

RESOLUTION NO. 1981-33:

BOND ANTICIPATION NOTE

RESOLUTION #1981-33

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WEAKLEY COUNTY, TENNESSEE, AUTHORIZING THE ISSUANCE OF INTEREST BEARING SCHOOL BOND ANTICIPATION NOTES IN AN AMOUNT NOT TO EXCEED 1,535,403 AND PROVIDING FOR THE PAYMENT OF SAID NOTES.

WHEREAS, it has been determined by the Board of County Commissioners that it is necessary and desirable to construct and repair a school building in Gleason and to furnish and equip said building in and for said county; and

WHEREAS, counties in Tennessee are authorized to issue general obligation bonds for the construction and repair of school buildings and to furnish and equip school buildings under Chapter 7 of Title 49, Tennessee Code Annotated; and

WHEREAS, the Board of County Commissioners does hereby declare that said bonds will be issued when and as needed for such purpose; and

WHEREAS, Resolution 1981-30, as amended, adopted in the Regular July Meeting of the Weakley County Legislative Body authorized the issuance of Interest Bearing School Bond Anticipation Notes in an amount not to exceed \$85,000.00 for the development of plans and specifications for the renovation of part of the Gleason School and for the new construction for space to accommodate grades 7 - 12; and

WHEREAS, the Weakley County School Board, working with the Weakley County Legislative Body's Property and Property Maintenance Committee, was directed by Resolution 1981-30 to complete the plans and specifications, advertise for quotes on construction and present to the Regular October 1981 Meeting a proper resolution to fund the Gleason School Project; and

WHEREAS, additional funds in the amount of 1,535,403⁰⁰ are currently needed to begin work on this school building; and

WHEREAS, sufficient funds are not now on hand for this purpose; and

WHEREAS, under the provisions of Sections 5-1031 to 5-1039, inclusive, Tennessee Code Annotated, counties in Tennessee are authorized through their respective county legislative bodies, upon approval by

the State Director of Local Finance, to issue interest bearing Bond Anticipation Notes for all county purposes for which general obligation bonds can be legally authorized and issued; and

WHEREAS, it appears advantageous to said county at this particular time to issue Bond Anticipation Notes for such purpose rather than to issue bonds.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Weakley County, Tennessee, as follows:

SECTION 1. That, for the purpose of providing funds to finance the cost of construction of a school building and the furnishing and equipping of said building in and for said county, and in anticipation of the proceeds of a like principal amount of bonds, there shall be issued negotiable interest bearing Bond Anticipation Notes in a total principal amount not to exceed 1,535,403.⁰⁰. That, said notes shall be designated "School Bond Anticipation Notes" and shall be numbered serially beginning with the number 1. Each of said notes shall be dated as of the date of issuance thereof, shall mature not later than two (2) years thereafter and shall be of such denomination as may be agreed upon by the County Judge and the purchaser of said notes.

SECTION 2. That, said notes shall bear interest at a rate not to exceed thirteen percent (13%) per annum, payable in such manner as shall be determined by the County Judge and the purchaser of said notes. Both principal and interest on said notes shall be payable in lawful money of the United States of America at the office of the County Trustee of Weakley County, Tennessee.

SECTION 3. That, said notes shall be in substantially the following form:

(Form of Note)
STATE OF TENNESSEE
COUNTY OF WEAKLEY
SCHOOL BOND ANTICIPATION NOTE

\$ _____
KNOW ALL MEN BY THESE PRESENTS: That the County of Weakley, in the State of Tennessee, hereby acknowledges itself to owe and for value received hereby promises to pay to bearer the sum of \$ _____ on or before _____, 19____, together with interest thereon from the date hereof until paid at the rate of _____ percent

per annum payable on _____, 19____, and _____ thereafter.
Both principal and interest are payable in lawful money of the United States of America at the office of the County Trustee of Weakley County, Tennessee. For the prompt payment of this obligation, both principal and interest, the full faith, credit and other resources of said county are hereby irrevocably pledged.

This note is issued for the purpose of providing funds to finance the construction of a school building and to furnish and equip said building in and for said County, and is in all respects in compliance with and under authority of Sections 5-1031 to 5-1039, inclusive, Tennessee Code Annotated, and a Resolution duly adopted by the Board of County Commissioners of Weakley County, Tennessee, on the _____ day of _____, 19____, to provide funds in anticipation of the issuance of bonds.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and by the 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 5-1039, Tennessee Code Annotated, provides that neither the principal nor the interest of notes issued pursuant to the provisions of Section 5-1031 to 5-1039, inclusive, Tennessee Code Annotated, 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 County, in whole or in part, at the principal amount thereof and accrued interest to the date of redemption.

IN WITNESS WHEREOF, the County of Weakley, through its Board of County Commissioners has caused this Bond Anticipation Note to be signed by its County Judge and attested by its County Clerk under the seal of his office on this _____ day of _____, 19____.

Attested:

County Clerk

County Judge

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SECTION 4. That, said notes shall be subject to redemption at the option of the County, in whole or in part, at any time at the principal amount thereof and accrued interest to the date of redemption.

SECTION 5. That, said notes shall be executed and signed in the name of Weakley County, Tennessee, by the County Judge and attested by the County Clerk with the seal of the County attached thereto.

SECTION 6. That, for the purpose of providing funds with which to pay the principal and interest accruing on said notes at maturity there shall be levied upon all taxable property in Weakley County, in addition to all other taxes, a direct annual tax for each of the years while said notes, or any of them, are outstanding, in amounts sufficient for that purpose. Provided, however, that when the bonds described in this Resolution shall have been issued, the principal proceeds of such bonds in an amount not exceeding the principal amount of notes issued hereunder and then outstanding shall be applied to the retirement of the principal amount of such notes.

SECTION 7. That, said notes shall not be issued until after the approval of the State Director of Local Finance shall have been obtained as required by Section 5-1032, Tennessee Code Annotated.

SECTION 8. That, said Bond Anticipation Notes herein described shall not be sold for less than par and accrued interest.

SECTION 9. That, the proceeds of said notes shall be turned over to the County Trustee of said County and shall be paid out for the purposes and in the manner required by law and this Resolution.

SECTION 10. That, all orders or resolutions in conflict herewith be and the same are repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Pursuant to the rules of the Weakley County Legislative Body, this Resolution is sponsored by the following Commissioners:

/S/ L. J. Dunning

APPROVED: X
DISAPPROVED: _____
PASSED: _____

/S/ Jacky M. Esch

APPROVED: X
DISAPPROVED: _____
PASSED: _____

/S/ James H. Bell
Chairman, Finance Committee

/S/ A. B. Reed
Chairman, Property & Maintenance Committee

Motion was made by Commissioner Jack Dunning that the foregoing and hereto attached Resolution # 1981-33 be approved, seconded by Commissioner Biggs Danner. Upon being put to a Roll Call vote, motion carried.

AYE	15
NAY	4
ABSENT	1

APPROVED:

/S/ Charles T. Butts
CHARLES T. BUTTS, COUNTY JUDGE

ATTESTED TO:

/S/ James T. Omer
JAMES T. OMER, COUNTY CLERK

THIS THE 19th DAY OF OCTOBER, 1981.

STATE OF TENNESSEE
COUNTY OF WEAKLEY

QUARTERLY COURT
MONEY October TERM, 19

Court met, pursuant to adjournment, present and presiding Honorable
Charles T. Butts, County Judge, when among others, the following
proceedings were had _____ Viz:

NOTARY PUBLIC

On Motion,

- Sandra K. McMinn _____
- Robert L. Hearn _____
- Harold T. Brundige _____
- Nancy Simmons _____
- Karen A. House _____
- Richard Maloan _____
- William A. Largent _____
- John G. Montgomery _____
- Nina Gifford _____
- Allen J. Strawbridge _____
- Linda J. Cole _____

Motion made by Comm. Charley Culver that the foregoing names be approved, seconded by
Comm. Earl Wright. Upon being put to a voice vote motion carried.
STANDING RECESS:
Court recessed for a time to open bids on both projects Sharon School and Gleason School.
Get the resolution in order and return back to the regular court room.

BACK IN SESSION AFTER RECESS:

RESOLUTION NO. 1981-33: GLEASON SCHOOL PROJECT

Bids were opened and the property committee met put additional money to the low bid.
Low bid was from Hugh Ward Cons. Co. 1,408,994.00 dropped three alternates, from the
base bid, seeding, curtains, and apoxie paint. Archetics fee 84,539.00, Contingency fee
70,449.00, printing, 2,000.00, Res. Eng. 15,000.00 (Mr. Nepp.) Furniture 27,421.00,
Bond Sale 12,000.00, Total 1,620,403.00. We have already borrowed 85,000.00 of this money.
Therefore this resolution today No. 1981-33 is in the amount of 1,535,403.00. The property
committee voted in their minutes to approve the school board selection of architects, developing
plan specifications recommend ~~it~~ be constructed, and request the finance committee to fund
it or make a recommendation to this body here. This went to the finance committee, for funding
they recommend bond issue. Total amount 1,620,000 when bonds are sold. This was voted
unanimous by the finance committee 4 to 1.

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