

RESOLUTION

No. 2023 / 05 / 01

To the HONORABLE Mark DeWitte, Chairman, and Members of the Hawkins County Board of Commissioners in Regular Session, met this 22th day of May, 2023.

RESOLUTION IN REF: APPROVAL OF A SIX (6) MONTH EXCLUSIVE FRANCHISE EXTENSION RIGHTS TO HAWKINS COUNTY EMERGENCY MEDICAL SERVICES FOR THE OPERATION OF GROUND AND CONVALESCENT AMBULANCE SERVICES FOR HAWKINS COUNTY, TENNESSEE.

WHEREAS, on June 22nd, 2020, the Hawkins County Board of Commissioners approved Out of Order Resolution #2020-06-02 granting exclusive franchise rights for the operation of ground and convalescence ambulance service to Hawkins County Emergency Medical Service for a period of three (3) years with an expiration of June 30th, 2023; and

WHEREAS, the following resolutions have been approved by the Hawkins County Board of Commissioners for ambulance service(s) in Hawkins County:

- July 25th, 2016, Resolution # 2016-07-03
- September 26, 2016, Resolution # 2016-09-07
- April 22nd, 2019, Resolution # 2019-04-02 Out of Order
- May 20th, 2019, Resolution # 2019-05-04
- September 1st, 2019, Resolution # 2019-09-01
- June 2nd, 2020, Resolution # 2020-06-02 Out of Order

WHEREAS, on April 20th, 2023, the Public Safety Committee approved a six (6) month extension of exclusive franchise rights to Hawkins County Emergency Medical Services for the operation of ground and convalescence ambulance services for Hawkins County, Tennessee to expire November 30th, 2023.

THEREFORE, BE IT RESOLVED that the Hawkins County Board of Commissioners grant an extension of the current franchise rights to Hawkins County Emergency Medical Service for a period of six (6) months to expire midnight November 30th, 2023.

Introduced By Esq. **Robbie Palmer**

ACTION: AYE NAY PASS

Seconded By Esq. _____

Roll Call _____

Date Submitted 05-04-2023

Voice Vote _____


County Clerk

Absent _____

COMMITTEE ACTION

By: _____

Chairman _____

Mayor _____

MAYOR'S ACTION: Approved _____ **Veto** _____

RESOLUTION

No. 2023 05 1 02

To the HONORABLE MARK DEWITTE, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 22nd day of May, 2023.

RESOLUTION IN REF: APPROVAL TO ACCEPT A \$180,456.00 STATE OF TENNESSEE OFFICE OF CRIMINAL JUSTICE PROGRAMS FISCAL YEAR 2024 VIOLENT CRIMES INTERVENTION FUNDS GRANT FOR HAWKINS COUNTY SHERIFF'S OFFICE

WHEREAS, the State of Tennessee Office of Criminal Justice Programs makes available grants to local sheriff offices for the development and implementation of evidence-based strategies to combat violent crime; and

WHEREAS, the Hawkins County Sheriff's office applied for One Hundred and Eighty Thousand and Four Hundred and Fifty-Six Dollars (\$180,456.00) Violent Crimes Intervention Funds for the purpose of improvement of the criminal justice system in Hawkins County. There is no local match.

THEREFORE, BE IT RESOLVED that approval be given to accept the aforementioned grant from the Tennessee Office of Criminal Justice Program's Violent Crime Intervention Funds for the purpose of training, technical assistance and the purchase of equipment and technology that enhance the ability to safely and effectively prevent and address violent crimes in Hawkins County.

Introduced By Esq. Jason Roach, Chrmn. Budget Comm

Seconded By Esq. _____

Date Submitted 05-08-2023

[Signature]
County Clerk

ACTION: AYE NAY PASSED

Roll Call _____

Voice Vote _____

Absent _____

COMMITTEE ACTION

By: _____

Chairman _____

RESOLUTION

No. 2023 051 03

To the HONORABLE MARK DEWITTE Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 22nd day of May, 2023.

RESOLUTION IN REF: APPROVAL TO ACCEPT HELP AMERICA VOTE ACT (HAVA) GRANT FUNDS IN THE AMOUNT \$400,640 FROM THE STATE OF TENNESSEE DIVISION OF ELECTIONS FOR THE PURPOSE OF PURCHASING NEW VOTING MACHINES

WHEREAS, the Help America Vote Act (HAVA) is offering grant funding to counties in the state for the purpose of purchasing new voting machines.

WHEREAS, Hawkins County has nineteen (19) voting precincts including the two (2) early voting precincts. Therefore, Hawkins County has been allocated two hundred eighty thousand dollars (\$280,000) to purchase new voting machines. There is no matching funds required from the county; and

THEREFORE BE IT RESOLVED THAT approval be given to accept the HAVA grant in the amount of Four Hundred Thousand, Six Hundred-Forty Dollars (\$400,640), for the purpose of purchasing new voting machines; and

FURTHER BE IT RESOLVED THAT authorization be given for Mark DeWitte, County Mayor to execute all documents pertaining to the grant.

Introduced By Esq. Jason Roach, Chrmn - Bdgt Comm

Seconded By Esq. _____

Date Submitted, 05-08-2023

Nancy J. Davis
County Clerk

By: _____

Chairman _____

ACTION: AYE NAY PASSED

Roll Call _____

Voice Vote _____

Absent _____

COMMITTEE ACTION

Tennessee Secretary of State
Tre Hargett




Elections Division
312 Rosa L. Parks Avenue, 7th Floor
Nashville, Tennessee 37243-1102

Mark Goins
Coordinator of Elections

615-741-7956
Mark.Goins@tn.gov

MEMORANDUM

To: Crystal Rogers
Hawkins County Administrator of Elections

From: Andrew Dodd
HAVA Attorney 

Date: April 28, 2023

Subject: Voting System Funding

This memo is to confirm that the Division of Elections will fully reimburse Hawkins County for a voting system in an amount totaling \$400,640. Based on what you have shared, this system was selected by the Hawkins County Election Commission after a competitive bid process.

The grant contract will be drafted this month and finalized before the equipment is delivered. If you have any further questions, please let me know.

RESOLUTION

No. 2023, 05, 04

To the Honorable MARK DEWITTE, Chairman, and Members of the Hawkins County Board of Commissioners
in Regular Session, met this 22nd day of May, 2023.

RESOLUTION IN REF:

**ADOPTING THE RESTATED DEBT MANAGEMENT
POLICY FOR HAWKINS COUNTY, TENNESSEE**

WHEREAS, Hawkins County adopted a debt management policy on November 11, 2011, to promote and implement improved financial decisions; and,

WHEREAS, this policy was revisited by the Commission on April 22, 2019; and,

WHEREAS, to further the goals and objectives of the original debt management policy, the County now desires to restate the policy by adopting the attached Exhibit A.

Introduced By Esq. Jason Roach Chr. – Budget Comm.

Seconded By Esq. _____

Date Submitted 05-08-2023

[Signature]
County Clerk

By: _____

Chairman _____

Mayor _____

Jim Lee, Mayor

ACTION: AYE NAY PASSED

Roll Call _____

Voice Vote _____

Absent _____

COMMITTEE ACTION

Mayor's Action: Approved _____

**HAWKINS COUNTY
TENNESSEE**

Debt Management Policy

Originally Adopted: November 03, 2011
Amended and Formally Adopted: April 22, 2019

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INTRODUCTION

This Debt Management Policy (the "Debt Policy") is a written guideline with parameters that affect the amount and type of debt that can be issued by Hawkins County, Tennessee (the "County"), the issuance process and the management of the County's debt. The purpose of this Debt Policy is to improve the quality of management and legislative decisions and to provide justification for the structure of debt issuances consistent with the Debt Policy's goals while demonstrating a commitment to long-term capital planning. It is also the intent of the County that this Debt Policy will signal to credit rating agencies, investors and the capital markets that the County is well managed and will always be prepared to meet its obligations in a timely manner. This Debt Policy fulfills the requirements of the State of Tennessee regarding the adoption of a formal debt management policy on or before January 1, 2012. This updated policy amends the previously adopted Debt Policy on November 03, 2011.

This Debt Policy provides guidelines for the County to manage its debt and related annual costs within both current and projected available resources while promoting understanding and transparency for our citizens, taxpayers, rate payers, businesses, investors and other interested parties.

The County may, from time to time, review this Debt Policy and make revisions and updates, if warranted.

Hawkins County, Tennessee
DEBT MANAGEMENT POLICY

I. INTRODUCTORY STATEMENT

In managing its Debt (defined herein as tax-exempt or taxable bonds, capital outlay notes, other notes, capital leases, interfund loans or notes and loan agreements); it is the County's policy to:

- Achieve the lowest cost of capital within acceptable risk parameters
- Maintain or improve credit ratings
- Assure reasonable cost access to the capital markets
- Preserve financial and management flexibility
- Manage interest rate risk exposure within acceptable risk parameters
- Regularly review this Debt Policy and perform a risk assessment on debt management process and related internal controls

II. GOALS AND OBJECTIVES

Debt policies and procedures are tools that ensure that financial resources are adequate to meet the County's long-term capital planning objectives. In addition, the Debt management policy (the "Debt Policy") helps to ensure that financings undertaken by the County have certain clear, objective standards which allow the County to protect its financial resources in order to meet its long-term capital needs.

The Debt Policy formally establishes parameters for issuing debt and managing a debt portfolio which considers the County's specific capital improvement needs; ability to repay financial obligations; and, existing legal, economic, and financial market conditions. Specifically, the policies outlined in this document are intended to assist in the following:

- To guide the County in policy and debt issuance decisions
- To maintain appropriate capital assets for present and future needs
- To promote sound financial management
- To protect the County's credit rating
- To ensure the County's debt is issued legally under applicable state and federal laws

- To promote cooperation and coordination with other parties in the financing
- To evaluate debt issuance options
- To issue debt with a level or declining payment structure to create future debt capacity and financial flexibility
- To manage and mitigate the impact of past balloon indebtedness on the County's revenues

III. PROCEDURES FOR ISSUANCE OF DEBT

1) Authority

- a) The County will only issue Debt by utilizing the statutory authorities provided by *Tennessee Code Annotated* as supplemented and revised ("TCA") and the Internal Revenue Code (the "Code").
- b) The County will adhere to any lawfully promulgated rules and regulations of the State and those promulgated under the Code.
- c) All Debt must be formally authorized by resolution of the County's Legislative Body.

2) Transparency

- a) It is recognized that the issuance of Debt must have various approvals and on occasion, written reports provided by the State of Tennessee Comptroller's office either prior to adoption of resolutions authorizing such Debt, prior to issuance and/or following issuance. The County, in conjunction with any professionals (including, but not limited to, financial advisors, underwriters, bond counsel, etc. which may individually or collectively be referred to herein as "Financial Professionals") will ensure compliance with TCA, the Code and all federal and State rules and regulations. Such State compliance will include, but not be limited to, compliance with all legal requirements regarding adequate public notice of all meetings of the County related to consideration and approval of Debt. Additionally, the County shall provide the Tennessee Comptroller's office sufficient information on the Debt to not only allow for transparency regarding the issuance, but also assuring that the Comptroller's office has sufficient information to adequately report or approve any formal action related to the sale and issuance of Debt. The County will also make this information available to its legislative body, citizens and other interested parties.
- b) The County will file its Audited Financial Statements and any Continuing Disclosure document prepared by the County or its Dissemination Agent. To promote transparency and understanding, these documents should be furnished to

members of the Legislative Body and made available electronically or by other usual and customary means to its citizens, taxpayers, rate payers, businesses, investors and other interested parties by posting such information on-line or in other prominent places.

IV. CREDIT QUALITY AND CREDIT ENHANCEMENT

The County's Debt management activities will be conducted in order to maintain or receive the highest possible credit ratings. The Mayor and Finance Director in conjunction with any Financial Professionals that the County may choose to engage will be responsible for maintaining relationships and communicating with one or more rating agencies.

The County will consider the use of credit enhancements on a case-by-case basis, evaluating the economic benefit versus cost for each case. Only when clearly demonstrable savings can be shown shall an enhancement be considered. The County will consider each of the following enhancements as alternatives by evaluating the cost and benefit of such enhancements:

1) Insurance

The County may purchase bond insurance when such purchase is deemed prudent and advantageous. The predominant determination shall be based on such insurance being less costly than the present value of the difference in the interest on insured bonds versus uninsured bonds.

2) Letters of Credit

The County may enter into a letter-of-credit ("LOC") agreement when such an agreement is deemed prudent and advantageous. The County or its Financial Professionals, if any, may seek proposals from qualified banks or other qualified financial institutions pursuant to terms and conditions that are acceptable to the County.

V. AFFORDABILITY

The County shall consider the ability to repay Debt as it relates to the total budget resources, the wealth and income of the community and its property tax base and other revenues available to service the Debt. The County may consider debt ratios and other benchmarks compared to its peers when analyzing its Debt including materials published by the nationally recognized credit rating agencies.

VI. DEBT STRUCTURE

The County shall establish all terms and conditions relating to the issuance of Debt and will invest all bond proceeds pursuant to the terms of its investment policy, if any. Unless

otherwise authorized by the County, the following shall serve as the Debt Policy for determining structure:

1) Term

All capital improvements financed through the issuance of Debt will be financed for a period not to exceed the useful economic life of the improvements and in consideration of the ability of the County to absorb such additional debt service expense. The term of Debt shall be determined by, but not limited to, the economic life of the assets financed, conditions in the capital markets, the availability of adequate revenue streams to service the Debt and the existing pattern of Debt payable from such identifiable fund or enterprise activity, but in no event will the term of such Debt exceed forty (40) years, as outlined in TCA.

2) Capitalized Interest

From time to time, certain financings may require the use of capitalized interest from the date of issuance until the County is able to realize beneficial use and/or occupancy of the financed project. Interest may be capitalized through a period permitted by federal law and TCA if it is determined that doing so is beneficial to the financing by the Legislative Body and is appropriately memorialized in the legislative action authorizing the sale and issuance of the Debt.

3) Debt Service Structure

It is in the best interest of the County's citizens to maintain a debt portfolio utilizing individual debt issues in a manner that minimizes interest paid and other related costs as well as repaying principal as rapidly as possible to create financial flexibility and future debt capacity.

The County shall plan General Obligation debt issuance shall be planned to achieve relatively net level debt service or level principal amortization considering the County's outstanding debt obligations, while matching debt service to the useful economic life of facilities. The County shall aspire to an overall declining debt payment structure, whenever possible, to permit future debt capacity within the projected debt service payment revenue stream. Absent events or circumstances determined by its Legislative Body, the County shall avoid the use of bullet or balloon maturities (with the exception of sinking fund requirements required by term bonds) except in those instances where such maturities serve to match specific income streams. Debt which is supported by project revenues and is intended to be self-supporting should be structured to achieve level proportional coverage to expected available revenues.

4) Balloon Debt

It is in the best interest of the citizens to maintain a debt portfolio utilizing individual debt issues in a manner that minimizes interest paid and other related costs as well as repaying principal as rapidly as possible to create financial flexibility and future debt capacity. Balloon indebtedness does not generally meet these objectives. The County Commission will make sure to additionally comply with T.C.A. § 9-21-134 and its Balloon Debt Management Plan, as attached as Exhibit A. This will include the requirements for balloon indebtedness found in the Tennessee State Funding Board's guidance on debt management policies and balloon indebtedness.

5) Call Provisions

In general, the County's Debt should include a call feature no later than ten (10) years from the date of delivery of the bonds. The County will avoid the sale of long-term debt which carries longer redemption features unless a careful evaluation has been conducted by the Mayor and Finance Director and/or Financial Professionals, if any, with respect to the value of the call option.

6) Original Issuance Discount/Premium

Debt with original issuance discount/premium will be permitted.

7) Deep Discount Bonds

Deep discount debt may provide a lower cost of borrowing in certain capital markets. The Mayor and Finance Director and/or Financial Professionals, if any, should carefully consider their value and effect on any future refinancing as a result of the lower-than-market coupon.

VII. DEBT TYPES

When the County determines that Debt is appropriate, the following criteria will be utilized to evaluate the type of debt to be issued.

1) Security Structure

a) General Obligation Bonds

The County may issue Debt supported by its full faith, credit and unlimited ad valorem taxing power ("General Obligation Debt"). General Obligation Debt shall be used to finance capital projects that do not have significant independent creditworthiness or significant on-going revenue streams or as additional credit support for revenue-supported Debt, if such support improves the economics of the Debt and is used in accordance with these guidelines.

b) Revenue Debt

The County may issue Debt supported exclusively with revenues generated by a project or enterprise fund ("Revenue Debt"), where repayment of the debt service obligations on such Revenue Debt will be made through revenues generated from specifically designated sources. Typically, Revenue Debt will be issued for capital projects which can be supported from project or enterprise-related revenues.

c) Capital Leases

The County may use capital leases to finance projects assuming the Mayor and Finance Director and/or Financial Professionals, if any, determine that such an instrument is economically feasible.

2) Duration

a) Long-Term Debt

The County may issue long-term Debt when it is deemed that capital improvements should not be financed from current revenues or short-term borrowings. Long-term Debt will not be used to finance current operations or normal maintenance. Long-term Debt will be structured such that financial obligations do not exceed the expected useful economic life of the project(s) financed. Additionally, the County will strive to issue the long-term Debt with a level or declining payment structure.

- i. *Serial and Term Debt.* Serial and Term Debt may be issued in either fixed or variable rate modes to finance capital infrastructure projects;
- ii. *Capital Outlay Notes ("CONs").* CONs may be issued to finance capital infrastructure projects with an expected life up to twelve years; or
- iii. *Capitalized Leases.* Capitalized Leases may be issued to finance infrastructure projects or equipment with an expected life not greater than its expected useful life.

b) Short-Term Debt

Short-term borrowing may be utilized for:

- i. Financing short economic life assets;
- ii. The construction period of long-term projects;
- iii. For interim financing; or

- iv. For the temporary funding of operational cash flow deficits or anticipated revenues subject to the following policies:
 1. *Bond Anticipation Notes ("BANs")*. BANs, including commercial paper notes issued as BANs, may be issued instead of capitalizing interest to reduce the debt service during the construction period of a project or facility. The BANs shall not mature more than 2 years from the date of issuance. BANs can be rolled in accordance with federal and state law. BANs shall mature within 6 months after substantial completion of the financed facility.
 2. *Revenue Anticipation Notes ("RANs") and Tax Anticipation Notes ("TANs")*. RANs and TANS shall be issued only to meet cash flow needs consistent with a finding by bond counsel that the sizing of the issue fully conforms to federal IRS and state requirements and limitations.
 3. *Lines of Credit*. Lines of Credit shall be considered as an alternative to other short-term borrowing options. A line of credit shall only be structured to federal and state requirements.
 4. *Interfund Loans*. Interfund Loans shall only be used to fund operational deficiencies among accounts or for capital projects to be paid from current fiscal year revenues. Such interfund loans shall be approved by the State Comptroller's office and shall only be issued in compliance with state regulations and limitations.
 5. *Other Short-Term Debt*. Other Short-Term Debt including commercial paper notes, BANs, Capitalized Leases and CONs may be used when it provides an interest rate advantage or as interim financing until market conditions are more favorable to issue debt in a fixed or variable rate mode. The County will determine and utilize the most advantageous method for short-term borrowing. The County may issue short-term Debt when there is a defined repayment source or amortization of principal.

3) **Interest Rate Modes**

a) **Fixed Rate Debt**

To maintain a predictable debt service schedule, the County may give preference to debt that carries a fixed interest rate.

b) **Variable Rate Debt**

The targeted percentage of net variable rate debt outstanding (excluding an amount of debt considered to be naturally hedged to short-term assets in the Unreserved General and/or Debt Service Fund Balance) shall not exceed 35% of

the County's total outstanding debt and will take into consideration the amount and investment strategy of the County's operating cash.

The following circumstances may result in the consideration of issuing variable rate debt:

- i. *Asset-Liability Matching;*
- ii. *Construction Period Funding;*
- iii. *High Fixed Interest Rates.* Interest rates are above historic averages;
- iv. *Diversification of Debt Portfolio;*
- v. *Variable Revenue Stream.* The revenue stream for repayment is variable and is anticipated to move in the same direction as market-generated variable interest rates or the dedication of revenues allows capacity for variability; and
- vi. *Adequate Safeguard Against Risk.* Financing structure and budgetary safeguards are in place to prevent adverse impacts from interest rate shifts such structures could include, but are not limited to, interest rate caps and short-term cash investments in the County's General Fund.

An analysis by the Mayor and Finance Director and/or Financial Professionals, if any, shall be conducted to evaluate and quantify the risks and returns associated with the variable rate Debt including, but not limited to, a recommendation regarding the use of variable rate debt.

4) Zero Coupon Debt

Zero Coupon Debt may be used if an analysis has been conducted by the Mayor and Finance Director and/or Financial Professionals, if any, and the risks and returns associated with the Zero Coupon Debt have been made. The analysis shall include, but not be limited to a recommendation regarding the use of Zero Coupon Debt as the most feasible instrument considering available revenues streams, the need for the project and other factors determined by the Legislative Body.

5) Synthetic Debt

The County currently has outstanding its Series VII-A-1 Loan Agreement that is swapped to a synthetic fixed interest rate. The County will not enter into any additional interest rate swaps or other derivative instruments unless it adopts a Debt Derivative Policy consistent with the requirements of TCA and only after approval of the State Comptroller's office and affirmative action of the Legislative Body.

VIII. REFINANCING OUTSTANDING DEBT

The Mayor and Finance Director, in conjunction with Financial Professionals, if any, shall have the responsibility to analyze outstanding Debt for refunding opportunities. The Mayor and Finance Director will consider the following issues when analyzing possible refunding opportunities:

1) Debt Service Savings

Absent other compelling considerations such as the opportunity to eliminate onerous or restrictive covenants contained in existing Debt documents, the County has established a minimum net present value savings threshold of at least 3.0 percent of the advance refunded Debt principal amount. Current refunding opportunities may be considered by the County using any savings threshold if the refunding generates positive net present value savings. The decision to take less than 3.0 percent net present value savings for an advance refunding or to take the savings in any manner other than a traditional year-to-year level savings pattern must be approved by the Legislative Body or delegated to the County's Chief Executive.

2) Balloon Debt

It is in the best interest of the citizens to maintain a debt portfolio utilizing individual debt issues in a manner that minimizes interest paid and other related costs as well as repaying principal as rapidly as possible to create financial flexibility and future debt capacity. Balloon indebtedness does not generally meet these objectives. The County Commission will make sure to additionally comply with T.C.A. § 9-21-134 and its Balloon Debt Management Plan, as attached as Exhibit A. This will include the requirements for balloon indebtedness found in the Tennessee State Funding Board's guidance on debt management policies and balloon indebtedness.

3) Restructuring for economic purposes

The County may also refund Debt when it is in its best financial interest to do so. Such a refunding will be limited to restructuring to meet unanticipated revenue expectations, achieve cost savings, mitigate irregular debt service payments, release reserve funds or remove unduly restrictive bond covenants or any other reason approved by the Legislative Body in its discretion. The County will strive to issue refunding debt with a level or declining debt payment structure and whenever possible mitigate previously issued balloon indebtedness structures.

4) Term of Refunding Issues

Normally, the County will refund Debt equal to or within its existing term. However, the Mayor and Finance Director may consider maturity extension, when necessary to achieve desired outcomes, provided that such extension is legally permissible and it is

approved by the Legislative Body. The Mayor and Finance Director may also consider shortening the term of the originally issued debt to realize greater savings. The remaining useful economic life of the financed facility and the concept of inter-generational equity should guide these decisions.

5) **Escrow Structuring**

The County shall utilize the least costly securities available in structuring refunding escrows. In the case of open market securities, a certificate will be provided by a third party agent, who is not a broker-dealer stating that the securities were procured through an arms-length, competitive bid process, that such securities were more cost effective than State and Local Government Obligations (SLGS), and that the price paid for the securities was reasonable within Federal guidelines. In cases where taxable Debt is involved, the Mayor and Finance Director, with the approval of bond counsel, may make a direct purchase as long as such purchase is the most efficient and least costly. Under no circumstances shall an underwriter, agent or any Financial Professionals sell escrow securities involving tax-exempt Debt to the County from its own account.

6) **Arbitrage**

The County shall take all necessary steps to optimize escrows and to avoid negative arbitrage in its refunding. Any positive arbitrage will be rebated as necessary according to Federal guidelines.

IX. METHODS OF ISSUANCE

The Mayor and Finance Director may consult with a Financial Professional regarding the method of sale of Debt. Subject to approval by the Legislative Body, the Mayor and Finance Director will determine the method of issuance of Debt on a case-by-case basis consistent with the options provided by prevailing State law.

1) **Competitive Sale**

In a competitive sale, the County's Debt will be offered in a public sale to any and all eligible bidders. Unless bids are rejected, the Debt shall be awarded to the bidder providing the lowest true interest cost as long as the bid adheres to the requirements set forth in the official notice of sale.

In a competitive sale, a financial advisor may not bid on an issue for which they are providing advisory services.

2) **Negotiated Sale**

The County recognizes that some securities are best sold through a negotiated sale with an underwriter or group of underwriters. The County shall assess the following circumstances in determining whether a negotiated sale is the best method of sale:

- a) State requirements on negotiated sales;
- b) Debt structure which may require a strong pre-marketing effort such as those associated with a complex transaction generally referred to as a "story" bond;
- c) Size or structure of the issue which may limit the number of potential bidders;
- d) Market conditions including volatility wherein the County would be better served by the flexibility afforded by careful timing and marketing such as is the case for Debt issued to refinance or refund existing Debt;
- e) Whether the Debt is to be issued as variable rate obligations or perhaps as Zero Coupon Debt;
- f) Whether an idea or financing structure is a proprietary product of a single firm;
- g) In a publicly offered or privately placed, negotiated sale, a financial advisor, if any, shall not be permitted to resign as the financial advisor in order to underwrite or privately place an issue for which they are or have been providing advisory services;
- h) The underwriter shall clearly identify itself in writing as an underwriter and not as a financial advisor from the earliest stages of its relationship with the County with respect to the negotiated issue. The underwriter must clarify its primary role as a purchaser of securities in an arm's length commercial transaction and that it has financial and other interests that differ from those of the County. The underwriter in a publicly offered, negotiated sale shall be required to provide pricing information both as to interest rates and to takedown per maturity to the Legislative Body (or its designated official) in advance of the pricing of the debt.

3) **Private Placement**

From time to time, the County may elect to privately place its Debt. Such placement shall only be considered if this method is demonstrated to be advantageous to the County.

X. **PROFESSIONALS**

1) **Financial Professionals**

As needed, the County may select Financial Professionals to assist in its Debt issuance and administration processes. In selecting Financial Professionals, consideration should be given with respect to:

- a) relevant experience with municipal government issuers and the public sector;

- b) indication that the firm has a broadly based background and is therefore capable of balancing the County's overall needs for continuity and innovation in capital planning and Debt financing;
- c) experience and demonstrated success as indicated by its experience;
- d) the firm's professional reputation;
- e) professional qualifications and experience of principal employees; and
- f) the estimated costs, but price should not be the sole determining factor.

2) Miscellaneous

a) Written Agreements

- i. Any Financial Professionals engaged by the County shall enter into written agreements including, but not limited to, a description of services provided and fees and expenses to be charged for the engagement.
- ii. The County shall enter into an engagement letter agreement with each lawyer or law firm representing the County in a debt transaction. No engagement letter is required for any lawyer who is an employee of the County or lawyer or law firm which is under a general appointment or contract to serve as counsel to the County. The County does not need an engagement letter with counsel not representing the County, such as underwriters' counsel.
- iii. The County shall require all Financial Professionals engaged in the process of issuing debt to clearly disclose all compensation and consideration received related to services provided in the debt issuance process by both the County and the lender or conduit issuer, if any. This includes "soft" costs or compensations in lieu of direct payments.

b) Conflict of Interest

- i. Financial Professionals involved in a debt transaction hired or compensated by the County shall be required to disclose to the County existing client and business relationships between and among the professionals to a transaction (including but not limited to financial advisors, swap advisors, bond counsel, swap counsel, trustee, paying agent, underwriter, counterparty, and remarketing agent), as well as conduit issuers, sponsoring organizations and program administrators. This disclosure shall include that information reasonably sufficient to allow the County to appreciate the significance of the relationships.

- ii. Financial Professionals who become involved in the debt transaction as a result of a bid submitted in a widely and publicly advertised competitive sale conducted using an industry standard, electronic bidding platform are not subject to this disclosure. No disclosure is required that would violate any rule or regulation of professional conduct.

XI. COMPLIANCE

1) Continuing Annual Disclosure

Normally at the time Debt is delivered, the County will execute a Continuing Disclosure Certificate in which it will covenant for the benefit of holders and beneficial owners of the publicly traded Debt to provide certain financial information relating to the County by not later than twelve months after each of the County's fiscal years, (the "Annual Report and provide notice of the occurrence of certain enumerated events. The Annual Report (and audited financial statements, if filed separately) will be filed with the MSRB through the operation of the Electronic Municipal Market Access system ("EMMA") and any State Information Depository established in the State of Tennessee (the "SID"). If the County is unable to provide the Annual Report to the MSRB and any SID by the date required, notice of each failure will be sent to the MSRB and any SID on or before such date. The notices of certain enumerated events will be filed by the County with the MSRB through EMMA and any SID. The specific nature of the information to be contained in the Annual Report or the notices of significant events is provided in each Continuing Disclosure Certificate. These covenants are made in order to assist underwriters in complying with SEC Rule 15c2-12(b) (the "Rule").

2) Arbitrage Rebate

The County will also maintain a system of record keeping and reporting which complies with the arbitrage rebate compliance requirements of the Internal Revenue Code (the "Code").

3) Records

The County will also maintain records required by the Code including, but not limited to, all records related to the issuance of the debt including detailed receipts and expenditures for a period up to 6 years following the final maturity date of the Debt or as required by the Code.

XII. INTERNAL CONTROLS

In accordance with the requirements of T.C.A. § 9-18-102, the County Commission using its audit committee and appropriate County personnel shall perform a risk assessment of the debt management process to put into place effective internal controls to implement the Debt Policy.

XIII. DEBT POLICY REVIEW

1) General Guidance

The guidelines outlined herein are only intended to provide general direction regarding the future issuance of Debt. The County Commission maintains the right to modify this Debt Policy and may make exceptions to any of its guidelines at any time to the extent that the execution of such Debt achieves the goals of the County as long as such exceptions or changes are consistent with TCA and any rules and regulations promulgated by the State.

The County Commission shall regularly review this Debt Management Policy and perform a risk assessment on the related internal control procedures and debt management process. Further, the Debt Policy will be reviewed from time to time as circumstances, such as prior to the planning of new debt issuances, rules and regulations warrant. Any amended Debt Policy will be filed with the Office of State and Local Finance in accordance with the State Funding Board requirements.

2) Designated Official

The Mayor and Finance Director are responsible for ensuring substantial compliance with this Debt Policy.

EXHIBIT A

**HAWKINS COUNTY
TENNESSEE**

Balloon Debt Management Plan

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Hawkins County, Tennessee Balloon Debt Management Plan

I. INTRODUCTION

This Balloon Debt Management Plan (the “Debt Plan”) is a written guideline to manage, reduce, and mitigate the effect of existing balloon indebtedness on the County’s financial condition and to issue future debt structured with level principal payments or a level debt amortization. The County has previously issued balloon indebtedness as defined by Public Chapter 766, Acts of 2014 (“Balloon Debt”). This outstanding Balloon Debt has reduced the County’s future capacity to issue debt and its financial flexibility to meet future needs. The purpose of this Debt Plan is to improve the quality of management and legislative decisions for the County regarding the structure of its current and future debt issuances consistent with the County’s Debt Management Policy’s (“DMP”) goals and to do what is in the best interest of the County and its taxpayers.

Policy Statement: It is in the best interest of the County’s citizens to maintain a debt portfolio utilizing individual debt issues in a manner that minimizes interest paid, the real cost of debt, and other related costs as well as repaying principal as rapidly as possible to create financial flexibility and future debt capacity. Balloon indebtedness does not generally meet these objectives.

This Debt Plan formally establishes parameters for structuring debt and managing a debt portfolio that considers:

- specific current capital improvement needs,
- future capital improvement needs,
- ability to repay financial obligations,
- impact on future debt capacity and revenues available for operations, and
- existing legal, economic, and financial market conditions.

Specifically, the intent of the plan outlined in this document is to assist in the following:

- To guide the County Commission in debt issuance decisions
- To establish a County Commission policy to issue new money debt that is not balloon indebtedness as defined by T.C.A. § 9-21-134
- To manage and mitigate the County’s currently outstanding Balloon Debt
- To create future debt capacity
- To promote sound financial management
- To protect the County’s credit rating

The Debt Plan will be focused on the County’s General Debt Service Fund.

The County Commission will regularly review this Debt Plan and its DMP and make revisions and updates, if warranted. The County Commission will utilize this Debt Plan with its DMP when planning future debt issues. If the County Commission plans to issue Balloon Debt in the future, it will review this Debt Plan and ensure it follows the Debt Plan guidance.

II. GOALS AND OBJECTIVES

The County's goal is to issue debt structured in a manner that:

- minimizes the real cost of debt: interest payments;
- creates future debt capacity within its projected future revenue stream to meet the County's capital needs; and
- provides financial flexibility by reducing future calls on the County's revenues for annual debt service.

Objective 1: Create future debt capacity within the projected debt service revenue stream with an overall declining structure for the County's debt portfolio and the flexibility to use that debt service revenue stream for future operations or other needs of the County.

Objective 2: Issue new debt with a level or declining debt payment structure.

Objective 3: Manage the County's currently outstanding Balloon Debt in a manner that mitigates its effects on the County's future revenues, if possible, by:

- restructuring;
- early repayment;
- in extreme conditions and fiscal distress, delaying of capital projects until capacity is available to issue debt structured with level or declining payment;
- or such action available within its financial capacity to manage debt.

Objective 4: Understand any proposed transaction and reasonable alternatives before taking action

Objective 5: Explain to the County's citizens any proposed transaction including the cost and risks.

Objective 6: Protect and improve the County's credit rating by managing the County's current Balloon Debt and by issuing future debt with a level or declining payment structure.

Objective 7: Use the Debt Plan as a guide to determine when it is in the citizens' best interest to incur additional interest and other costs and risks incurred with the issuance of debt with a balloon structure.

III. HISTORY – Education Debt Service Fund

1. The Education Debt Service Fund is the fund that has issued debt for projects that would be defined as “Balloon Debt”.
2. In 2004, the County created a master school funding plan to finance \$16,000,000 of projects:
 - a. The County issued what is now the Series VII-A-1 Loan Agreement as what is now defined as “Balloon Debt”. This debt was issued to maximize the amount of funds available and minimize the tax increase necessary to fund the school building program.
3. In 2007, the County issued \$9,700,000 of fixed rate “level” bonds with an average rate of 3.90% for schools
4. In 2008, the County created another master school funding plan that provided approximately \$36,000,000 of funds for school improvements. The County increased revenues to pay for the master school building plan but also issued the debt over multiple years to fund the construction.
 - a. The County considered all of its school capital needs in the master plan and had a goal of having overall relatively level debt service, taking into account all debt being issued.
 - b. In 2009, the County issued \$17,700,000 General Obligation School Bonds, Series 2009 (Federally Taxable Build America Bonds). The Series 2009 Bonds were issued as fixed rate “wrap” debt and had a final maturity 2038. The Series 2009 Bonds has a True Interest Cost (TIC) of 4.02% after the effects of the federal subsidy payment. The Series 2009 Bonds were issued to maximize the amount of funds available and minimize the tax increase necessary to fund the school building program.
 - c. In 2010, the County interested into the fixed rate \$27,745,000 Series B-15-A Loan Agreement. \$10,850,000 of the Series B-15-A Loan was utilized for the school building program. The B-15-A Loan school portion was issued as fixed rate “wrap” debt to had a final maturity 2036. The B-15-A Loan Agreement had a True Interest Cost of 4.68%. The B-15-A Loan Agreement was issued to maximize the amount of funds available and minimize the tax increase necessary to fund the school building program.
 - a. The B-15-A Loan Agreement associated with the schools was refinanced in 2015 to a 3.22% True Interest Cost.
 - d. In 2011, the County issued the last portion of the bonds for the master school building program started in 2008. The \$7,790,000 General Obligation Bonds, Series 2011 were issued as fixed rate “level” debt with a final payment in 2021. The County will have retired all but \$260,000 of the Series 2011 Bonds as of May 1, 2019.

5. In 2016, the County issued the \$9,730,000 General Obligation Refunding and Improvement Bonds, Series 2016. The Series 2016 Bonds allocated to the Education Debt Service Fund were issued as “level” fixed rate debt.

COUNTY’S EDUCATION DEBT SERVICE FUND DEBT

In the past, the County issued Balloon Debt as described by T.C.A. § 9-21-134.

- a. As described above, the County has issued debt in the Education Debt Service Fund as Balloon Debt.

Impact of Outstanding Balloon Debt

- The County has placed a stronger emphasis on funding the Capital Project Fund to fund smaller projects and equipment purchase since a large portion of the revenues of the General Debt Service Fund and Education Debt Service Fund are utilized until 2036 and 2038, respectively.

At the time of the writing of this policy, under the current revenue stream, the County does not have sufficient debt capacity to issue any new debt for substantial capital needs. As a result, the County will not be able to issue future debt for new projects as level debt utilizing the existing revenue stream, as described by T.C.A. § 9-21-134. See attached County Debt Charts. However, the County currently does not have any major capital needs and realizes that future capital projects will take a new revenue sources to fund the debt service payments.

IV. PROCEDURE

The County Commission seeks to issue future debt for new large capital projects as level debt. The County Commission seeks to fund certain smaller capital projects using the monies appropriated and accumulated in the Capital Project Fund. The County Commission, within its available financial resources, seeks to take action to mitigate the effects of its currently outstanding Balloon Debt on the County’s future revenues. The intent is to create sufficient future debt capacity to issue debt for capital projects without restructuring outstanding debt into Balloon Debt or issuing new money debt as Balloon Debt.

If it is determined that is in the public interest to issue New Debt, as defined under the “New Debt” heading below, or Outstanding Balloon Debt, as defined under the “Outstanding Balloon Debt” heading below, that results in an extension of the original final maturity, as defined below, as Balloon Debt, the County Mayor will present a Plan of Balloon Indebtedness as prepared by the County’s staff and/or its supporting financial professionals, to the appropriate County Committee.

The Plan of Balloon Indebtedness will detail the transaction and explain why it is in the public's interest. The Plan of Balloon Indebtedness will include the requisite information as outlined in the sections below entitled New Debt and Outstanding Balloon Indebtedness, as applicable. A majority of the appropriate County Committee shall determine if the structure of the transaction described in the Plan of Balloon Indebtedness is in the public's interest and if it is to be submitted to the Office of State and Local Finance for approval. The Plan of Balloon Indebtedness will be submitted to the Office of State and Local Finance for approval in accordance with T.C.A. § 9-21-134 prior to the adoption of any authorizing resolution for debt structured as Balloon Debt.

If it is determined by the County Mayor as the Chief Executive Officer that is in the public interest to issue Outstanding Balloon Indebtedness that is a current refunding or an advance refunding that generates at least a 3.0% net present value savings, as a maturity to maturity refunding that results in Balloon Debt, the County Mayor may submit the maturity to maturity refunding Plan of Balloon Indebtedness as prepared by the County's staff and/or its supporting financial professionals, directly to Office of State and Local Finance for approval in accordance with T.C.A. § 9-21-134 prior to the adoption of any authorizing resolution for debt structured as Balloon Debt.

The Plan of Balloon Indebtedness will include the requisite information as outlined in the sections below entitled New Debt and Outstanding Balloon Indebtedness, as applicable, and why it is in the public's interest to issue Balloon Indebtedness.

A debt authorization resolution that structures the debt as Balloon Debt will not be adopted until approval of the Plan of Balloon Indebtedness is received from the Office of State and Local Finance. If the County Commission determines it will issue debt structured as Balloon Debt, it will provide the Plan of Balloon Indebtedness and the approval from the Office of State and Local Finance to the public.

New Debt

It is the desire of the County Commission to issue all new debt with a level debt structure. Balloon Debt structures can oftentimes increase the interest cost for a capital project, reduce future available debt capacity, and decrease the financial flexibility of the County Commission to use its revenue streams for other purposes. Such payment structures can sometimes be an indicator of financial stress. To comply with T.C.A. § 9-21-134 all new debt should be issued with a level debt or faster principal payment structure.

If the County Commission considers issuance of debt structured as Balloon Debt (as described by T.C.A. § 9-21-134) for future new projects, it will determine if it is in the public's best interest to utilize Balloon Debt. The County will ensure that any projected revenues used to secure debt will:

- be sufficient to pay for the debt being considered,

- be sufficient to pay all of its other existing outstanding debt service secured by the same projected revenues, and
- not hinder the County's ability to fund future capital needs or to fund future debt service in a level payment structure.

The County Commission shall also consider:

- the possible reduction of the County's future debt capacity within the current projected revenue stream; and
- the flexibility to use future revenues for other purposes.

The County Commission will evaluate the specific justification for issuing debt structured as Balloon Debt. At the time the County Commission considers whether a proposed debt issue with a Balloon Debt structure is in the public's best interest, it will disclose to the public an analysis which will include the following:

- the proposed debt structure, including the principal and interest payments, and terms and life of the debt issue;
- a schedule or graph showing the County's total debt service for the fund in which the proposed debt is being issued, both pre and post issuance, showing the revenue required to service the debt for each fiscal year debt remains outstanding.
- a schedule or graph showing the percentage of debt retired every five years on both the proposed debt and overall debt;
- a schedule(s) or graph(s) showing whether the proposed structure, when compared to a level debt structure:
 - increases the interest cost for a capital project,
 - reduces future available debt capacity, or
 - decreases the financial flexibility of the County Commission to use its revenue streams for other purposes compared to a level debt structure.

Outstanding Balloon Debt

The County Commission will manage currently outstanding Balloon Debt in a manner that mitigates its effects on the County's future revenues, if possible, by:

- restructuring;
- early repayment;
- in extreme conditions and fiscal distress, delaying of capital projects until capacity is available to issue debt structured with level or declining payment; or
- such action available within its financial capacity to manage debt;

Whenever possible, the County Commission seeks either to restructure such Balloon Debt into a more level debt payment structure or to repay at a faster rate than the original structure. This may be achieved by refunding debt on a maturity to maturity basis or more level structure when interest rate savings can be achieved or by prepaying debt early with cash.

If for savings, the County Commission considers issuing refunding debt structured as Balloon Debt (as described by T.C.A. § 9-21-134) to refund outstanding debt with a Balloon Debt structure, it will determine if it is in the public's best interest. In making its determination, the County Commission will consider whether the benefits of a Balloon Debt structure outweigh:

- the possible reduction of the County's future debt capacity within the current projected revenue stream; and
- the flexibility to use future revenues for other purposes.

The County Commission will be provided with an analysis that will allow it to determine that any projected revenues used to secure debt will:

- be sufficient to pay for the debt being considered,
- be sufficient to pay all of its other existing outstanding debt service secured by the same projected revenues, and
- not hinder the County's ability to fund future capital needs or to fund future debt service in a level payment structure.

For maturity to maturity refundings, the County Commission will evaluate the specific justification for issuing debt structured as Balloon Debt. At the time the County Commission considers whether a proposed debt issue with a Balloon Debt structure is in the public's best interest, it will disclose to the public an analysis which will include the following:

- the proposed debt structure, including the principal and interest payments, and terms and life of the debt issue, exhibiting that the proposed refunding debt's structure is more level or declining than the refunded debt's structure;
- a schedule or graph showing the County's total debt service for the fund in which the proposed debt is being issued, both pre and post issuance, showing the revenue required to service the debt for each fiscal year debt remains outstanding;
- a schedule or graph showing the percentage of debt retired every five years on both the proposed debt and overall debt; and
- a schedule(s) or graph(s) showing whether the proposed structure, when compared to a level debt structure:
 - increases the interest cost for the refunded debt,
 - reduces future available debt capacity, or

- decreases the financial flexibility of the County Commission to use its revenue streams for other purposes compared to a level debt structure.

V. DEBT PLAN REVIEW

1) General Guidance

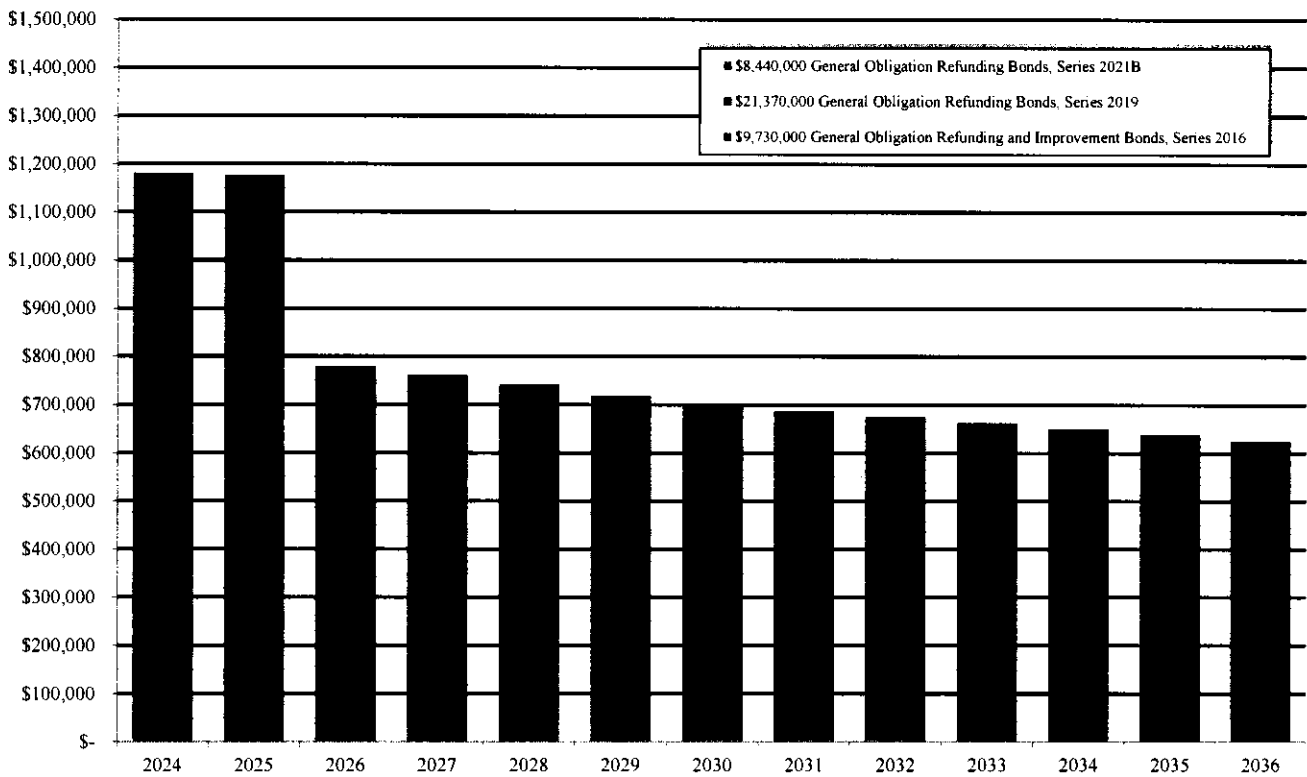
The guidelines outlined herein are only intended to provide general direction regarding the future issuance of Debt. The County Commission maintains the right to modify this Debt Plan and may make exceptions to any of its guidelines at any time to the extent that the execution of such Debt achieves the goals of the County as long as such exceptions or changes are consistent with TCA and any rules and regulations promulgated by the State.

This Debt Plan should be reviewed regularly with the DMP by the County Commission and from time to time as circumstances, such as during the planning of new debt issuances, rules and regulations warrant.

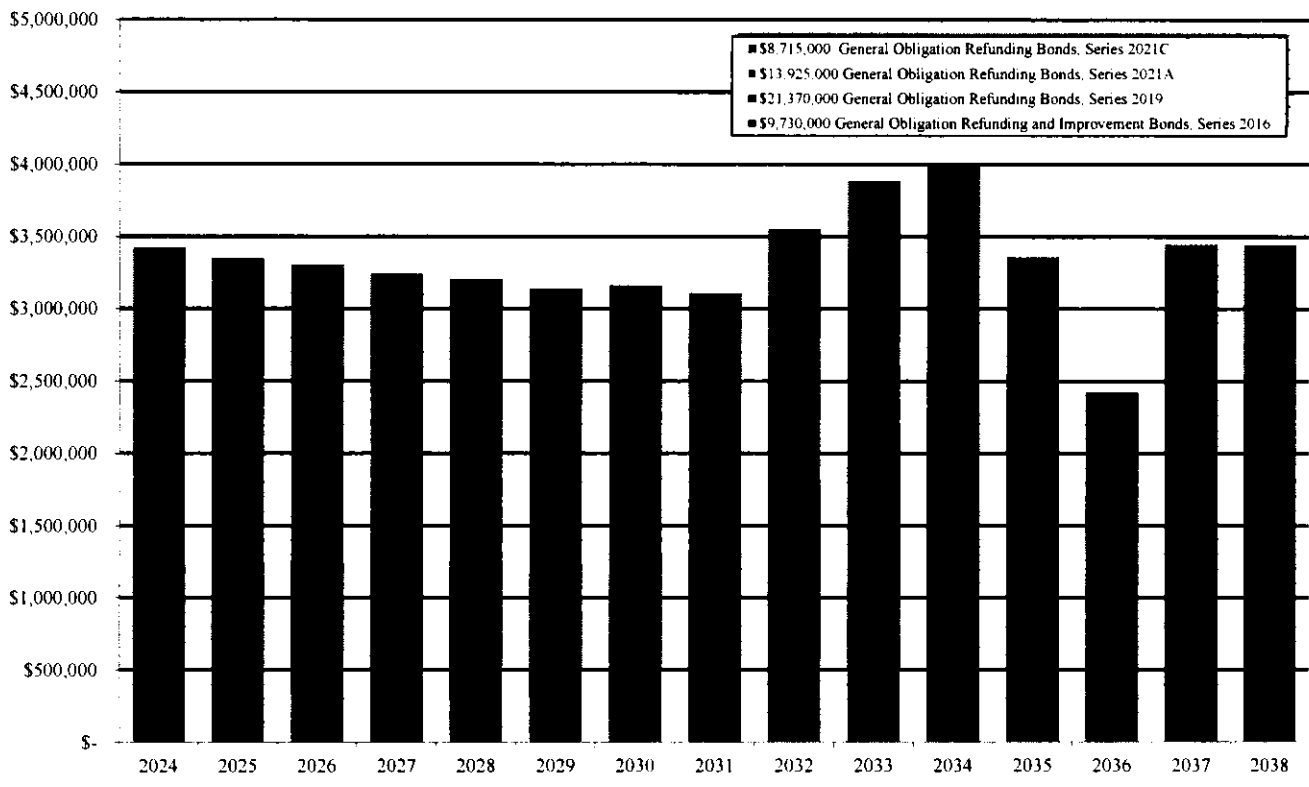
2) Designated Official

The County Mayor and Finance Director are responsible for ensuring substantial compliance with this Debt Plan.

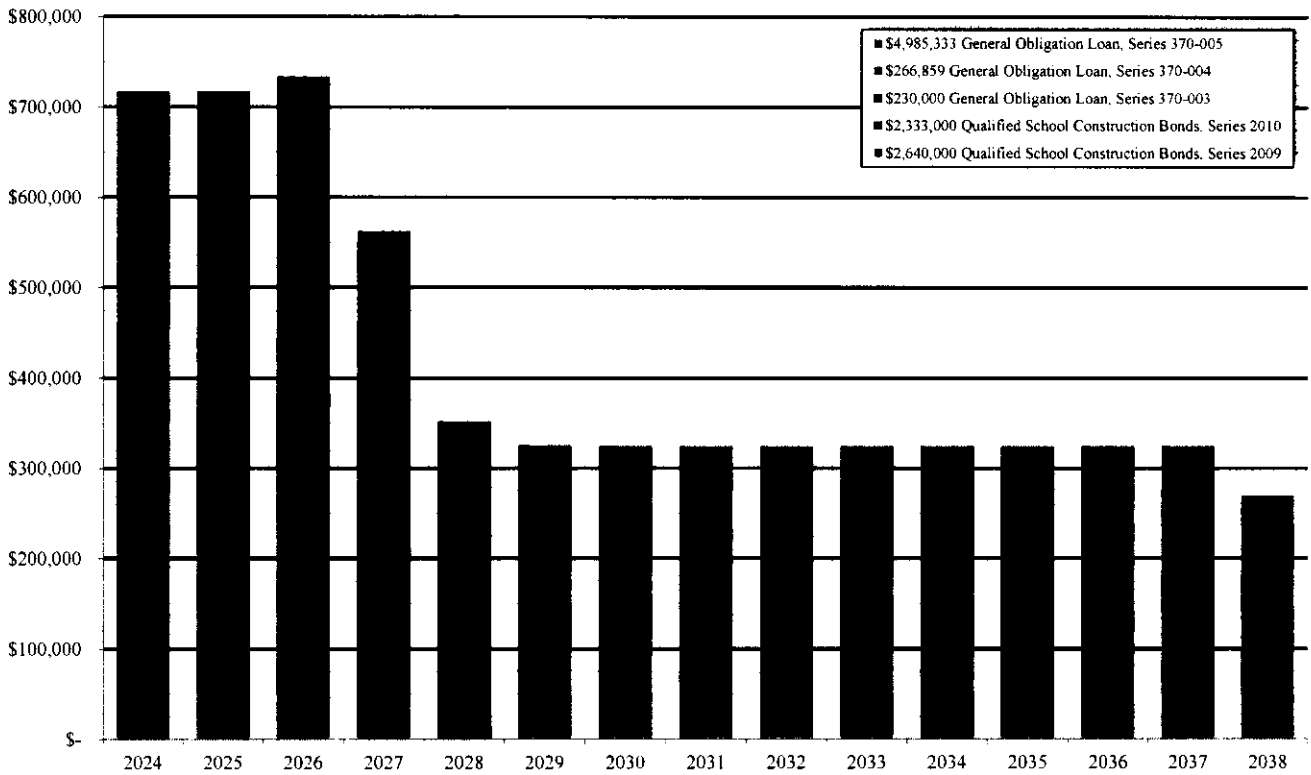
Hawkins County, Tennessee
Total Combined Outstanding Debt Service
General Fund



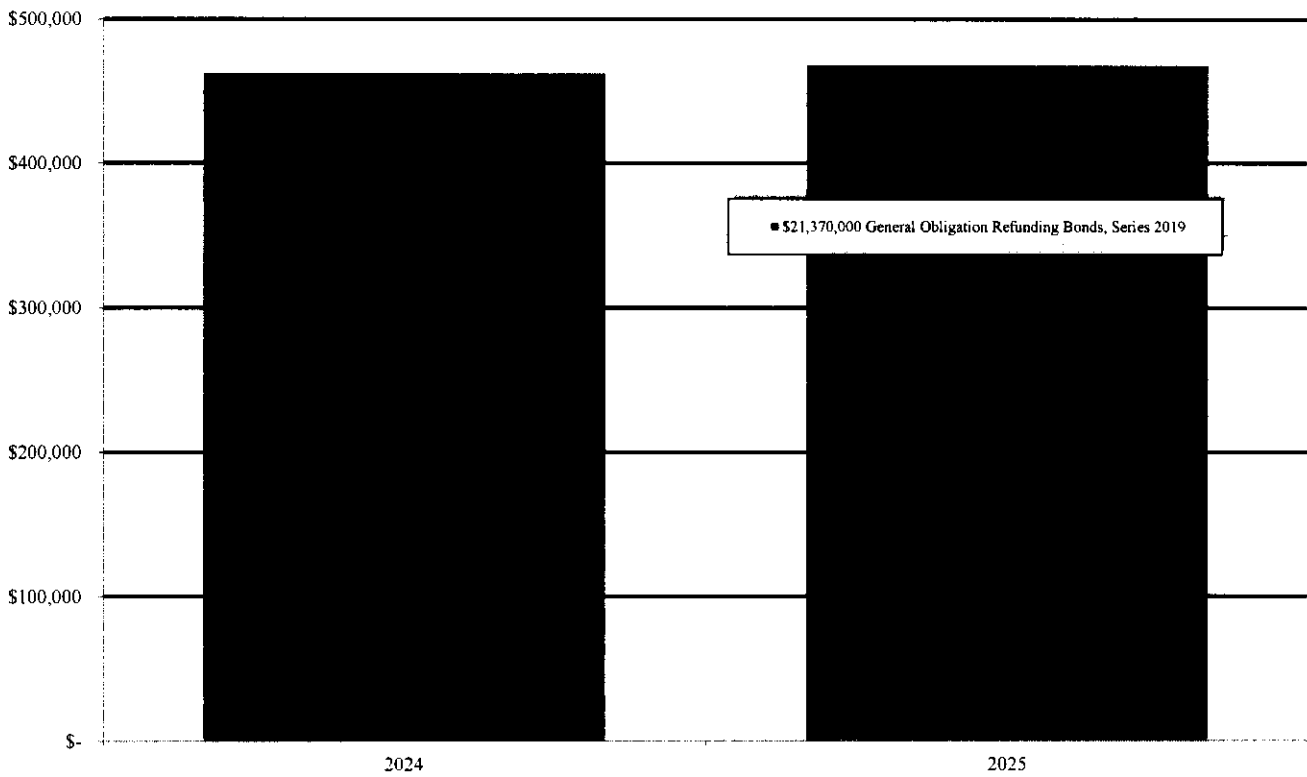
Hawkins County, Tennessee Total Combined Outstanding Debt Service Education Debt Service Fund



Hawkins County, Tennessee Total Combined Outstanding Debt Service General Purpose School Debt



Hawkins County, Tennessee
Total Combined Outstanding Debt Service
Road Department



CERTIFICATE OF ELECTION OF NOTARIES PUBLIC

Resolution No. 2023/05/06

AS CLERK OF THE COUNTY OF HAWKINS, TENNESSEE

I HEREBY CERTIFY THAT THE FOLLOWING WERE ELECTED TO THE OFFICE OF:

NOTARY PUBLIC APPROVAL DURING THE MARCH 22, 2023 MEETING OF THE GOVERNING BODY:

NAME HOME ADDRESS BUSINESS ADDRESS

1. JEFFREY WAYNE ADKINS	309 EVERGREEN ST CHURCH HILL, TN 37642	4509 W STONE DR (BAE SYSTEMS) KINGSPORT, TN 37660
2. ELIZABETH A. ALVIS	510 COLONIAL RD UNIT 5 ROGERSVILLE, TN 37857	110 E MAIN ST ROOM 204 (HAWKINS COUNTY CLERK'S OFFICE) ROGERSVILLE, TN 37857
3. BRANDY MICHELLE BIGGS	1031 OLD STAGE RD ROGERSVILLE, TN 37857	3825 HWY 66 S (HAWKINS COUNTY FARM BUREAU) ROGERSVILLE, TN 37857
4. SCARLETT EVE BRADLEY	515 DOUGLAS DR ROGERSVILLE, TN 37857	201 W MORRIS BLVD (REGIONS BANK) MORRISTOWN, TN 37813
5. SUSAN MICHELLE BRAUCH	507 S BROWNLOW ST ROGERSVILLE, TN 37857	1190 OLD ASHVILLE HWY (BRAINCHILD CREATIVE LLC) NEWPORT, TN 37821
6. BRITTANY MCMELLAN	162 COUNTRY LANE LOT 2 CHURCH HILL, TN 37642	432 WEST MAIN ST (CASH EXPRESS) MOUNT CARMEL, TN 37645
7. SHANNON CAROLINE TAYLOR	630 FOREST ST MOUNT CARMEL, TN 37645	104 N COLLEGE ST (THE CAVE LAW FIRM) GREENEVILLE, TN 37743

(See)

Clerk of the County of Hawkins, Tennessee

Date

RESOLUTION

No. 2023 / 05 / 07

To the HONORABLE Mark DeWitte, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 22th day of May, 2020.

RESOLUTION IN REF: Approval of Notary Public Surety Bond

BE IT RESOLVED THAT: The following be approved as Notary Public Surety Bonds for Hawkins County, Tennessee:

NOTARY

Rachel Pounders

PERSONAL SURETY

Phillip L. Boyd (Surety on File)
425 E. Main St.
Rogersville, TN 37857

Pat C. Boyd (Surety on File)
425 E. Main St.
Rogersville, TN 37857

Introduced By Esq. John Gibson

Seconded By Esq. _____

Date Submitted 5-8-23

Nancy Caudle
County Clerk

ACTION: AYE NAY PASSED

Roll Call _____

Voice Vote _____

Absent _____

By: _____

Chairman _____

Mayor _____

COMMITTEE ACTION

MAYOR'S ACTION: Approved _____ Veto _____