

RESOLUTION NO. 61

A RESOLUTION AUTHORIZING THE MAYOR AND RECORDER OF THE TOWN OF MT. CARMEL, TENNESSEE, TO ISSUE INTEREST BEARING CAPITAL OUTLAY NOTE NOT TO EXCEED \$14,815; PROVIDING FOR THE PAYMENT OF SAID NOTE; AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

WHEREAS, it has been determined by the Board of Mayor and Aldermen of the Town of Mt. Carmel, Tennessee, pursuant to its powers enumerated in T.C.A. §9-21-107 that it is necessary and desirable to acquire a 1990 Mitsubishi Montero four-wheel drive vehicle for said municipality for the purpose of a public works project within the meaning of T.C.A. §9-21-105(20)(A) being used more specifically as law enforcement equipment and other municipal purposes as the Board of Mayor and Aldermen may deem appropriate; and

WHEREAS, sufficient funds are not now available for this purpose and it will be necessary for the Board of Mayor and Aldermen to authorize the issuance of note(s) to finance this transaction; and

WHEREAS, under the provisions of Sections and 9-21-601 et seq., Tennessee Code Annotated, municipalities in Tennessee are authorized through their respective governing bodies, upon approval by the State Director of Local Finance, to issue interest bearing capital outlay notes to finance the cost thereof; and

WHEREAS, it appears advantageous to said municipality at this particular time to issue a capital outlay note to finance the cost thereof:

BE IT ORDAINED BY THE TOWN OF MT. CARMEL, TENNESSEE AS FOLLOWS:

SECTION 1. That, for the purpose of providing funds to finance the cost of acquiring a 1990 Mitsubishi Montero four-wheel drive vehicle, in and for said Municipality, there shall be issued its negotiable interest bearing capital outlay note in a principal amount not to exceed Fourteen Thousand Eight Hundred Fifteen (\$14,815) Dollars, said note shall be designated "Town of Mt. Carmel Capital Outlay Note" and shall be numbered serially beginning with the number 1. Said note shall be dated as of the date of issuance thereof, shall be of such denomination as may be agreed upon by the Town of Mt. Carmel and the purchaser of said note, and shall mature not later than one (1) year after the date of issuance.

SECTION 2. That, said note shall bear interest at a rate not to exceed ten percent (10%) per annum, payable in such manner as shall be determined by the Town of Mt. Carmel and the purchaser of said note. Both principal and interest on said note shall be payable in lawful money of the United States of America at the Office of the Town of Mt. Carmel, Tennessee.

SECTION 3. That, said notes shall be subject to redemption at the option of the municipality, in whole or in part, at any time at the principal amount thereof and accrued interest to the date of redemption.

SECTION 4. That, said shall be executed in the name of the Town of Mt. Carmel, Tennessee, signed by the Mayor and attested by the City Recorder, with the seal of the municipality attached thereto.

SECTION 5. That, said note shall be in substantially the following form:

STATE OF TENNESSEE

COUNTY OF HAWKINS

TOWN OF MT. CARMEL CAPITAL OUTLAY NOTE

\$14,815.00

No. 001

KNOW ALL MEN BY THESE PRESENTS: that the municipality of the Town of Mt. Carmel in the State of Tennessee, hereby acknowledges itself to owe and for value received hereby promises to pay to bearer the sum of \$14,815.00 on or before \_\_\_\_\_, 1991, together with interest thereon from the date hereof until paid at the rate of ten percent (10 %) per annum, principal and interest payable on \_\_\_\_\_, 19 91. Both principal and interest are payable in lawful money of the United States of America at the offices of the Town of Mt. Carmel, Tennessee.

For prompt payment of this obligation, both principal and interest, the full faith, credit and other resources of said municipality are hereby irrevocably pledged.

This note is issued for the purpose of providing funds to finance the acquisition of a 1990 Mitsubishi Montero four-wheel drive vehicle in and for said municipality and is in all respects in compliance with and under authority of Sections 9-21-107, 9-21-105(20), and 9-21-601 et seq., Tennessee Code Annotated, and a resolution duly adopted by the Board of Mayor and Aldermen of, Mt. Carmel, Tennessee, on the 27<sup>th</sup> day of September, 1990.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of Tennessee to exist, or to be done precedent to and in the issuance of this obligation, do exist, and have been properly done, happened, and been performed in regular and due form and time as required by law; and that provision has been made to pay the principal and interest thereon as same falls due.

Section 9-21-117, Tennessee Code Annotated, provides that neither the principal nor the interest of said note issued pursuant to the provisions of said Section shall be taxed by the State of Tennessee, or by any county, or by any municipality therein.

This note is subject to redemption at any time at the option of the municipality in whole or in part, at the principal amount thereof and accrued interest to date of redemption.

IN WITNESS WHEREOF, the municipality of Town of Mt. Carmel, Tennessee, through its Board of Mayor and Aldermen has caused this capital outlay note to be signed by its Mayor and attested by its Recorder under the seal of his office in this 27<sup>th</sup> day of September, 1990.

Ronnie L. Davis  
MAYOR

ATTEST:

Rita J. Jones  
CITY RECORDER

SECTION 6. That, for the purpose of providing funds with which to pay the principal of and interest accruing on said note at maturity, there shall, if necessary, be levied upon all taxable property lying within the corporate limits of Mt. Carmel, Tennessee, a direct annual tax for the years while said note is outstanding, in amounts sufficient for that purpose.

SECTION 7. That, said note shall not be issued until approval by the State Director of Local Finance shall have been obtained as required.

SECTION 8. That said note shall not be sold for less than par and accrued interest.

SECTION 9. That, the proceeds of said note shall be turned over to the City Recorder of said municipality and shall be paid out for the purposes and in the manner required by law and this resolution.

SECTION 10. That, if said capital outlay note shall remain unpaid at the end of one (1) year from the date of issuance of same, the balance of said note may be converted to a bond as provided by Sections 9-11-101 to 9-11-109, inclusive, Tennessee Code Annotated, or otherwise liquidated in such manner as approved by the State Director of Local Finance in compliance with statutes relating to the issuance and redemption of bonds and notes.

SECTION 11. That, all orders or ordinances in conflict herewith be and the same are hereby repealed insofar as such conflict exists and this resolution shall become effective from and after the date of passage as the law directs, public welfare of the citizens of Mt. Carmel requiring it.

Ronnie L. Davis  
MAYOR

ATTEST:

Rita J. Jones  
CITY RECORDER

APPROVED AS TO FORM:

Michael A. Faulk  
MICHAEL A. FAULK  
City Attorney

Passed First Reading September 27, 1990 (see T.C.A. §9-21-108)

STATE OF TENNESSEE  
COUNTY OF HAWKINS  
TOWN OF MT. CARMEL CAPITAL OUTLAY NOTE

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No. 001

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Ronnie L. Davis  
MAYOR

ATTEST:

Rita J. Jones  
CITY RECORDER



RECEIVED SEP 27 1991

STATE OF TENNESSEE  
COMPTROLLER OF THE TREASURY  
DIVISION OF LOCAL FINANCE  
SUITE 1600 JAMES K. POLK STATE OFFICE BUILDING  
505 DEADERICK STREET  
NASHVILLE, TENNESSEE 37243-0274  
PHONE (615) 741-4276

September 25, 1991

Honorable Ronnie L. Davis, Mayor  
Town of Mount Carmel  
100 East Main Street  
P.O. Box 1421  
Mount Carmel, Tennessee 37645-1421

Dear Mr. Davis:

This will acknowledge receipt of a letter from Michael A. Faulk enclosing a certified copy of a resolution authorizing a Three (3) year extension of \$11,200 Law Enforcement Vehicle Capital Outlay Notes.

Counties in Tennessee are authorized under Title 9, Chapter 21, Tennessee Code Annotated with the approval of the State Director of Local Finance to extend capital outlay notes for a three (3) year period. I have reviewed the resolution and find it meets the requirements of the above-noted statute.

This letter constitutes approval by this office for a three (3) year extension of \$11,200 Law Enforcement Vehicle Capital Outlay Extension Notes, Series 1991, in accordance with the resolution adopted by the County Legislative Body on August 22, 1991.

Sincerely,

*H. Wayne Williams*  
H. Wayne Williams, Director

HWW:laa

cc: Division of Municipal Audit  
Mr. Michael A. Faulk



STATE OF TENNESSEE  
COMPTROLLER OF THE TREASURY  
DIVISION OF LOCAL FINANCE  
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September 25, 1991

Honorable Ronnie L. Davis, Mayor  
Town of Mount Carmel  
100 East Main Street  
P.O. Box 1421  
Mount Carmel, Tennessee 37645-1421

Dear Mr. Davis:

This office has recently approved the issuance of the following debt obligation for your public entity:

Amount: \$11,200  
Debt Obligation Capital Outlay Notes (Extension)  
Date of Approval 09/25/91

Pursuant to Chapter 402, Public Acts of 1989 you are required to submit State Form No. CT-0253 (Report on Debt Obligation) to this office within forty-five (45) days after the issuance of the debt.

Enclosed is State Form No. CT-0253, with instructions for its preparation, which must be filed with this office. If you have any questions concerning this matter, do not hesitate to contact me.

Sincerely,

*H. Wayne Williams*  
H. Wayne Williams, Director

HWW:laa

Issuer's No. \_\_\_\_\_

(To be filled out by State)

**REPORT ON DEBT OBLIGATION**  
**(Pursuant to Chapter 402, Public Acts of 1989)**

**1. Issuer:**Name Town of Mount CarmelAddress 100 E. Main Street- P. O. Box 1421  
Mount Carmel, Tennessee 37645**2. Debt Obligation:**

- |                                     |                        |
|-------------------------------------|------------------------|
| <input checked="" type="checkbox"/> | a.Bond                 |
| <input type="checkbox"/>            | b.CON                  |
| <input type="checkbox"/>            | c.BAN                  |
| <input type="checkbox"/>            | d.GAN                  |
| <input type="checkbox"/>            | e.Lease/Lease Purchase |
| <input type="checkbox"/>            | f.Loan Agreement       |

**5. Face Amount of Debt Obligation:** \$ 10,681.75**6. Type of Sale:**

- |                                     |                           |
|-------------------------------------|---------------------------|
| <input type="checkbox"/>            | a.Competitive Public Sale |
| <input checked="" type="checkbox"/> | b.Negotiated              |
| <input type="checkbox"/>            | c.Loan Program            |

\* specify \_\_\_\_\_

**3. Security for Debt Obligation:**

- |                                     |                                       |
|-------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> | a. General Obligation                 |
| <input type="checkbox"/>            | b. General Obligation Revenue and Tax |
| <input type="checkbox"/>            | c. Revenue                            |
| <input type="checkbox"/>            | d. Annual Appropriations              |

**7. Tax Status:**

- a.
- yes
- Tax Exempt      b. \_\_\_\_\_ Taxable

**8. Dated Date:** October 2, 1991**9. Issue Date (Closing Date):** 10-2-91**4. Purpose of Issue:**

## Percent of Issue:

- |                                     |                             |       |
|-------------------------------------|-----------------------------|-------|
| <input type="checkbox"/>            | a. General Government       | _____ |
| <input type="checkbox"/>            | b. Education                | _____ |
| <input type="checkbox"/>            | c. Highways and Streets     | _____ |
| <input checked="" type="checkbox"/> | d. Public Safety            | _____ |
| <input type="checkbox"/>            | e. Solid Waste Disposal     | _____ |
| <input type="checkbox"/>            | f. Industrial Park          | _____ |
| <input type="checkbox"/>            | g. Manufacturing Facilities | _____ |
| <input type="checkbox"/>            | h. Health Facilities        | _____ |
| <input type="checkbox"/>            | i. Airports                 | _____ |
| <input type="checkbox"/>            | j. Utilities                | _____ |
| <input type="checkbox"/>            | i. Water                    | _____ |
| <input type="checkbox"/>            | ii. Sewer                   | _____ |
| <input type="checkbox"/>            | iii. Electric               | _____ |
| <input type="checkbox"/>            | iv. Gas                     | _____ |
| <input type="checkbox"/>            | k. Refunding or Renewal     | _____ |
| <input type="checkbox"/>            | l. Other                    | _____ |

specify \_\_\_\_\_

**10. Rating:**

- |                                     |                           |
|-------------------------------------|---------------------------|
| <input type="checkbox"/>            | a.Moody's _____           |
| <input type="checkbox"/>            | b.Standard & Poor's _____ |
| <input checked="" type="checkbox"/> | c.Unrated X               |

**11. Interest Cost:**8.75 %

- |                                     |            |
|-------------------------------------|------------|
| <input type="checkbox"/>            | a.TIC      |
| <input type="checkbox"/>            | b.NIC      |
| <input type="checkbox"/>            | c.Variable |
| <input checked="" type="checkbox"/> | d.Other    |

**12. Recurring Costs:** None

- |                           |          |
|---------------------------|----------|
| a.Remarketing Agent Fees  | \$ _____ |
| b.Liquidity Fees          | \$ _____ |
| c.Credit Enhancement Fees | \$ _____ |

