits of \$1,000,000.00; medical coverage with minimum limits of \$100,000.00 per person; and fire liability with minimum limits of \$1,000,000.00. All such insurance shall be issued by a carrier that is licensed to do business in the State of Mississippi and shall name Lessor and the City of Starkville, Mississippi as additional insureds on a primary basis in all liability coverages and include a waiver of subrogation endorsement in all coverages in favor of Lessor and City of Starkville, Mississippi. Proof of such insurance shall be presented to Lessor and the City of Starkville, Mississippi prior to execution of this lease, as an express condition and requirement of it. Such insurance shall not be cancelled without at least thirty (30) days written notice thereof being given to Lessor. Cancellation of any of the required insurance under this lease provides grounds for the Lessor to immediately cancel and revoke this lease.
7. Lessee agrees to pay Lessor on or before the tenth (10<sup>th</sup>) of each month the sum of \$200.00 per month for the leased premises. In addition, Lessor shall pay five (5%) percent on all sales including, but not limited to, parts, labor, and flight instruction on amounts between \$60,000 to \$100,000, six (6%) percent on sales between \$100,000 to \$200,000, and seven (7%) percent on sales over \$200,000. Said payments do not include fuel sales. Lessee shall pay Lessor a fuel flowage rate of seven (\$ .07) cents a gallon for each and every gallon delivered to Lessee. The fuel flowage fee shall be based on the bill of lading and paid monthly along with other fees. In addition, Lessee shall pay to Lessor two-hundred dollars per month (\$200.00/month) for use of the fuel farm owned by the City of Starkville, Mississippi. This fee for use of the fuel farm shall be paid monthly along with other fees.
8. It is understood by Lessee that the airport hangar is to be used by Lessee for maintenance purposes only. Should Lessee's aircraft occupy the hangar, Lessee shall pay to Lessor a monthly rent, for each of Lessee's aircraft in the hangar, at a rate of twenty-five percent (25%) of the rental fees outlined later in this paragraph. Airport hangar rental rates shall be the same as Lessor charges for individual hangars, and is subject to adjustment by Lessor, at its sole discretion. Currently, the monthly rental fee for hangar space is as follows: a) \$100.00 - \$125.00 for a single engine aircraft; b) \$100.00 for twin reciprocating aircraft; and c) \$200.00 for turbine or small jet aircraft. No fuel trucks, personal vehicles, camping trailers, or aircraft projects shall be stored inside the hangar.
9. Lessee hereby covenants and agrees to furnish a monthly statement satisfactory to Lessor as evidence of sales, fuel flowage, and fuel farm usage, as outlined in paragraph seven above.

Lessee hereby agrees to monitor the appropriate unicom frequency for Bryan Field and advise incoming and departing traffic of known traffic and other appropriate information.

10. Lessor agrees that Lessee shall have the right to subcontract or assign the whole or any part of Lessee's rights and privileges under this lease by providing ninety (90) day prior written request to Lessor of such assignment or subcontract and receiving written approval from Lessor prior to any such assignment or subcontract. Lessor reserves the right to reject any such assignment or subcontract for any reason or no reason. Lessee expressly understands and agrees that the subcontracting or assigning of any or all of Lessee's rights and privileges under this lease shall in no way relieve Lessee of any obligation, responsibility or liability imposed by this lease unless so agreed to in writing by Lessor.
11. In the event that any terms of this lease conflict with any conditions, restrictions, rules, or regulations promulgated or contracted by the United States Government or any department or agency thereof having jurisdiction over said airport, or by the Aeronautics Division of the Mississippi Department of Transportation, such conditions, restrictions, rules or regulations of these governments or governmental agencies shall control.
12. The Lessee, for itself, its members, personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree to the following: (a) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefit of, or be otherwise subjected to discrimination in the use of said facilities; and (b) that Lessee shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation Subtitle A, Office of the Secretary, Part 21, nondiscrimination in federal-assisted programs of the Department of Transportation Effectuation of Title VI of the Civil Rights act of 1964, and as said regulations may be amended.
13. Lessee expressly agrees that: (a) it is an independent contractor and is not an agent, employee, or representative of Lessor or the City of Starkville, Mississippi; (b) that neither the individual members of the Starkville/Oktibbeha County Airport Board, nor Airport Manager, nor the Mayor and Board of Aldermen of the City of Starkville, nor the Oktibbeha County Board of Supervisors, shall be charged personally with any liability under any covenant of this lease or because of any breach thereof.
14. Lessor and Lessee agree and understand that notwithstanding any of the foregoing terms and conditions of this lease, that Lessor or Lessee shall have the absolute right to terminate this lease upon ninety (90) days written notice to the other party.
15. This lease constitutes the entire agreement between the parties hereto. Representations or statements not contained herein shall be valid only if in writing, as an addendum to this agreement and signed by all parties.
16. This agreement shall be construed according to the laws of the State of Mississippi, and the venue and jurisdiction of any action to enforce or construe this agreement shall be vested exclusively in the State courts of Oktibbeha County, Mississippi or the United States District Court for the Northern District of Mississippi, Eastern Division, as the case may be.

IN WITNESS WHEREOF, Lessor, along with the City of Starkville, Mississippi, and Lessee have caused this instrument to be executed and attested by their appropriate officers as representatives on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Lessor: Starkville/Oktibbeha County Airport / George M. Bryan  
Field

By: \_\_\_\_\_

Brian Portera, Chairman  
Starkville/Oktibbeha County Airport Board

Lessee; RAS, Inc. \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

City of Starkville, Mississippi

By: \_\_\_\_\_

Parker Wiseman, Mayor

Attest: \_\_\_\_\_  
City Clerk, City of Starkville, MS

**12. CONSIDERATION TO APPROVE P&Z ITEM #RZ 12-01: A REQUEST BY MS. SHENESTIA THOMPSON FOR APPROVAL OF A ZONING CHANGE FROM R-1 (SIGNLE FAMILY) TO R-M (MOBILE HOME) LOCATED AT 1646 ROCKHILL ROAD IN WARD 6 WITH THE CONDITION FROM PLANNING AND ZONING OUTLINED IN THE E-PACKET DATE AUGUST 7, 2012.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of P&Z item #RZ 12-01: A request by Ms. Shenestia Thompson for approval of a zoning change from R-1(single family) to R-M (mobile home) located at 1646 Rockhill Rd in Ward 6 with the conditions from Planning and Zoning outlined in the e-packet date August 7, 2012" is enumerated, this consent item is thereby approved.

**13. CONSIDERATION OF THE APPROVAL OF THE CONTRACT WITH TVA FOR A WHOLESALE RATE CHANGE FOR STARKVILLE ELECTRIC DEPARTMENT.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval of the contract with TVA for a wholesale rate change for the Starkville Electric Department" is enumerated, this consent item is thereby approved.

**14. APPROVAL OF THE ACCEPTANCE OF THE LOWEST AND BEST SOURCE OF SUPPLY BIDS FOR THE STARKVILLE ELECTRIC DEPARTMENT FOR THE MONTHS OF JULY 2012 THROUGH DECEMBER 2012.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the " acceptance of the lowest and best source of supply bids for the Starkville Electric Department for the Months July 2012 through December 2012" is enumerated, this consent item is thereby approved.

**15. AUTHORIZATION TO ENTER IN TO A SERVICE AGREEMENT WITH ACC FOR INTERNET SERVICE FOR THE STARKVILLE ELECTRIC DEPARTMENT.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "authorization to enter into a service agreement with ACC for internet service for the Starkville Electric Department," is enumerated, this consent item is thereby approved.

**16. CONSIDERATION OF THE APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS EXCEPT THE FIRE DEPARTMENT AS OF AUGUST 2, 2012.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the " City of Starkville Claims Docket for all departments except the Fire Department as of August 2, 2012" is enumerated, this consent item is thereby approved.

August 7, 2012 BOA Meeting

General Fund	1	\$302,712.88
Restrcted Police Fund	2	\$2,152.00
Rstricted Fire Fund	3	\$
Airport Fund	15	\$4,011.08
Restricted Airport	16	\$18,100.00
Saniation	22	\$57,583.35
Landfill	23	\$29,215.04
CDBG Henderson Street Project	102	\$
IT	107	\$3,827.97
CDBG Rehab Loan Program	116	\$69.70
City Bond and Interest	202	\$34,112.50
2009 Road Maintenance	304	\$198,199.26

Fire Station No. 5	306	
A R R Act	309	
P & R Bond Series 2007	325	
Park & Rec Tourism 2%	375	
Water/Sewer	400	\$287,994.87
Vehicle Maintenance	500	\$2,153.61
Hotel/Motel	610	\$15,254.18
2% (VCC, EDA, MSU)	630	\$59,269.13
Total		
Electric Department		\$
Total Claims	<b>Total</b>	<b>\$1,116,625.19</b>

**17. AUTHORIZATION TO ADVERTISE FOR A REQUEST FOR QUOTES (RFQ) FOR A REPLACEMENT QUINT FIRE TRUCK FOR THE FEMA GRANT #EMW-2011-FV-04641.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "authorization to advertise for a request for quote (RFQ) for a replacement quint fire truck for the FEMA Grant #EMW-2011-FV-04641" is enumerated, this consent item is thereby approved.

**18. AUTHORIZATION TO ADVERTISE TO FILL VACANT POSITION OF CERTIFIED POLICE OFFICER.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the " authorization to advertise to fill vacant position of certified police officer," is enumerated, this consent item is thereby approved.

**19. AUTHORIZATION TO ADVERTISE TO FILL VACANT POSITION OF EQUIPMENT OPERATOR, LANDSCAPE DIVISION OF SANITATION AND ENVIRONMENTAL SERVICES.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "authorization to advertise to fill vacant position of equipment operator, Landscape Division of Sanitation and Environmental Services" is enumerated, this consent item is thereby approved.

**20. AUTHORIZATION TO ADVERTISE TO FILL VACANT POSITION OF LABORER IN SANITATION AND ENVIRONMENTAL SERVICES.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "authorization to advertise to fill vacant position of laborer in Sanitation and Environmental Services" is enumerated, this consent item is thereby approved.

**21. AUTHORIZATION TO PROMOTE ULYESS GRAY TO FILL THE VACANT POSITION OF CREW LEADER IN THE WATER DIVISION OF PUBLIC SERVICES.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "authorization to promote Ulyess Gray to fill the vacant position of Crew Leader in the Water Division of Public Safety" is enumerated, this consent item is thereby approved.

**22. AUTHORIZATION TO PROMOTE JAMES MERRITT TO FILL A VACANT POSITION OF EQUIPMENT OPERATOR IN NEW CONSTRUCTION\REHAB DIVISION OF PUBLIC SERVICES**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the " authorization to promote James Merritt to fill a vacant position of equipment operator in New Construction\Rehab Division of Public Services," is enumerated, this consent item is thereby approved.

**23. AUTHORIZATION TO HIRE LADANIEL JORDAN AND JOSEPH B. PENNELL TO FILL THE VACANT POSITIONS OF MAINTENANCE WORKER IN NEW CONSTRUCTION\REHAB DIVISION OF PUBLIC SERVICES.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "authorization to hire LaDaniel Jordan and Joseph B. Pennell to fill the vacant positions of Maintenance Worker in New Construction\Rehab Division of Public Services," is enumerated, this consent item is thereby approved.

**24. AUTHORIZATION TO HIRE COURTNEY GOODSON TO FILL A VACANT POSITION OF DEPUTY COURT CLERK IN THE MUNICIPAL COURT DIVISION.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "authorization to hire Courtney Goodson to fill a vacant position of Deputy Court Clerk in the Municipal Court Division" is enumerated, this consent item is thereby approved.

**25. AUTHORIZATION TO HIRE MICHAEL ST. LOUIS TO FILL THE VACANT POSITION OF ELECTRICAL BUILDING INSPECTOR IN THE ELECTRIC DEPARTMENT.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "authorization to hire Michael St. Louis to fill the vacant position of Electrical Building Inspector in the Electric Department," is enumerated, this consent item is thereby approved.

**26. APPROVAL TO PAY TYLER TECHNOLOGY THE ANNUAL MAINTENANCE AND SUPPORT FEE FOR THE TIMEFRAME FROM JULY 1, 2012 TO JUNE 30, 2013.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to pay Tyler Technologies the annual maintenance and support fee for the time frame from July 1, 2012 to June 30, 2013" is enumerated, this consent item is thereby approved.

**27. APPROVAL TO ADVERTISE FOR QUALIFICATIONS FOR A SEWER COLLECTION SYSTEM ASSESSMENT COMPANY TO LOCATE MAJOR SOURCES OF STORM WATER INFLOW IN THE CITY OF STARKVILLE SYSTEM.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to advertise for qualifications for a sewer collection system assessment company to locate major sources of storm water inflow in the City of Starkville system" is enumerated, this consent item is thereby approved.

**28. APPROVAL TO PURCHASE PVC WATER AND SEWER PIPE FROM CENTRAL PIPE, THE SUBMITTER OF THE LOWEST QUOTE, IN THE AMOUNT OF \$34,027.52.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to purchase PVC water and sewer pipe from Central Pipe, the submitter of the lowest quote, in the amount \$34,027.52" is enumerated, this consent item is thereby approved.

**29. APPROVAL TO ISSUE A NOTICE TO PROCEED TO PARKS AND PARKS WATER WELL SERVICE, THE SUBMITTER OF THE LOWEST QUOTE, TO CLOSE TWO (2) ABANDONED WATER WELLS IN THE AMOUNT OF \$16,000.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to issues a notice to proceed to Parks and Parks Water Well Service, the submitter of the lowest quote, to close two (2) abandoned water wells in the amount of \$16,000" is enumerated, this consent item is thereby approved.

**30. REQUEST APPROVAL TO PURCHASE STEEL CASING PIPE FROM EMPIRE PIPE, THE SUBMITTER OF THE LOWEST QUOTE, IN THE AMOUNT OF \$15,910.00.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the "approval to purchase steel casing from Empire Pipe, the submitter of the lowest quote, in the amount of \$15,910.00" is enumerated, this consent item is thereby approved.

**31. REQUEST APPROVAL OF A CHANGE ORDER TO STIDHAM CONSTRUCTION FOR THE ROCKHILL COMMUNITY FIRE LINE INSTALLATION PROJECT, IN THE AMOUNT OF \$6,677.00.**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, and adopted by the Board to approve the August 7, 2012 Official Agenda, and to accept items for Consent, whereby the " approval of a change order to Stidham Construction for the Rockhill Community Fire Line Installation Project, in the amount of \$6,677.00," is enumerated, this consent item is thereby approved.

**END OF CONSENT AGENDA ITEMS**

**ANNOUNCEMENTS AND COMMENTS:**

The Mayor announced the receipt of the CRS Certification Letter for the City of Starkville. The Mayor gave an overview of the program and commended City Planner Ben Griffith for his work on the program. Alex Finch from the Mississippi Emergency Management Agency presented the City of Starkville with a plaque for attaining this certification.

The Mayor highlighted the Home Loan Grant program and mentioned the public hearing on the matter scheduled for August 8, 2012.

The Mayor introduced three (3) new employees:  
Pamela Simpson in the Municipal Court, Taveres Smith in Sanitation and Environmental Services, and Taylor Adams in Finance/City Clerk.

Alderman Roy A' Perkins recognized Calvin Ware as August 2012 Employee of the Month for the City of Starkville, MS.

In reference to previous citizen comments regarding scheduling overlaps between Board of Alderman meetings and Starkville School Board meetings, Alderman Richard Corey announced that the Starkville School Board would be considering moving their meeting.

**CITIZEN COMMENTS:**

Alvin Turner, Ward 7 spoke to some perceived concerns of residents in specific area within Ward 7.

Chris Taylor, Ward 7 thanked the Board of Aldermen for their efforts in moving the School Board Meetings. He also announced the upcoming Democratic Party Precinct Training to be held at the Sportsplex.

Daisy McDowell, Ward 6, expressed concerns over drainage and sewer issues on Carver Drive.

Maggie Miles, Ward 6 directed a question regarding drainage on Carver Drive to the Board of Alderman. City Engineer Edward Kemp was asked to add detail regarding how the efforts were progressing. Engineer Kemp spoke to the application that had been submitted to FEMA, and indicated that the work on Carver Drive would be similar to the work previously done on Northside Dr.

**32. ADOPTION OF A RESOLUTION TO ISSUE GENERAL OBLIGATION NOTES IN THE MAXIMUM AGGREGATED PRINCIPAL AMOUNT OF \$2,240,000.**

There came for consideration of the matter of the approval of a resolution to issue general obligation notes in the maximum aggregated principal amount of \$2,240,000 for the purpose of refinancing outstanding SRF loans at a lower interest rate.

Randy Wall requested the amount be changed to \$2,640,000. Mr. Wall told the Board that the additional sum is solely attributable to additional debt that qualified for this refinancing effort. John Rigdon representing Bancorpsouth offered a rate of 2.12% for 15 years. According to Mr's Rigdon and Mr. Wall, this is rate is representative of roughly \$4,000 in monthly savings for the City. Additionally it offers minimum savings over time of \$180,971, a net present value of savings of \$206,547, or an 8.04% savings.

Alderman Ben Carver asked if these notes being replaced were related to drinking water, and for clarification regarding the increased sum. Mr. Wall indicated that these were for drinking water and reaffirmed that the additional sum was for a third loan that qualified for refinancing.

Alderman Sandra Sistrunk asked if there were other outstanding notes that qualified for refinancing. Mr. Wall said that there were not any at this time.

There was a motion by Alderman Sandra Sistrunk for approval of a resolution to issue general obligation notes in the maximum aggregated principal amount of \$2,640,000 for

the purpose of refinancing outstanding SRF loans at a lower interest rate, duly seconded by Alderman Jeremiah Dumas.

Without further discussion, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Eric Parker	Voted: Yea
Alderman Richard Corey	Voted: Yea
Alderman Jeremiah Dumas	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion carried.

**GENERAL OBLIGATION UTILITY REFUNDING BONDS, SERIES 2012**  
**OF THE**  
**CITY OF STARKVILLE, MISSISSIPPI**  
**IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF**  
**TWO MILLION SIX HUNDRED FORTY THOUSAND DOLLARS**  
**(\$2,640,000)**

RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION UTILITY REFUNDING BONDS, SERIES 2012, OF THE CITY OF STARKVILLE, MISSISSIPPI, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF TWO MILLION **SIX HUNDRED FORTY** THOUSAND DOLLARS (\$2,640,000) TO RAISE MONEY FOR THE PURPOSE OF REFUNDING THE MUNICIPALITY'S MISSISSIPPI STATE DEPARTMENT OF HEALTH DRINKING WATER IMPROVEMENTS REVOLVING LOANS NUMBERED DWI-H280073-01-2, DWI-H280073-02-2 AND DWI-H280073-03-2, AND PAYING THE RELATED COSTS OF THE ISSUANCE, SALE AND DELIVERY OF SAID REFUNDING BONDS AND OF THE REDEMPTION OF SAID LOANS; PRESCRIBING THE FORM AND INCIDENTS OF SAID REFUNDING BONDS; PROVIDING FOR THE LEVY OF A SUFFICIENT AMOUNT OF TAXES FOR THE PAYMENT OF SAID REFUNDING BONDS; MAKING PROVISION FOR MAINTAINING THE TAX-EXEMPT STATUS OF SAID REFUNDING BONDS; APPROVING AND AUTHORIZING EXECUTION OF A BOND PURCHASE AGREEMENT WITH RESPECT TO SAID REFUNDING BONDS; AUTHORIZING THE OBTAINING OF A RATING OR RATINGS IN CONNECTION WITH THE SALE OF SAID REFUNDING BONDS; ACKNOWLEDGING AND AUTHORIZING THE EXECUTION OF POST ISSUANCE COMPLIANCE PROCEDURES; AND FOR RELATED PURPOSES.

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

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

"Act" shall mean Sections 31-27-1 through 31-27-25, Mississippi Code of 1972, as amended.

"Bond" or "Bonds" shall mean the Two Million Six Hundred Forty Thousand Dollars (\$2,640,000) maximum principal amount General Obligation Utility Refunding Bonds, Series 2012, of the Municipality authorized and directed to be issued in this Bond Resolution for the Refunding.

"Bond Counsel" shall mean Jones, Walker, Waechter, Poitevent, Carrere & Denegre L.L.P., Jackson, Mississippi, or any other nationally recognized attorneys on the subject of municipal bonds.

"Bond Fund" shall mean the Bond Fund of the Municipality provided for in Section 15 hereof.

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

"Bond Purchase Agreement" shall mean the bond purchase agreement to be entered into between the Municipality and the Purchaser for the purchase and sale of the Bonds.

"Bond Resolution" shall mean this resolution as the same from time to time may be amended.

"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.

"Clerk" shall mean the City Clerk of the Municipality.

"Closing Date" with respect to the Series 2012 Bonds shall mean the date of issuance and delivery of the Bonds to the Purchaser.

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

"Costs of Issuance Fund" shall mean the Costs of Issuance Fund provided for in Section 17 hereof.

"2003 Drinking Water Improvements Revolving Loan" shall mean the MSDH Drinking Water Improvements Revolving Loan Numbered DWI-H280073-01-2, in the original principal amount of \$628,847, dated February 1, 2003.

"2004 Drinking Water Improvements Revolving Loan" shall mean the MSDH Drinking Water Improvements Revolving Loan Numbered DWI-H280073-02-2, in the original principal amount of \$1,354,733, dated October 3, 2004.

"2007 Drinking Water Improvements Revolving Loan" shall mean the MSDH Drinking Water Improvements Revolving Loan Numbered DWI-H280073-03-2, in the original principal amount of \$1,573,986, dated November 3, 2007.

"Event of Default" shall mean an event of default as described in Section 20 of this Bond Resolution.

"Fiscal Year" shall mean the period beginning on October 1 of one year and ending on September 30 of the following year.

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

"Mayor" shall mean the Mayor of the Municipality.

"MSDH" shall mean the Mississippi State Department of Health.

"Municipality" shall mean the City of Starkville, Mississippi.

"Paying Agent" shall mean any bank, trust company or other institution hereafter designated by the Municipality to make payments of the principal of and interest on the Bonds

and 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 Municipality.

"Payment Dates" shall mean any dates on which interest or principal and interest on any of the Bonds is payable pursuant to the Bond Purchase Agreement.

"Person" shall mean an individual, partnership, corporation, trust or unincorporated organization and a government or agency or political subdivision thereof.

"Procedures" shall mean the Post Issuance Compliance Procedures.

"2003 Project" shall mean the 1,200 gpm pressure filter acquired for use by the Municipality's water system and financed with the proceeds of the 2003 Drinking Water Improvements Revolving Loan.

"2004 Project" shall mean the 1,200 gpm water well and the 1,200 gpm pressure filter acquired for use by the Municipality's water system and financed with the proceeds of the 2004 Drinking Water Improvements Revolving Loan.

"2007 Project" shall mean the 1,200 gpm water well, the 1,200 gpm pressure filter, the booster station and raw water line acquired for use by the Municipality's water system and financed with the proceeds of the 2007 Drinking Water Improvements Revolving Loan.

"Purchaser" shall mean the purchaser of all or any of the Bonds.

"Record Date" shall mean, as to interest payments on any Bonds, the 15th day of the month preceding the dates set for payment of interest on such Bonds and, as to payments of principal on any Bonds, the fifteenth (15<sup>th</sup>) day of the month preceding the date on which such principal shall be due and payable, whether at maturity or upon the redemption date applicable to such Bonds.

"Record Date Registered Owner" shall mean the Registered Owner as of the Record Date.

"Refunded Loans" shall mean the 2003 Drinking Water Improvements Revolving Loan, the 2004 Drinking Water Improvements Revolving Loan and the 2007 Drinking Water Improvements Revolving Loan.

"Refunding" shall mean providing for the payment of the outstanding principal amount of the Refunded Loans.

"Registered Owner" shall mean the Person whose name shall appear in the registration books of the Municipality maintained by the Paying Agent with respect to any of the Bonds.

"Responsible Party" shall mean the party specified in each section of these Procedures as being responsible for compliance.

"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 shall be deemed and construed to include correlative words of the feminine and neuter genders. Unless the context shall otherwise indicate, words and terms herein defined shall be equally applicable to the plural as well as the singular form of any of such words and terms. Captions in this Bond Resolution are for convenience only and in no way define, limit or describe the scope or intent of any provisions of this Bond Resolution.

2. The Municipality is authorized under the provisions of the Act to issue its Bonds for the Refunding. It is advisable and in the public interest to issue the Bonds for the purposes stated herein.

3. The estimated cost of the Refunding is not in excess of Two Million Six Hundred Forty Thousand Dollars (\$2,640,000), which does not exceed the portion of the proceeds of the Bonds to be used for the Refunding, plus other moneys of the Municipality to be used for the Refunding.

4. The Refunding shall result in an overall net present value savings to maturity of not less than two percent (2%) of the Refunded Loans.

5. Pursuant to the Act, the Municipality has negotiated privately for the sale of the Bonds, such sale to be consummated pursuant to the Bond Purchase Agreement, and it is necessary and appropriate for the Municipality to approve the Bond Purchase Agreement and to authorize the Mayor to execute the Bond Purchase Agreement on behalf of the Municipality provided that: (a) the Bonds shall be sold at a price which results in net present value debt service savings to the Municipality of not less than two percent (2%) of the par amount of the Refunded Loans, (b) the aggregate principal amount of the Bonds shall not exceed Two Million Six Hundred Forty Thousand Dollars (\$2,640,000), and (c) the Bond Purchase Agreement shall be executed within one hundred eighty (180) days of the date of adoption of this Bond Resolution.

6. It is in the interest of the Municipality to authorize a portion of the proceeds of the Bonds to be invested until needed to pay principal of, premium (if any) and interest on the Refunded Loans.

7. The Municipality plans to refund the Refunded Loans with a portion of the proceeds of the Bonds and other moneys available to the Municipality.

8. The assessed value of taxable property within the Municipality, according to the last completed assessment for taxation, is Two Hundred Ten Million Four Hundred Seventy-Two Thousand Eighty-Seven Dollars (\$210,472,087); the Municipality has outstanding bonded indebtedness subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, in the amount of Eleven Million Five Hundred Ninety-Five Dollars (\$11,595,000), and outstanding bonded and floating indebtedness subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972 (which amount includes the sum set forth above subject to the fifteen percent (15%) debt limit) in the amount of

Eleven Million Five Hundred Ninety-Five Dollars (\$11,595,000); the issuance of the Bonds, when added to the outstanding bonded indebtedness of the Municipality (excluding the amount of the Refunded Loans), will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of taxable property within the Municipality, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of taxable property within the Municipality, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the Municipality.

9. The Governing Body is now fully authorized pursuant to the Act to issue the Bonds in the amount and for the purposes hereinafter set forth and is authorized to issue such Bonds registered as to principal and interest in the form and manner hereinafter provided for by Chapter 21 of Title 31, Mississippi Code of 1972.

10. 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 Ten Million Dollars (\$10,000,000) of qualified tax-exempt obligations (other than private activity bonds which are not qualified 501(c)(3) bonds) in this calendar year. It is necessary to designate the Bonds as qualified tax-exempt obligations within the meaning of Section 265(b)(3) of the Code.

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 exclusion of the interest on the Bonds from gross income for federal income tax purposes since such exclusion may depend, in part, upon continuing compliance by the Municipality with certain requirements of the Code.

12. The Municipality reasonably expects that not less than eighty-five percent (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.

13. It is advisable and in the public interest to authorize the Mayor and Clerk to arrange for a bond rating for the Bonds in the event that said officers determine that obtaining any such rating is in the best interests of the Municipality. The Governing Body should authorize the obtaining of such rating, the execution of any documents necessary or appropriate for such purpose and the commitment to pay the rating fee and usual costs pertaining to any such rating by the Mayor and Clerk if such officers determine any such rating to be in the best interest of the Municipality.

14. It has now become necessary to make provision for the preparation, execution and issuance of the Bonds, to make provision for the call and redemption of the Refunded Loans on such date or dates as are specified in the Bond Purchase Agreement.

15. The Municipality desires to go forward with preparation for the issuance of the Bonds and in connection therewith, desires to approve the engagement of certain professionals to assist with the issuance of the Bonds.

16. The Governing Body desires to approve and adopt the Post Issuance Compliance Procedures.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE MUNICIPALITY, 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 shall constitute a contract between the Municipality and the Registered Owners from time to time of the Bonds. The pledge made herein and the covenants and agreements herein set forth to be performed on behalf of the Municipality shall 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 and delivery or maturity, shall be of equal rank, without preference, priority or distinction.

SECTION 2. Engagement of Professionals. The Municipality desires to go forward with preparation for the issuance of the Bonds and in connection therewith, desires to approve the engagement of the law firm of Jones, Walker, Waechter, Poitevent, Carrère & Denègre L.L.P, Jackson, Mississippi, to serve as bond counsel in connection with the issuance of the Bonds.

SECTION 3. Authorization, Amount and Purpose. The Bonds are hereby authorized and directed to be issued in the maximum principal amount of Two Million Six Hundred Forty Thousand Dollars (\$2,640,000) to raise money for the Refunding as authorized by the Act.

SECTION 4. Payments. Payments of interest on the Bonds shall be made to the Record Date Registered Owner, and payments of principal shall 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 shall 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.

SECTION 5. Bond Details. The actual amount of the Bonds to be issued pursuant to this Bond Resolution shall be specified in the Bond Purchase Agreement, not to exceed the maximum aggregate principal amount authorized for the Bonds in this Bond Resolution. The Bonds shall be sold to the Purchaser in accordance with the requirements of Section 18 hereof. The Bonds shall be issued as fully registered bonds; shall be dated such date as is subsequently set out in the Bond Purchase Agreement; shall be in the denomination of \$100,000 or any integral multiple of \$5,000 in excess thereof; shall be numbered consecutively in numerical order from 1 upward; shall bear interest from the date thereof at the rates set out in the Bond Purchase Agreement authorized herein, payable monthly on the first day of the month, commencing on a date to be specified in the Bond Purchase Agreement; and shall mature, and become due and

payable, subject to prior redemption as hereinafter provided, on the dates and in the years and principal amounts set out in the Bond Purchase Agreement.

SECTION 6. (a) Mandatory Sinking Fund Redemption for the Bonds. The Bonds may be subject to a mandatory sinking fund redemption prior to their scheduled maturity on the dates and in the principal amounts set out in the Bond Purchase Agreement. If any Bonds are term bonds subject to mandatory sinking fund redemption, the redemption price will be one hundred percent (100%) of the principal amount redeemed plus accrued interest to the redemption date from amounts on deposit in the Bond Fund.

(b) Optional Redemption Provisions for the Bonds. The Bonds may be made subject to optional redemption, if so provided in the Bond Purchase Agreement, at the price or prices and on the dates specified in the Bond Purchase Agreement. Such Bonds may be made subject to redemption prior to their respective maturities at the option of the Municipality 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 thirty (30) days and not more than sixty (60) 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. If less than all of the outstanding Bonds of a maturity are to be redeemed, the particular Bonds to be redeemed shall be selected by the Paying Agent by lot or random selection in such manner as the Paying Agent shall deem fair and appropriate. As to any Bonds that are subject to the option of prior payment pursuant to the Bond Purchase Agreement, the Municipality may provide for the selection of portions of the principal of such Bonds (in integral multiples of \$5,000), and for all purposes of this Bond Resolution, all provisions relating to the redemption of Bonds shall relate, in the case of any Bond redeemed or to be redeemed only in part, to the portion of the principal of such Bond which has been or is to be redeemed.

SECTION 7. Bonds Registered as Obligations:

(a) Registration and Validation Certificate. When the Bonds shall have been validated and executed as herein provided, they shall be registered as an obligation of the Municipality in the office of the Clerk in a book maintained for that purpose, and the Clerk shall cause to be imprinted upon or accompany the Bonds, over her manual or facsimile signature (or a facsimile thereof) and the seal of the Municipality (or a facsimile thereof), her certificate in substantially the form set out in Section 9 hereof.

(b) Execution. The Bonds shall be executed by the manual or facsimile signature of the Mayor and countersigned by the manual or facsimile signature of the 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 shall 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 shall appear on the Bonds shall cease to be such official before the delivery or reissuance thereof, such signature or such facsimile shall 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 shall be delivered to the Purchaser upon payment of the purchase price therefor in accordance with the terms and conditions of the Bond Purchase Agreement, 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, which opinion shall be printed on or accompany each of the Bonds.

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

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

(ii) an authorization to the Paying Agent, signed by the Clerk, to authenticate and deliver the Bonds to the Purchaser.

(e) Authentication. The Paying Agent acting through its officers, employees or agents, shall authenticate the Bonds upon receipt of the items listed above in paragraph (d) of this Section and deliver them to the Purchaser thereof upon payment of the purchase price of the Bonds to the Municipality.

(f) Bond Certificates. Bond certificates, blank as to denomination, rate of interest, date of maturity and CUSIP number and sufficient in quantity in the judgment of the Municipality to meet the reasonable transfer and reissuance needs of the Bonds, may be printed and delivered to the Paying Agent in generally accepted form, and held by the Paying Agent until needed for transfer or reissuance, whereupon the Paying Agent shall imprint the appropriate information as to denomination, rate of interest, date of maturity and CUSIP number 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 8. (a) Designation of Paying Agent. The Paying Agent for the Bonds, which shall serve as paying agent, registrar and transfer agent, shall be such bank as is designated in the Bond Purchase Agreement.

(b) Paying Agent as Registrar and Transfer Agent. So long as any of the Bonds shall remain outstanding, the Municipality shall 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 shall 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 shall 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, shall 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. (i) A Paying Agent may at any time resign and be discharged of its duties and obligations as Paying Agent by giving at least sixty (60) days' written notice to the Municipality, and may be removed as Paying Agent at any time by resolution of the Governing Body delivered to the Paying Agent. The resolution shall specify the date on which such removal shall take effect and the name and address of the successor Paying Agent, and shall 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 shall become effective until a successor Paying Agent has been appointed pursuant to this Bond Resolution.

(ii) Upon receiving notice of the resignation of a Paying Agent, the Municipality shall promptly appoint a successor Paying Agent by resolution of the Governing Body. Any appointment of a successor Paying Agent shall become effective, upon 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 shall have been so appointed and have accepted appointment within thirty (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.

(iii) In the event of a change of Paying Agents, the predecessor Paying Agent shall 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 shall 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 shall be fully paid. Every predecessor Paying Agent shall 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.

(iv) Any successor Paying Agent appointed under the provisions hereof shall be a bank, trust company or national banking association having a combined capital and surplus of at least Twenty-Five Million Dollars (\$25,000,000), 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.

(v) Every successor Paying Agent appointed hereunder shall 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, shall become fully vested with all the rights, immunities and powers, and subject to all the duties and obligations, of its predecessor.

(vi) 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 shall, on request, be executed, acknowledged and delivered by the Municipality.

(vii) 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.

(viii) All duties and obligations imposed hereby on a Paying Agent or successor Paying Agent shall 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, shall 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 shall be satisfactory to the Municipality and eligible under the provisions of this Section.

SECTION 9. Bond Form. The Bonds shall be in substantially the following form, with such appropriate variations, omissions and insertions as are permitted or required by this Bond Resolution or as shall be approved by the officers of the Municipality executing the Bonds, with their execution of such Bonds to be conclusive evidence of such approval:

[BOND FORM]

UNITED STATES OF AMERICA

STATE OF MISSISSIPPI

CITY OF STARKVILLE, MISSISSIPPI

GENERAL OBLIGATION UTILITY REFUNDING BONDS, SERIES 2012

NO. \_\_\_\_\_

\$ \_\_\_\_\_

Rate of Interest

Maturity Date

Dated Date

CUSIP

\_\_\_\_\_%

\_\_\_\_\_, \_\_\_\_

\_\_\_\_\_, 1, \_\_\_\_

Registered Owner:

Principal Amount:

DOLLARS

The City of Starkville, in the State of Mississippi (the "Municipality"), a body politic existing under the Constitution and laws of the State of Mississippi, acknowledges itself to owe and for value received, promises to pay in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, to the Registered Owner identified above, upon the presentation and surrender of this bond at the principal corporate trust office of \_\_\_\_\_, \_\_\_\_\_, Mississippi, or its successor, as paying agent (the "Paying Agent") for the General Obligation Utility Refunding Bonds, Series 2012, of the Municipality (the "Bonds"), on the maturity date identified above, the principal amount identified above. Payment of the principal amount of this bond shall be made to the Registered Owner hereof whose name shall appear in the registration books 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.

All capitalized terms not otherwise defined herein shall have the meaning set forth in the Bond Resolution (as hereinafter defined).

The Municipality further promises to pay interest on such principal amount from the date of this bond (or, if this bond shall have been issued as a result of a transfer or exchange of another bond, from the most recent interest payment date to which interest on such transferred or exchanged bonds shall have been paid) at the rate of interest per annum set forth above, payable on \_\_\_\_\_ 1, \_\_\_\_\_, and monthly thereafter on the first day of each month, until said principal sum is paid, to the Registered Owner hereof whose name shall appear in the registration records of the Municipality maintained by the Paying Agent as of the fifteenth (15<sup>th</sup>) day of the calendar month preceding the applicable interest payment date.

Payments of principal of and interest on this bond shall be made by check or draft mailed on the date on which such principal and interest shall be due and payable (or, with respect to



dated February 1, 2003, the Mississippi State Department of Health Drinking Water Improvements Revolving Loan Numbered DWI-H280073-02-2, in the original principal amount of \$1,354,733, dated October 3, 2004, and the Mississippi State Department of Health Drinking Water Improvements Revolving Loan Numbered DWI-H280073-03-2, in the original principal amount of \$1,573,986, dated November 3, 2007 (collectively, the "Refunded Loans"), and paying the related costs of the issuance, sale and delivery of the Bonds and of the redemption of the Refunded Loans.

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

This Bond may be transferred by the Registered Owner hereof in person or by his attorney duly authorized in writing, at the principal corporate trust office of the Paying Agent, but only in the manner 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 shall 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, to the extent necessary, without limitation as to rate or amount upon all the taxable property within the geographical limits of the Municipality. To the extent necessary, a special tax upon all taxable property within the geographical limits of the Municipality shall be levied annually as required by law, which tax, together with any other moneys available for such purpose, shall be adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same comes due.

This Bond shall 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 shall 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 facsimile seal of the Municipality, which said facsimile signatures said officials adopt as and for their own proper signatures, all as of the \_\_\_ day of \_\_\_\_\_, 20\_\_.

CITY OF STARKVILLE, MISSISSIPPI

\_\_\_\_\_  
Mayor

COUNTERSIGNED:

\_\_\_\_\_  
City Clerk

(SEAL)

There shall be printed on or accompany the Bonds a registration and authentication certificate in substantially the following form:

CERTIFICATE OF REGISTRATION AND AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned Bond Resolution and is one of the General Obligation Utility Refunding Bonds, Series 2012, of the City of Starkville, Mississippi.

\_\_\_\_\_  
\_\_\_\_\_, Mississippi,  
as Paying Agent

\_\_\_\_\_  
Authorized Signature

Date of Registration and Authentication: \_\_\_\_\_

There shall be printed on or accompany the Bonds a registration and validation certificate and an assignment form in substantially the following form:

REGISTRATION AND VALIDATION CERTIFICATE

STATE OF MISSISSIPPI  
COUNTY OF OKTIBBEHA

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

(SEAL)

\_\_\_\_\_  
City Clerk

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 said 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 whatever.

\_\_\_\_\_  
(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: \_\_\_\_\_

SECTION 10. Replacement of Bond Certificates. In case any Bond shall become mutilated or be stolen, destroyed or lost, the Municipality shall, 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 the Paying Agent evidence satisfactory to them that such Bond was stolen, destroyed or lost, and of his ownership thereof, and furnishing the Municipality or the 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 incurred in connection with issuing a new Bond in replacement or substitution thereof, however remote.

SECTION 11. Security for Payment. For the purpose of effectuating and providing for the payment of the principal of and interest on the Bonds as the same shall respectively mature and accrue to the extent other moneys are not available (including for this purpose any advancement of maturity pursuant to a mandatory sinking fund payment), there shall be and is hereby levied, to the extent necessary, a direct, continuing special tax upon all of the taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, shall be adequate and sufficient, after allowance shall have been made for the expenses of collection and delinquencies in the payment of taxes, and taking into account any other moneys available for such purposes, to produce sums required for the payment of the principal of and the interest on the Bonds (including for this purpose any advancement of maturity pursuant to a mandatory sinking fund payment). Said tax shall be extended upon the tax rolls and collected in the same manner and at the same time as other taxes for the Municipality are collected, and the rate of tax which shall be so extended shall be sufficient in each year fully to produce the sums required as aforesaid, without limitation as to rate or amount. The avails of said tax are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same shall respectively mature and accrue. Should there be a failure in any year to comply with the requirements of this Section, such failure shall 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 12. Certificate of Registration and Authentication. Only such of the Bonds as shall have endorsed thereon a certificate of registration and authentication in substantially the form hereinabove set forth, duly executed by the appropriate Paying Agent, shall be entitled to the rights, benefits and security of this Bond Resolution. No Bond shall be valid or obligatory for any purpose unless and until such certificate of registration and authentication shall have been duly executed by the Paying Agent, which executed certificate shall be conclusive evidence of registration, authentication and delivery under this Bond Resolution. The Paying Agent's certificate of registration and authentication on any Bond shall be deemed to have been duly executed if signed by an authorized signatory of the Paying Agent, but it shall 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 13. (a) Initial Registration, Bonds. In the event the Purchaser shall fail to designate the names, addresses and social security or tax identification numbers of the Registered

Owners of the Bonds within thirty (30) days of the date of execution of the Bond Purchase Agreement, or at such other later date as may be designated by the Municipality, one Bond registered in the name of the Purchaser may be issued in the full amount of each maturity of the Bonds. Ownership of the Bonds shall 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 shall re-register any such Bond upon its books 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 shall 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 shall 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 shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

SECTION 14. (a) Transfers. Each Bond shall 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, shall 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, shall 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 shall be paid by the Municipality.

SECTION 15. (a) Bond Fund. The Municipality shall maintain with a qualified depository thereof a Bond Fund in the name of the Municipality for the payment of the principal of and interest on the Bonds (including for this purpose any advancement of maturity pursuant to a mandatory sinking fund payment), and the payment of Paying Agents' fees in connection therewith. There shall be deposited into the Bond Fund as and when received:

- (i) the accrued interest, if any, received upon delivery of the Bonds;
- (ii) the avails of any of the ad valorem taxes levied and collected pursuant to Section 11 hereof;
- (iii) any income received from investment of moneys in the Bond Fund; and

(iv) any other funds available to the Municipality which may be lawfully used for payment of the principal of and interest on the Bonds, and which the Governing Body, in its discretion, may direct to be deposited into the Bond Fund.

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

(c) Bond Fund Options. Notwithstanding anything herein to the contrary, the Municipality, at its option, may maintain one bond fund for all general obligation bonds of the Municipality, or as many as it shall deem to be appropriate. In such event, the Bond Fund shall be deemed to refer to such bond fund.

SECTION 16. (a) Payments of Principal. Payment of principal on the Bonds shall be made, upon presentation and surrender of the Bonds at the principal office of the appropriate Paying Agent, to the Record Date Registered Owner thereof whose name shall 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 shall be made to the Record Date Registered Owner thereof. Interest shall be payable in the manner herein provided 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 shall be paid by check or draft delivered directly to or mailed on the date on which principal and interest shall be due and payable (or, with respect to principal, such later date on which any Bond shall be presented and surrendered for payment as provided herein) to 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 17. Bonds, Use of Proceeds. Upon initial delivery of the Bonds, the proceeds of the sale thereof shall be deposited as follows:

(a) Accrued Interest. The interest accrued on the Bonds from the dated date thereof to the date of delivery thereof, if any, shall be deposited into the Bond Fund.

(b) Refunding. Such amount as shall be sufficient to accomplish the Refunding shall be paid to the MSDH to pay the principal of and interest on the Refunded Loans.

(c) Costs of Issuance Fund. The balance of the proceeds of the sale of the Bonds shall be deposited into the Costs of Issuance Fund, hereby established, and held and disbursed for the costs, fees and expenses incurred by the Municipality in connection with the

authorization, issuance, sale, validation and delivery of the Bonds and the redemption of the Refunded Loans. Any moneys remaining in the Costs of Issuance Fund after the purpose thereof has been satisfied shall be deposited into the Bond Fund.

SECTION 18. Bond Purchase Agreement. The form of the Bond Purchase Agreement attached hereto as **Attachment A** is hereby approved, and the Mayor is authorized to execute and deliver the Bond Purchase Agreement for and on behalf of the Municipality, with such completions, changes, insertions and modifications as shall be approved by the Municipality and the Purchaser, the execution thereof by the Mayor to be conclusive evidence of such approval, provided that: (a) the Bonds shall be sold at a price which results in net present value debt service savings to the Municipality of not less than two percent (2%) of the par amount of the Refunded Loans, (b) the aggregate principal amount of the Bonds shall not exceed Two Million Six Hundred Forty Thousand Dollars (\$2,640,000), and (c) the Bond Purchase Agreement shall be executed within one hundred eighty (180) days of the date of adoption of this Bond Resolution.

SECTION 19. Validation. The Bonds shall be submitted for validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, and to that end the 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's Bond Attorney for the institution of validation proceedings.

SECTION 20. Events of Default; Remedies. An "Event of Default" as used in this Bond Resolution shall mean any of the following: (1) failure to pay the principal of, premium, if any, or interest on any of the Bonds when such payments shall become due; (2) failure to comply with any other of the covenants of the Municipality set out in this Bond Resolution and the continuation thereof for thirty (30) days after written notice specifying such failure shall have been given to the Municipality by any Bondholder; or (3) 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.

The Holders of not less than twenty-five percent (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 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 to the extent allowed by law. The Holders of not less than fifty-one percent (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 contained shall, 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 said Bonds expressed.

SECTION 21. Payment of the Refunded Loans. The Municipality, subject to issuance of the Bonds for this purpose, shall take all action necessary to cause the Refunded Loans to be repaid in full.

SECTION 22. 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) (i) 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 shall 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 shall be treated as arbitrage bonds 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.

(ii) In order to effectuate the foregoing covenants, the Municipality hereby covenants and certifies that: (A) prior to delivery of the Bonds, it shall 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 shall comply with such instructions until the Municipality shall 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 shall thereafter comply with all such alternative instructions.

(c) The Municipality shall 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 shall 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 arbitrage bonds, 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 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, of the 2003 Project, 2004 Project and the 2007 Project, 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 shall comply with all certifications, stipulations and covenants set forth in such certificates. 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 23. Private Activity Bond Covenants; Tax Covenants. (a) The Municipality shall 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) Neither the Refunded Loans, nor Bonds were, are or will be private activity bonds as such term is defined in the Code.

(c) No more than 10% of the proceeds of Refunded Loans have been or will be, and no more than 10% of the proceeds of the Bonds will be, "used" (within the meaning of Section 141 of the Code), directly or indirectly, in a "trade or business" (within the meaning of Section 141 of the Code and including any activity carried on by any person other than a natural person) carried on by any person other than a "governmental unit" (within the meaning of Section 141 of the Code and specifically excluding the United States of America or any agency or instrumentality thereof).

(d) No more than 10% of either the 2003 Project, the 2004 Project or the 2007 Project has been or will be "used," directly or indirectly, in a "trade or business" carried on by any person or entity other than a "governmental unit". No more than 10% of any property with respect to which all or any part of the proceeds of the Bonds will be "used", directly or indirectly, in a "trade or business" carried on by any person other than a "governmental unit".

(e) None of the proceeds of the Refunded Loans have been or 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 proceeds. None of the proceeds of the Bonds will be "used" for any "private business use" which is not related to the "governmental use" of such proceeds.

(f) The amount, if any, of the proceeds of the Refunded Loans used with respect to any "private business use" which was or is related to a "governmental use" of such proceeds has not exceeded and will not exceed the amount of such proceeds used for the "governmental use" to which such "private business use" relates (or related). The amount, if any, of the proceeds of the Bonds used with respect to any "private business use" which is related to a "governmental use" of such proceeds of the Bonds will not exceed the amount of such proceeds used for the "governmental use" to which such "private business use" relates.

(g) None of the proceeds of the any of the issue of the Refunded Loans have been or will be, and none of the proceeds of the Bonds will be, used to make or finance loans for persons other than “governmental units.”

(h) The payment of the principal of or the interest on the Refunded Loans has not been and will not be (under the terms of the Refunded Loans 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". In no event will the payment of the principal of or the interest on more than 10% of the Bonds be (under the terms of the Bonds 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". No party (other than a "governmental unit") which shall use all or any part of the property with respect to which all or any part of the proceeds of the Refunded Loans have been or will be expended or with respect to which all or any part of the proceeds of the Bonds are or will be expended shall make any payments to the Municipality (other than normal and customary taxes due and payable to the Municipality and normal and customary user fees due and payable from use as members of the general public) which are in any way related to any property with respect to which the proceeds of the Refunded Loans or the proceeds of the Bonds have been or will be expended or in any other way related to the Refunded Loans, or the Bonds, if the aggregate of all such payments from all such private parties shall in any year equal or exceed 10% of principal of or interest on the Bonds payable during such year, unless the Municipality shall have received an opinion of nationally recognized bond counsel to the effect that receipt of such payments will not adversely affect the exclusion of interest on the Bonds from gross income for federal income tax purposes.

(i) 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.

(j) No payment of principal of or interest on the Refunded Loans has been or will be, and 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. None of the proceeds of the Refunded Loans have been or will be, and none of the proceeds of the Bonds 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 proceeds of the Refunded Loans and the Bonds for initial temporary periods (within the meaning of subparagraph 3(B) of Subsection 149(b) of the Code) until such proceeds were or are needed for these purposes for which the Refunded Loans were issued and 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 United States Treasury; or (E) other investments permitted under regulations promulgated by the Internal Revenue Service pursuant to Subsection 149(b) of the Code.

(k) 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 24. Bonds as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as a portion of the Ten Million Dollars (\$10,000,000) of qualified tax-exempt obligations within the meaning and for the purposes of Section 265(b)(3) of the Code.

SECTION 25. 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 in Sections 22 and 23 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 26. Covenant Regarding Hedge Bonds. The Municipality reasonably expects that not less than eighty-five percent (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 fifty percent (50%) of the proceeds of the Bonds will be invested in nonpurpose investments (as defined in Section 148(f)(6)(A) of the Code) having a substantially guaranteed yield for four years or more.

SECTION 27. 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, shall 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 need not be made on such date but shall 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, and no interest shall accrue for the period after such date.

SECTION 28. Ratings Authorized. The Mayor or Clerk are hereby authorized to execute a commitment for a bond ratings. Such ratings may be obtained within the discretion of such officials.

SECTION 29. Post Issuance Compliance Procedures. The Municipality hereby approves and adopts the Post Issuance Compliance Procedures and are hereby authorized in substantially the form attached hereto, as **Attachment B**.

SECTION 30. 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 two-thirds or more in principal amount of the Bonds then outstanding; provided, however, that no modification or amendment shall 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 shall 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 shall 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 defective 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 31. 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 32. Repealer; Effective Date. All orders, resolutions or proceedings of the Governing Body in conflict with any provision hereof shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict. For cause, this Bond Resolution shall become effective upon the adoption hereof.

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

Alderman Ben Carver	voted: _____
Alderman Richard Corey	voted: _____
Alderman Jeremiah Dumas	voted: _____
Alderman Eric Parker	voted: _____
Alderman Roy A. Perkins	voted: _____
Alderman Sandra C. Sistrunk	voted: _____
Alderman Henry N. Vaughn, Sr.	voted: _____

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this, the 7th day of August, 2012.

City of Starkville, Mississippi

\_\_\_\_\_  
Parker Wiseman, Mayor

ATTEST:

\_\_\_\_\_  
[Emma Gandy, Acting City Clerk]

ATTACHMENT A  
Bond Purchase Agreement

ATTACHMENT B

Post Issuance Compliance Procedures

**PUBLIC APPEARANCES:**

Mr. Alvin Turner of Ward 7 spoke to three areas of concern relating to various management functions within the City of Starkville.

Ms. Shelby Balius, President of the Mississippi State University Student Association and Bill Broyles, Associate Vice President of Student Affairs presented the budget for the upcoming fiscal year 2013 for the use of the 2% sales tax funds to demonstrate compliance with the requirements of HB 1833 and Board Resolution dated March 16, 2004.

**BOARD BUSINESS:**

**33. ADOPTION OF REDISTRICTING PLAN 4A AS PRESENTED BY GOLDEN TRIANGLE PLANNING AND DEVELOPMENT DISTRICT:**

There came consideration of the matter of adoption of Redistricting Plan 4A as presented by the Golden Triangle Planning and Development District. Alderman Roy A' Perkins commended the Golden Triangle Planning and Development District for their work associated with the redistricting effort, and motioned approval of adoption of Redistricting Plan 4A as presented, duly seconded by Alderman Ben Carver.

Without further discussion, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Eric Parker	Voted: Yea
Alderman Richard Corey	Voted: Yea
Alderman Jeremiah Dumas	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion carried.

**34. AUTHORIZATION OF ALL NECESSARY AND PROPER STEPS FOR THE SUBMISSION OF THE APPROVED REDISTRICTING PLAN TO THE DEPARTMENT OF JUSTICE FOR PRECLEARANCE.**

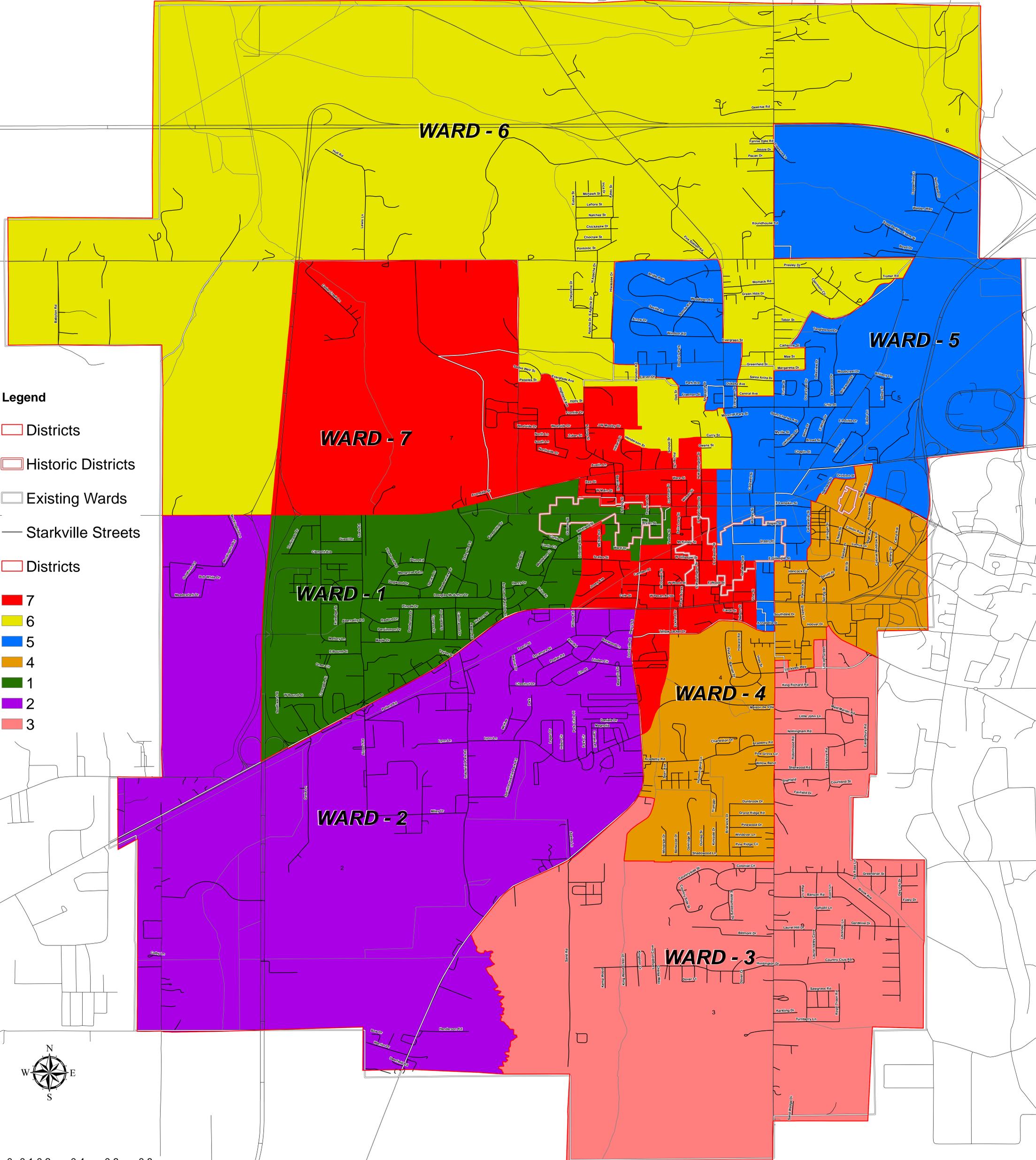
There came consideration of the matter of authorization of all necessary and proper steps for the submission of the approved Redistricting Plan 4A to the Department of Justice for preclearance. Alderman Ben Carver commended the Golden Triangle Planning and Development District for their work on the Redistricting Plan. Alderman Henry Vaughn, Sr. motioned approval for the authorization of all necessary and proper steps for submission of Redistricting Plan 4A to the Department of Justice for preclearance as presented with City Engineer Edward Kemp to prepare all required legal documents, duly seconded by Alderman Roy A' Perkins.

Without further discussion, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Eric Parker	Voted: Yea
Alderman Richard Corey	Voted: Yea
Alderman Jeremiah Dumas	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion carried.

# Starkville Redistricting Plan 4-A



# CITY OF STARKVILLE WARD DISTRICTS

## BENCHMARK 2012

DIST	TOTAL POPULATION													VOTING AGE POPULATION										
	TOTAL	IDEAL	DEV	%	WHITE	%	BLACK	%	OTR	%	NON-W	%	NEW	TOT18	%	WHT18	%	BLK18	%	OTR18	%	NON-W18	%	NEW
1	5,123	3,413	1710	50.12	3,598	70.2	1,282	25.0	243	4.7	1,525	29.8	24.8	4,223	82.43	3,063	72.5	996	23.6	164	3.9	1,160	27.5	21.9
2	2,707	3,413	-706	-20.68	1,197	44.2	1,365	50.4	145	5.4	1,510	55.8	51.9	2,120	78.32	1,053	49.7	962	45.4	105	5.0	1,067	50.3	47.5
3	4,514	3,413	1101	32.28	3,388	75.1	852	18.9	274	6.1	1,126	24.9	30.2	3,517	77.91	2,810	79.9	519	14.8	188	5.3	707	20.1	25.9
4	3,039	3,413	-374	-10.95	2,440	80.3	416	13.7	183	6.0	599	19.7	16.0	2,917	95.99	2,384	81.7	367	12.6	166	5.7	533	18.3	15.0
5	2,831	3,413	-582	-17.04	2,007	70.9	509	18.0	315	11.1	824	29.1	23.0	2,344	82.80	1,711	73.0	379	16.2	254	10.8	633	27.0	20.6
6	2,764	3,413	-649	-19.01	790	28.6	1,894	68.5	80	2.9	1,974	71.4	69.1	2,061	74.57	673	32.7	1,332	64.6	56	2.7	1,388	67.3	65.0
7	2,910	3,413	-503	-14.73	826	28.4	1,956	67.2	128	4.4	2,084	71.6	71.0	2,214	76.08	739	33.4	1,383	62.5	92	4.2	1,475	66.6	65.7
<b>Total</b>	<b>23,888</b>		<b>*Max Var</b>	<b>70.80</b>	<b>14,246</b>	<b>59.6</b>	<b>8,274</b>	<b>34.6</b>	<b>1,368</b>	<b>5.7</b>	<b>9,642</b>	<b>40.4</b>	<b>40.4</b>	<b>19,396</b>	<b>81.20</b>	<b>12,433</b>	<b>64.1</b>	<b>5,938</b>	<b>30.6</b>	<b>1,025</b>	<b>5.3</b>	<b>6,963</b>	<b>35.9</b>	<b>35.9</b>

\*In probability theory and statistics, the **variance** is a measure of how far a set of numbers is spread out. It is one of several descriptors of a probability distribution, describing how far the numbers lie from the mean (expected value).

## NEW (Proposed) PLAN 4A

DIST	TOTAL POPULATION													VOTING AGE POPULATION										
	TOTAL	IDEAL	DEV	%	WHITE	%	BLACK	%	OTR	%	NON-W	%	OLD	TOT18	%	WHT18	%	BLK18	%	OTR18	%	NON-W18	%	OLD
1	3,589	3,413	176	5.17	2,700	75.2	695	19.4	194	5.4	889	24.8	29.8	2,893	80.61	2,258	78.1	508	17.6	127	4.4	635	21.9	27.5
2	3,384	3,413	-29	-0.84	1,629	48.1	1,594	47.1	161	4.8	1,755	51.9	55.8	2,739	80.94	1,439	52.5	1,181	43.1	119	4.3	1,300	47.5	50.3
3	3,296	3,413	-117	-3.42	2,302	69.8	709	21.5	285	8.6	994	30.2	24.9	2,529	76.73	1,874	74.1	446	17.6	209	8.3	655	25.9	20.1
4	3,573	3,413	160	4.70	3,001	84.0	418	11.7	154	4.3	572	16.0	19.7	3,310	92.64	2,813	85.0	365	11.0	132	4.0	497	15.0	18.3
5	3,417	3,413	4	0.13	2,631	77.0	448	13.1	338	9.9	786	23.0	29.1	2,909	85.13	2,311	79.4	323	11.1	275	9.5	598	20.6	27.0
6	3,280	3,413	-133	-3.88	1,013	30.9	2,137	65.2	130	4.0	2,267	69.1	71.4	2,492	75.98	872	35.0	1,524	61.2	96	3.9	1,620	65.0	67.3
7	3,349	3,413	-64	-1.86	970	29.0	2,273	67.9	106	3.2	2,379	71.0	71.6	2,524	75.37	866	34.3	1,591	63.0	67	2.7	1,658	65.7	66.6
<b>Total</b>	<b>23,888</b>		<b>Max Var</b>	<b>9.05</b>	<b>14,246</b>	<b>59.6</b>	<b>8,274</b>	<b>34.6</b>	<b>1,368</b>	<b>5.7</b>	<b>9,642</b>	<b>40.4</b>	<b>40.4</b>	<b>19,396</b>	<b>81.20</b>	<b>12,433</b>	<b>64.1</b>	<b>5,938</b>	<b>30.6</b>	<b>1,025</b>	<b>5.3</b>	<b>6,963</b>	<b>35.9</b>	<b>35.9</b>

**35. REPORT ON THE EVALUATION OF THE OPERATIONAL AND FINANCIAL EFFICIENCIES SPECIFIC TO THE SANITATION AND ENVIRONMENTAL SERVICES DEPARTMENT.**

There came a report on the evaluation of the operation and financial efficiencies specific to the Sanitation and Environmental Services Department. Alderman Eric Parker outlined the financial history of the department, and recommended no immediate changes be made. Calvin Ware was also commended for his hard work during the interim period where a new department head was being selected.

**36. CONSIDERATION OF SELECTING THE CANDIDATES FOR THE INTERVIEW PROCESS FOR THE SANITATION AND ENVIRONMENTAL SERVICES DEPARTMENT HEAD POSITION.**

There came for consideration of selecting the candidates for the interview process for the Sanitation and Environmental Services Department Head position. Alderman Ben Carver motioned approval to interviews of the five (5) candidates recommended as finalists, duly seconded by Alderman Jeremiah Dumas. During discussion Mayor Wiseman listed the names of the 5 recommended finalists.

Alderman Henry Vaughn, Sr. motioned to amend Alderman Carver's motion to include Chanteau Wilson as the 6<sup>th</sup> finalist, duly seconded by Alderman Ben Carver.

Without further discussion, the Board voted on the amendment as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Eric Parker	Voted: Yea
Alderman Richard Corey	Voted: Yea
Alderman Jeremiah Dumas	Voted: Yea
Alderman Roy A'. Perkins	Voted: Not Voting
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote of those members present and voting, the Mayor declared the amendment to the main motion carried.

Without further discussion on Alderman Ben Carver's main motion, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Eric Parker	Voted: Yea
Alderman Richard Corey	Voted: Yea
Alderman Jeremiah Dumas	Voted: Yea
Alderman Roy A'. Perkins	Voted: Not Voting
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion carried.

**37. REPORT ON THE STATUS OF RESEARCH ON AUTOMATED METER READING PROVIDERS AND TECHNOLOGY IMPROVEMENTS FOR MOBILE APPLICATIONS IN THE ELECTRIC DEPARTMENT WITH A REQUEST FOR AUTHORIZATION FOR THE MAYOR TO SIGN AN AGREEMENT FOR IMPLEMENTATION.**

There came for consideration the report on the status of research on automated meter reading providers and technology improvements for mobile applications in the electric department with a request for authorization for the Mayor to sign an agreement for implementation.

Terry Kemp, Director of the Starkville Electric Department gave a brief overview of the program and indicated that he would return to Board in about 60 days to request issuance of a request for proposals (RFP) for automated meter reading equipment and services.

Mr. Kemp then indicated that the mobile applications for the Starkville Electric Department were ready and requested that the Mayor sign an agreement for implementation. Alderman Jeremiah Dumas motioned approval of agreement for implementation of the mobile apps for Starkville Electric Department utility customers, duly seconded by Alderman Ben Carver.

Without further discussion, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Eric Parker	Voted: Yea
Alderman Richard Corey	Voted: Yea
Alderman Jeremiah Dumas	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion carried.

Note: Alderman Ben Carver recused himself and exited the board room.

**38. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR THE FIRE DEPARTMENT AS OF AUGUST 2, 2012.**

There came consideration of the City of Starkville Claims Docket for the Fire Department as of August 2, 2012. Upon the motion of Alderman Jeremiah Dumas, duly seconded by Alderman Richard Corey:

Without further discussion, the Board voted as follows:

Alderman Ben Carver	Voted: Recused
Alderman Sandra Sistrunk	Voted: Yea
Alderman Eric Parker	Voted: Yea
Alderman Richard Corey	Voted: Yea
Alderman Jeremiah Dumas	Voted: Yea

Alderman Roy A'. Perkins                      Voted: Yea  
Alderman Henry Vaughn, Sr.                      Voted: Yea

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion carried.

FIRE REFUND	261	\$28,857.78
	262	\$1,793.71
	263	\$478.01
	264	\$4,669.60
	267	\$5,427.32
	<b>TOTAL</b>	<b>\$41,226.42</b>

.Note: Alderman Ben Carver reentered the meeting at this time.

**39. A MOTION TO ENTER INTO A CLOSED SESSION TO DETERMINE IF THERE IS PROPER CAUSE FOR EXECUTIVE SESSION**

There came for consideration the matter of entering a closed session to determine if there is proper cause for an executive session. Upon the motion of Alderman Jeremiah Dumas, duly seconded by Alderman Eric Parker, to enter into a Closed Session to determine if there is proper cause for Executive Session:

The Board voted as follows:  
Alderman Ben Carver                      Voted: Yea  
Alderman Sandra Sistrunk                      Voted: Yea  
Alderman Eric Parker                      Voted: Yea  
Alderman Richard Corey                      Voted: Yea  
Alderman Jeremiah Dumas                      Voted: Yea  
Alderman Roy A'. Perkins                      Voted: Yea  
Alderman Henry Vaughn, Sr.                      Voted: Yea

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion passed.

**40. A MOTION TO ENTER EXECUTIVE SESSION**

There came for consideration the matter of entering an executive session to discuss potential litigation related to a damaged drainage pipe along the 182 Highway corridor, an ethics complaint pertaining to the Municipal Complex Award, and a grievance filed by an employee. Upon the motion of Alderman Jeremiah Dumas, duly seconded by Alderman Eric Parker, to enter into an Executive Session to discuss a damaged drainage pipe, the ethics complaint, and the employee grievance the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Eric Parker	Voted: Yea
Alderman Richard Corey	Voted: Yea
Alderman Jeremiah Dumas	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion passed.

The Mayor invited the Public back in to make the announcement of the Board's decision to enter into executive session.

**At this time the Board entered executive session.**

**44. A MOTION TO EXIT EXECUTIVE SESSION AND RETURN TO OPEN SESSION**

Upon the motion of Alderman Richard Corey, duly seconded by Alderman Sandra Sistrunk, to exit Executive Session and return to Open Session, the Board voted unanimously in favor of the motion.

The Mayor announced that the Board had taken action in executive session.

Alderman Ben Carver made the following motion, duly seconded by Alderman Richard Corey:

“Move to affirm in part the grievance submitted by Kelvin Daily to offer the position of foreman in the Public Service Department with a 10% pay raise effective upon action and the requirement that Mr. Daily attain MDEQ Operator II-C Certification within one (1) years time or vacate the position.”

The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman Eric Parker	Voted: Yea
Alderman Richard Corey	Voted: Yea
Alderman Jeremiah Dumas	Voted: Not Voting
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion carried.

**45. A MOTION TO RECESS UNTIL 5:00 PM ON TUESDAY JULY 10, 2012**

Upon the motion of Alderman Roy Perkins, duly seconded by Alderman Jeremiah Dumas, for the Board of Aldermen to recess the meeting until 5:00 p.m., on Tuesday, August 14, 2012, in the conference room of the Sportsplex located at 405 Lynn Lane, the Board voted as follows:

Alderman Ben Carver	voted: Yea
Alderman Sandra Sistrunk	voted: Yea
Alderman Eric Parker	voted: Yea
Alderman Jeremiah Dumas	voted: Yea
Alderman Roy A'. Perkins	voted: Yea
Alderman Henry Vaughn, Sr.	voted: Yea

Having received a majority affirmative vote of those members present and voting, the Mayor declared the motion passed.

SIGNED AND SEALED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2012.

\_\_\_\_\_  
PARKER WISEMAN, MAYOR

Attest:

\_\_\_\_\_  
TAYLOR V. ADAMS, CITY CLERK

(SEALED)