

#47

EXCERPTS FROM THE MINUTES OF THE MEETING
OF THE BOARD OF MAYOR AND ALDERMEN OF THE
TOWN OF MOUNT CARMEL,
HAWKINS COUNTY, TENNESSEE
HELD ON MAY 3, 1988

The Board of Mayor and Aldermen of the Town of Mount Carmel, Hawkins County, Tennessee, met in special public session at the Town Hall, Mount Carmel, Tennessee, at 12:00 o'clock noon, local time, on the 3rd day of May, 1988, with the Honorable Gary Lawson, Mayor, and the following named members of the Board of Mayor and Aldermen present:

Carl Newland
Johnny McClellan
Fred Arnold

Charles Fuller
Ronnie Davis
Mildred Ford

Also present were Rita Jones, City Recorder, Steven C. Frazier, Esq., city attorney for said Town, and the following named additional persons:

Milna Statton

* * *
(Other Business)
* * *

After the meeting was duly called to order, the following Resolution was thereupon introduced and read in full:

RESOLUTION AWARDING THE \$1,450,000 SEWER REVENUE AND TAX
BONDS, SERIES 1988, OF THE TOWN OF MOUNT CARMEL, TENNESSEE

WHEREAS, on January 14, 1988, this Board of Mayor and Aldermen of the Town of Mount Carmel, Tennessee (the "Municipality") adopted a "Resolution Authorizing the Execution, Terms, Issuance, Sale and Payment of Sewer Revenue and Tax Bonds, Series 1988, in the Aggregate Principal Amount of Not to Exceed Three Million Four Hundred Thousand Dollars (\$3,400,000) of the Town of Mount Carmel, Tennessee, and Providing the Details Thereof" as amended by that certain resolution adopted on April 18, 1988 (collectively, the "Resolution") authorizing the issuance and sale of \$1,450,000 Sewer Revenue and Tax Bonds, Series 1988 (the "Bonds"); and

WHEREAS, the Bonds have been advertised for public sale on April 26, 1988, in The Bond Buyer, a daily financial newspaper printed and published in New York, New York, and on April 27, 1988, in the Kingsport Times News, a newspaper of general circulation in the Municipality; and

WHEREAS, pursuant to the Notice of Sale, described above, duly published in accordance with Section 9-21-203, Tennessee Code Annotated, as amended, the following bids were received for the Bonds, copies of which are attached hereto as Exhibit B:

<u>Name of Bidder</u>	<u>Net Interest Cost</u>	
1. <i>First Tennessee Bank National Association</i>	7.881606	(1,494,352.50)
2. <i>Morgan Keegan & Company Inc.</i> <i>The Cherokee Securities Co.</i> <i>Southern Bank Central South</i>	7.8467	(1,487,742.50)
3. <i>The Robinson-Humphrey Co., Inc.</i> <i>J.C. Bradford</i>	7.5148	(1,424,802.50)
4. <i>Muncie-Williams, Inc.</i>	7.5675	(1,434,815.00)

WHEREAS, pursuant to said Notice of Sale, the Board of Mayor and Aldermen of the Municipality has reviewed all bids received with respect to the Bonds and hereby awards the Bonds to the lowest bidder:

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MOUNT CARMEL, TENNESSEE AS FOLLOWS:

Section 1. The bid of Robinson-Humphrey Co. Inc. / J.C. Bradford is the bid which results in the lowest net interest cost to the Municipality and in all respects complies with the Notice of Sale.

Section 2. It is hereby ordered that the bid of Robinson-Humphrey Co. Inc., attached hereto as Exhibit A, be and the same is hereby accepted, and the Board of Mayor and Aldermen of the Municipality hereby awards and sells to Robinson-Humphrey Co. Inc., the Bonds dated May 1, 1988, which shall mature serially on the first day of May in the years and in the aggregate principal amounts as follows:

<u>Due</u> <u>May 1</u>	<u>Principal</u>
1989	\$ 0
1990	40,000
1991	40,000
1992	45,000
1993	45,000
1994	50,000
1995	55,000
1996	55,000
1997	60,000
1998	65,000
1999	70,000
2000	75,000
2001	80,000
2002	85,000
2003	95,000
2004	100,000
2005	110,000

2006	115,000
2007	125,000
2008	140,000

The Bonds shall bear interest, payable semi-annually on May 1 and November 1 of each year, commencing November 1, 1988, shall be issued in definitive form, shall be fully registered, without coupons, and shall be in the denomination of \$5,000 and authorized integral multiples thereof.

The Bonds maturing May 1, 1989 through May 1, 1996 are not subject to redemption prior to maturity. Bonds maturing after May 1, 1996 are subject to redemption at the option of the Municipality as a whole or in part, in integral multiples of \$5,000 on and after May 1, 1996 and thereafter on any interest payment date, in inverse order of maturity and within any maturity by lot, at the redemption prices, expressed as a percentage of principal amount, together with accrued interest to the date fixed for redemption as follows: May 1, 1996 and November 1, 1996 at 102%; May 1, 1997 and November 1, 1997 at 101%; and May 1, 1998 and thereafter at 100%.

Section 3. Return of Good Faith Bid Checks. The City Recorder of the Municipality is hereby authorized and directed to return forthwith all good faith bid checks, except the good faith bid check of the Purchaser which shall be held by the City Recorder as required by the Resolution.

Section 4. Ratification and Confirmation. All prior actions and resolutions of the Municipality pertaining to the issuance of the Bonds are hereby in all particulars ratified, approved, and confirmed.

Section 5. Partial Invalidity. If any one or more of the provisions of this Resolution, or of any exhibit or attachment thereto, shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, or of any exhibit or attachment thereto, but this Resolution, and the exhibits and attachments thereto, shall be construed the same as if such invalid, illegal, or unenforceable provision had never been contained herein, or therein, as the case may be.

Section 6. Conflicting Resolutions Repealed. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 7. Effective Date. This Resolution shall take effect from and after its adoption, the welfare of the Municipality requiring it.

Approved and adopted this 3rd day of May, 1988.

Mary Lawson
Mayor

Attest:

Rita Jones
City Recorder

After full discussion, it was thereupon moved by Alderman Johnny McClellan and seconded by Alderman Ronnie Davis that said Resolution awarding \$1,450,000 Sewer Revenue and Tax Bonds, Series 1988, to the bidder with the lowest net interest cost, 7.5148, be adopted. Upon roll being called the following voted:

Aye: Carl Newland
Johnny McClellan
Fred Arnold

Charles Fuller Gary Lawson
Ronnie Davis
Mildred Ford

Nay:

The Mayor thereupon declared said Resolution duly adopted and approved the same in open meeting.

* * *

(Other Business)

* * *

There being no further business, upon motion duly made, seconded, and unanimously adopted, the Board of Mayor and Aldermen of the Town of Mount Carmel, Tennessee, adjourned.

Mary Lawson
Mayor

Attest:

Rita Jones
City Recorder

STATE OF TENNESSEE)
COUNTY OF HAWKINS)

I, Rita Jones, hereby certify that I am the duly qualified and acting City Recorder of the Town of Mount Carmel, Tennessee (the "Municipality"), and, as such official, I further certify as follows: (1) that attached hereto is a copy of excerpts from the minutes of the meeting of the Board of Mayor and Aldermen of said Municipality held on May 3, 1988; (2) that I have compared said copy with the original minute record of said meeting in my official custody; (3) that said copy is a true, correct and complete transcript from said original record insofar as said original record relates to, among other matters, the award of \$1,450,000 Sewer Revenue and Tax Bonds of said Municipality; (4) that the actions by said Board of Mayor and Aldermen including the aforementioned, at said meeting were promptly and duly recorded by me in a book kept for such purpose; and (5) that a quorum of the members of said Board of Mayor and Aldermen was present and acting through said meeting.

WITNESS my official signature and the seal of said Municipality, this 3rd day of May, 1988.



CITY RECORDER

(SEAL)

OFFICIAL BID FORM

May 3, 1988
11:00 A.M. E.D.T.

Board of Mayor and Aldermen
Town of Mount Carmel
Mount Carmel, Tennessee 37645

Gentlemen:

For your legally issued, properly executed \$1,450,000 Sewer Revenue and Tax Bonds, Series 1988 dated May 1, 1988, in all respects to be more fully outlined in your Detailed Notice of Sale, which by reference is made a part hereof, and for all but not less than all of said bonds with interest rates as follows:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>RATES</u>	<u>YEARS</u>	<u>AMOUNTS</u>	<u>RATES</u>
1990	\$40,000	<u>7.00</u>	1999	\$ 70,000	<u>7.40</u>
1991	40,000	<u>7.00</u>	2000	75,000	<u>7.50</u>
1992	45,000	<u>7.00</u>	2001	80,000	<u>7.60</u>
1993	45,000	<u>7.00</u>	2002	85,000	<u>7.70</u>
1994	50,000	<u>7.00</u>	2003	95,000	<u>7.75</u>
1995	55,000	<u>7.00</u>	2004	100,000	<u>7.75</u>
1996	55,000	<u>7.00</u>	2005	110,000	<u>8.00</u>
1997	60,000	<u>7.10</u>	2006	115,000	<u>8.00</u>
1998	65,000	<u>7.25</u>	2007	125,000	<u>8.00</u>
			2008	140,000	<u>8.00</u>

and payable at the main office of First Tennessee Bank National Association, Memphis, Tennessee, we will pay you \$ 1,421,000.00 plus accrued interest from May 1, 1988 to the date of delivery.

It is our understanding that the Municipality will furnish without cost, the executed bonds and final unqualified approving opinion of Stokes & Bartholomew, P.A., Nashville, Tennessee, and that delivery of said bonds will be made in Nashville, Tennessee on May __, 1988; elsewhere at your expense.

We enclose, as evidence of our good faith, certified or cashier's check for \$29,000 made payable to the order of the Town of Mount Carmel, which is to be held by you uncashed should this bid be accepted, pending delivery of said bonds to us. Should for any reason we fail to comply with the terms of this bid, said check is to be forfeited by us as full liquidated damages, otherwise, said check is to be promptly returned to us.

Accepted for and on behalf of Mount Carmel Tennessee this ___ day of May, 1988.

Mayor

City Recorder

Respectfully submitted,

First Tennessee Bank National Association



Michael D. Allen, Vice President

The below listed data is not a part of this bid and is submitted for informational purposes only.

\$ 1,465,352.50
Gross Interest Cost
29,000.00
Discount or Premium

\$ 1,444,352.50
Net Interest Cost
7.881606 %
Average Interest Rate (Net)

OFFICIAL BID FORM

May 3, 1988
11:00 A.M. E.D.T.

Board of Mayor and Aldermen
Town of Mount Carmel
Mount Carmel, Tennessee 37645

Gentlemen:

For your legally issued, properly executed \$1,450,000 Sewer Revenue and Tax Bonds, Series 1988 dated May 1, 1988, in all respects to be more fully outlined in your Detailed Notice of Sale, which by reference is made a part hereof, and for all but not less than all of said bonds with interest rates as follows:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>RATES</u>	<u>YEARS</u>	<u>AMOUNTS</u>	<u>RATES</u>
1990	\$40,000	<u>6.20</u>	1999	\$ 70,000	<u>7.40</u>
1991	40,000	<u>6.20</u>	2000	75,000	<u>7.50</u>
1992	45,000	<u>6.25</u>	2001	80,000	<u>7.60</u>
1993	45,000	<u>6.25</u>	2002	85,000	<u>7.70</u>
1994	50,000	<u>6.40</u>	2003	95,000	<u>7.80</u>
1995	55,000	<u>6.60</u>	2004	100,000	<u>7.90</u>
1996	55,000	<u>6.80</u>	2005	110,000	<u>8.0</u>
1997	60,000	<u>7.0</u>	2006	115,000	<u>8.0</u>
1998	65,000	<u>7.2</u>	2007	125,000	<u>8.0</u>
			2008	140,000	<u>8.0</u>

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Accepted for and on behalf of Mount Carmel
Tennessee this ___ day of May, 1988.

Respectfully submitted,

Morgan, Keegan & Company, Inc.
The Cherokee Securities Company
Sovran Bank Central South

Mayor

City Recorder

Walter Jacob

The below listed data is not a part of this bid and is submitted for informational purposes only.

\$ 1,458,742.50
Gross Interest Cost
29,000
Discount or Premium

\$ 1,487,742.50
Net Interest Cost
7.8467
Average Interest Rate (Net)

OFFICIAL BID FORM

May 3, 1988
11:00 A.M. E.D.T.

Board of Mayor and Aldermen
Town of Mount Carmel
Mount Carmel, Tennessee 37645

Gentlemen:

For your legally issued, properly executed \$1,450,000 Sewer Revenue and Tax Bonds, Series 1988 dated May 1, 1988, in all respects to be more fully outlined in your Detailed Notice of Sale, which by reference is made a part hereof, and for all but not less than all of said bonds with interest rates as follows:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>RATES</u>	<u>YEARS</u>	<u>AMOUNTS</u>	<u>RATES</u>
1990	\$40,000	5.25	1999	\$ 70,000	7.0
1991	40,000	5.50	2000	75,000	7.10
1992	45,000	5.75	2001	80,000	7.20
1993	45,000	6.00	2002	85,000	7.30
1994	50,000	6.20	2003	85,000	7.40
1995	55,000	6.40	2004	100,000	7.50
1996	55,000	6.60	2005	110,000	7.60
1997	60,000	6.75	2006	115,000	7.70
1998	65,000	6.90	2007	125,000	7.75
			2008	140,000	7.75

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Accepted for and on behalf of Mount Carmel
Tennessee this 3rd day of May, 1988.

Mary Raman
Mayor
Lita Jones
City Recorder

Respectfully submitted,
The Robinson-Humphrey Company, Inc.
J. C. Bradford & Co.

By The Robinson-Humphrey Company, Inc.
Molly F. Parker
Molly F. Parker, Asst. Vice Pres.

The below listed data is not a part of this bid and is submitted for informational purposes only.

\$ 1,395,802.50
Gross Interest Cost
29,000
Discount or Premium

\$ 1,424,802.50
Net Interest Cost
7.5148
Average Interest Rate (Net)

OFFICIAL BID FORM

May 3, 1988
11:00 A.M. E,D,T.

Board of Mayor and Aldermen
Town of Mount Carmel
Mount Carmel, Tennessee 37645

Gentlemen:

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			2008	140,000	<u>7.90</u>

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It is our understanding that the Municipality will furnish without cost, the executed bonds and final unqualified approving opinion of Stokes & Bartholomew, P.A., Nashville, Tennessee, and that delivery of said bonds will be made in Nashville, Tennessee on May __, 1988; elsewhere at your expense.

We enclose, as evidence of our good faith, certified or cashier's check for \$20,000 made payable to the order of the Town of Mount Carmel, which is to be held by you uncashed should this bid be accepted, pending delivery of said bonds to us. Should for any reason we fail to comply with the terms of this bid, said check is to be forfeited by us as full liquidated damages, otherwise, said check is to be promptly returned to us.

Accepted for and on behalf of Mount Carmel
Tennessee this ___ day of May, 1988.

Respectfully submitted,

Duncan-Williams, Inc.

Henry C. Herren, V.P. (and)

Henry C. Herren, Vice President

Mayor

City Recorder

The below listed data is not a part of this bid and is submitted for informational purposes only.

\$ 1,414,815.00
Gross Interest Cost
20,000.00
Discount or Premium

\$ 1,434,815.00
Net Interest Cost
7.5675
Average Interest Rate (Net)