



Estimated cost to the District for this request: \$200



February 1, 2022

Dani Tietz
Mahomet Daily, Ethos Publishing, LLC
PO Box 823
Mahomet, IL 61853
dani@mahometnew.com

Dear Mrs. Tietz:

On January 25, 2022, Mahomet-Seymour Community School District 3 received a Freedom of Information Act (FOIA) request from you for the following records:

- Emails, including attachments, to or from Kevin Heid and Debra Davis and Trent Nuxoll, Rick Johnston, and/or Heather Smith about the junior high.

The following documents are responsive to your request and are submitted herewith:

- Emails that are responsive to your request, specifically between Stifel and Heather Smith, Trent Nuxoll, and Rick Johnston related to "junior high"
- Engagement letter with Stifel
- There are no attachments responsive to this request.

Pursuant to Section 9(a) of the Freedom of Information Act, 5 ILCS 140/9(a), you are hereby notified that this decision was made by Dr. Lindsey Hall, Superintendent and FOIA Officer, and that you have a right to review by the Public Access Counselor:

Ms. Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, IL 62706
Telephone: 312-814-5526 or 1-877-299-FOIA (1-877-299-3642)
Facsimile: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You are further notified that you have the right to judicial review as provided in Section 11 of the Act, 5 ILCS 140/11.

Sincerely,

Dr. Lindsey Hall, Superintendent and FOIA Officer

Subject: RE: Life Safety Documents
Date: Thursday, January 14, 2016 at 11:17:19 AM Central Standard Time
From: tnuxoll@ms.k12.il.us
To: heidk@stifel.com
CC: rj@ms.k12.il.us
Attachments: image001.png, Certificate Of Approval - Mahomet-Seymour High School.pdf, Certificate Of Approval - Mahomet-Seymour Junior High.pdf, Certificate Of Approval - Middletown Early Childhood Center.pdf, Certificate Of Approval - Sangamon Elementary.pdf

Kevin –

I've attached the most recent Certificates of Approval for each of our other buildings (including old MECC).

Trent Nuxoll

Chief School Business Official
Mahomet-Seymour CUSD #3



From: Heid, Kevin [mailto:heidk@stifel.com]
Sent: Thursday, January 14, 2016 10:46 AM
To: Trent Nuxoll
Subject: RE: Life Safety Documents

Thanks Trent,

In order for Chapman and Cutler to confirm cumulative authority we need the following
Copies of the most recent certificate of approval for every other building in the district (including the old PreK – K building)
The amount you levied in the Life/Safety nickel levy fund in December.

Thanks,
Kevin

From: Trent Nuxoll [<mailto:tnuxoll@ms.k12.il.us>]
Sent: Thursday, January 14, 2016 10:39 AM
To: Heid, Kevin (Public Finance); Rick Johnston
Subject: Life Safety Documents

Kevin –

I've attached the final LS documents you requested.

Let me know what else you might need.

Thanks,

Trent Nuxoll
Chief School Business Official
Mahomet-Seymour CUSD #3



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Subject: RE: new scenarios
Date: Monday, November 11, 2013 at 4:28:33 PM Central Standard Time
From: Rick Johnston
To: Heid, Kevin
CC: Trent Nuxoll
Attachments: image001.jpg

Yes we can. If it will help our cause, we could use a 2016 and 2017 issue. That may be more realistic picture anyway.

RJ

From: Heid, Kevin [<mailto:heidk@stifel.com>]
Sent: Monday, November 11, 2013 4:23 PM
To: Rick Johnston; Trent Nuxoll
Cc: Trent Nuxoll
Subject: RE: new scenarios

Can we spilt the first issue (Sangamon) into \$9,000,000 in 2015 and \$3,000,000 in 2016 for the same reason?

Do you want just these new numbers for the meeting the 25th or both sets?

Thanks,

From: Rick Johnston [<mailto:rj@ms.k12.il.us>]
Sent: Monday, November 11, 2013 4:20 PM
To: Heid, Kevin (Public Finance); Trent Nuxoll
Subject: RE: new scenarios

Yes. Let's use that number.

RJ

From: Heid, Kevin [<mailto:heidk@stifel.com>]
Sent: Monday, November 11, 2013 4:18 PM
To: Trent Nuxoll
Cc: Rick Johnston
Subject: RE: new scenarios

Could we make the new Jr. High \$19,500,000 so that we can do \$9,750,000 for each issue to stay Bank Qualified? It is probably about .23% - .35% difference in rate.

From: Trent Nuxoll [<mailto:tnuxoll@ms.k12.il.us>]
Sent: Monday, November 11, 2013 4:10 PM
To: Heid, Kevin (Public Finance)
Cc: Rick Johnston
Subject: new scenarios

Kevin –

Rick and I would like you to run the same scenarios that you provided last week except using \$12M for the first building project (new Sangamon Elementary) and \$20M for the second building project (new Junior High).

Thanks,

Trent Nuxoll
Chief School Business Official
Mahomet-Seymour CUSD #3



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From: Heather Smith [mailto:hsmith@ms.k12.il.us]
Sent: Wednesday, October 14, 2020 12:48 PM
To: Bob Lewis
Cc: Michael Malinowski; Stephen Adams; Tammie Beckwith Schallmo
Subject: RE: Mahomet-Seymour 3

We are not sure yet, a Junior High, High school or an Elementary.....depends on what the community wants.

From: Bob Lewis [mailto:RLewis@pmanetwork.com]
Sent: Wednesday, October 14, 2020 9:10 AM
To: Heather Smith <hsmith@ms.k12.il.us>
Cc: Michael Malinowski <mmalinowski@pmanetwork.com>; Stephen Adams <SAdams@pmanetwork.com>; Tammie Beckwith Schallmo <tschallmo@pmanetwork.com>
Subject: RE: Mahomet-Seymour 3

External Email

Hi Heather. That is exciting to hear about the referendum. What type of building are looking to replace and in what amount? We would love to get together and talk to share our ideas. Doing a refunding around the time of referendum can provide a good message to the community about being a good steward of the District's resources.

Let me know when you have time to talk sometime later this month or next.

Thanks,

Bob

MSRB Rule G-42 requires municipal advisors to provide disclosures regarding all material conflicts of interest and any legal or disciplinary events material to a client's evaluation of the firm or the integrity of the firm's management or advisory personnel. A link to the PMA Securities, LLC Municipal Advisor Disclosure Statement can be found [here](#).

Robert E. Lewis III

Senior Vice President, Managing Director

PMA Securities, LLC

2135 City Gate Lane, 7th Floor
Naperville, IL 60563

Subject: RE: Engagement Letter
Date: Friday, June 21, 2019 at 12:42:08 PM Central Daylight Time
From: Heid, Kevin
To: 'Trent Nuxoll'
CC: Davis, Debra (PF-St. Louis), Lindsey Hall
Attachments: image001.png, image002.png

External Email

Hi Trent,

Yes we have changed our procedures in that we now provide a copy of the form of placement agent agreement in the event that we do a placement rather than an underwriting.

Kevin

From: Trent Nuxoll [mailto:tnuxoll@ms.k12.il.us]
Sent: Friday, June 21, 2019 11:45 AM
To: Heid, Kevin (PF-Bloomington)
Cc: Davis, Debra (PF-St. Louis); Lindsey Hall
Subject: RE: Engagement Letter

Thanks Kevin! I've a signed copy of the first 3 pages. The rest didn't look like any familiar to what we've done before – do you need anything else from me?

Also, I spoke with Lindsey and she is also on board with re-igniting discussions about the Junior High funding.

Trent Nuxoll
Chief School Business Official
Mahomet-Seymour CUSD #3

From: Heid, Kevin [mailto:heidk@stifel.com]
Sent: Friday, June 21, 2019 10:30 AM
To: Trent Nuxoll <tnuxoll@ms.k12.il.us>
Cc: Davis, Debra (PF-St. Louis) <davisds@stifel.com>
Subject: Engagement Letter

External Email

Hi Trent,

Per our discussion today, attached is the preliminary engagement letter. Please review, sign and either fax or email a copy back to me. Please let me know if you have any questions.

Thanks,
Kevin

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August 12, 2021

Dr. Lindsey Hall
Superintendent
Community Unit School District No. 3 (Mahomet-Seymour)
1301 S. Bulldog Drive
Mahomet, IL 61853

Re: Underwriter/Placement Agent Engagement Relating to Potential Municipal Securities Transaction for General Obligation School Bonds, Series 2022 / 2023 / 2024

Dear Dr. Hall:

The Mahomet-Seymour Community Unit School District No. 3, Champaign and Piatt Counties, Illinois (the “Issuer”) and Stifel, Nicolaus & Company, Incorporated (“Stifel”) are entering into this engagement to confirm that they are engaged in discussions related to a potential issue of (or series of issuances of) municipal securities related to a referendum to be voted in June of 2022 for **General Obligation School Bonds, Series 2022 and/or Series 2023 and/or Series 2024** for facility purposes with final sizing to be determined following a community engagement process and to pay the costs of issuing the Bonds (the “Issue”) and to formalize Stifel’s role as underwriter or placement agent with respect to the Issue.

Engagement as Underwriter/Placement Agent

Issuer is aware of the “Municipal Advisor Rule” of the Securities and Exchange Commission (“SEC”) and the underwriter exclusion from the definition of “municipal advisor” for a firm serving as an underwriter or placement agent for a particular issuance of municipal securities. Issuer hereby designates Stifel as an underwriter or placement agent for the Issue. Issuer expects that Stifel will provide advice to Issuer on the structure, timing, terms and other matters concerning the Issue.

If this engagement takes the form of a placement, at the closing of the placement, the Issuer will be asked to sign a Placement Agent Agreement in the form attached hereto, providing for more detailed terms of this engagement as well as representations and warranties.

Limitation of Engagement

It is Issuer’s intent that Stifel serve as an underwriter or placement agent for the Issue, subject to satisfying applicable procurement laws or policies, formal approval by the Board of Education of Issuer, finalizing the structure of the Issue and executing a bond purchase agreement or placement agent agreement, as applicable. While Issuer presently engages Stifel as the underwriter or placement agent for the Issue, this engagement letter is preliminary, nonbinding and may be terminated at any time by Issuer, without penalty or liability for any costs incurred by Stifel. Furthermore, this engagement letter does not restrict Issuer from entering into the Issue with any other underwriters or placement agents or selecting an underwriting syndicate that does not include Stifel.

Disclosures Required by MSRB Rule G-17 Concerning the Role of the Underwriter or Placement Agent

The Issuer confirms and acknowledges the following disclosures, as required to be delivered by the Municipal Securities Rulemaking Board (MSRB) Rule G-17 as set forth in MSRB Notice 2019-20 (Nov. 8, 2019)¹:

The following G-17 conflict of interest disclosures are broken down into three types, including: 1) dealer-specific conflicts of interest disclosures (if applicable); 2) transaction-specific disclosures (if applicable); and 3) standard disclosures. You may receive additional separate disclosure letters pursuant to Rule G-17 from the co-managing underwriters or other syndicate members for the Bonds if they have their own dealer-specific or transaction-specific disclosures.

1. Dealer-Specific Conflicts of Interest Disclosures

While Stifel does not believe that the following represents a potential or actual material conflict of interest, we note that:

- A charitable contribution of \$500.00 at the request of the Issuer was made to Mahomet-Seymour Educational Foundation for the Silent Auction held in January, 2019.
- A charitable contribution of \$500.00 at the request of the Issuer was made to Mahomet-Seymour Educational Foundation for the Bulldog Bash held in February, 2019.
- A charitable contribution of \$500.00 at the request of the Issuer was made to Mahomet-Seymour Educational Foundation for the Bulldog Bash held in March, 2020.

2. Transaction-Specific Disclosures

- Disclosures Concerning Complex Municipal Securities Financing:
 - Since we have not recommended a “complex municipal securities financing” to the Issuer or Obligor, additional disclosures regarding the financing structure for the Bonds are not required under MSRB Rule G-17.

3. Standard Disclosures

- Disclosures Concerning the Underwriter’s or Placement Agent’s Role:
 - MSRB Rule G-17 requires an underwriter and a placement agent to deal fairly at all times with both issuers and investors.
 - The underwriter’s primary role is to purchase the Bonds with a view to distribution in an arm’s-length commercial transaction with the Issuer. The placement agent’s primary role in the transaction is to facilitate the sale and purchase of the securities between the issuer and one or more investors for which the placement agent will receive compensation in an arm’s-length commercial transaction with the issuer. The underwriter or placement agent has financial and other interests that differ from those of the Issuer.
 - Unlike a municipal advisor, an underwriter or a placement agent does not have a fiduciary duty to the Issuer under the federal securities laws and is, therefore, not required by federal law to act in the best interests of the Issuer without regard to its own financial or other interests.

¹ Revised Interpretive Notice Concerning the Application of MSRB Rule G-17 to Underwriters of Municipal Securities (effective Mar. 31, 2021).

- o The Issuer may choose to engage the services of a municipal advisor with a fiduciary obligation to represent the Issuer's interest in the transaction.
- o The underwriter has a duty to purchase the securities from the Issuer at a fair and reasonable price, but must balance that duty with their duty to sell the securities to investors at prices that are fair and reasonable.
- o The placement agent has a duty to use its commercially reasonable efforts to arrange the purchase of securities from the Issuer at a fair and reasonable price, but must balance that duty with its duty to arrange the sale of securities to investors at prices that are fair and reasonable.
- o The underwriter or the placement agent will review the official statement for the securities, if any, in accordance with, and a part of, their respective responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of this transaction.²
- Disclosures Concerning the Underwriter's or Placement Agent's Compensation:
 - o The underwriter will be compensated by a fee and/or an underwriting discount that will be set forth in the bond purchase agreement to be negotiated and entered into in connection with the issuance of the Bonds. The placement agent will be compensated by a fee agreed upon with the Issuer in connection with the private placement of the Issue. Payment or receipt of the underwriting/placement agent fee or discount will be contingent on the closing of the transaction and the amount of the fee or discount may be based, in whole or in part, on a percentage of the principal amount of the Bonds. While this form of compensation is customary in the municipal securities market, it presents a conflict of interest since the underwriters may have an incentive to recommend to the Issuer a transaction that is unnecessary or to recommend that the size of the transaction be larger than is necessary.

It is our understanding that you have the authority to bind the Issuer by contract with us, and that you are not a party to any conflict of interest relating to the subject transaction. If our understanding is incorrect, please notify the undersigned immediately.

Sincerely,

Stifel, Nicolaus & Company, Incorporated

By: 

Name: Kevin K. Heid

Title: Managing Director

Issuer acknowledges the foregoing.

Accepted and Executed

By: 

Name: Dr. Lindsey Hall

Title: Superintendent

Date: 8/17/21

² Under federal securities law, an issuer of securities has the primary responsibility for disclosure to investors. The review of the official statement by the underwriter or placement agent is solely for purposes of satisfying the underwriter's or placement agent's obligations under the federal securities laws and such review should not be construed by an issuer as a guarantee of the accuracy or completeness of the information in the official statement.