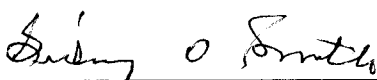


Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
R. L. Hullum  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

Therebeing no further business the regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi was adjourned on this the 1st day of November, A.D., 1988.

  
SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:  
  
PRISCILLA C. DANIEL  
CITY CLERK

\*\*\*\*\*

BE IT REMEMBERED that there was begun and held the regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi on November 15, 1988 in the Board Room of said City.

Those present: Mayor Sidney O. Smith  
City Attorney Thomas Tyner  
Aldermen: W. H. Campbell  
Reuben Clepper  
R. L. Hullum  
Willie Ratliff  
Leroy Scott

The Mayor declared a quorem present and declared the City Council in session.  
The invocation was offered by W. H. Campbell.

WHEREAS Alderman Hullum made a motion that the minutes of the regular meeting of November 1, 1988 be accepted as written. Alderman Clepper seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
R. L. Hullum  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS the hour of 7:30 PM having arrived, the Mayor and Board of Aldermen proceeded to publicly open and read the sealed proposal for the application and administration of the City's Rental Rehab program. The proposal read as follows:

Neel-Schaffer, Inc.  
Engineers & Planners  
P.O. Box 982  
Hattiesburg, Ms 39401

THEREUPON Alderman Hullum made a motion to accept Neel-Schffer's proposal for the application and administration of the City's Rental REhab Program. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
R. L. Hullum  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mayor Smith presented the following contract for library services between the Library of Hattiesburg, Petal and Forrest County and the City of Hattiesburg, the City of Petal and the County of Forrest, Mississippi.

CONTRACT

This agreement made and entered into on this, the 15th day of November, 1988, by and between THE LIBRARY OF HATTIESBURG, PETAL AND FORREST COUNTY (hereafter "Library") and THE CITY OF HATTIESBURG, THE CITY OF PETAL, AND THE COUNTY OF FORREST, MISSISSIPPI, acting herein by and through their respective governing bodies, hereunto duly and fully authorized:

RECITALS

The Mayor and the Council of the City of Hattiesburg, the Mayor and the Board of Aldermen of the City of Petal, and the Board of Supervisors of the County of Forrest do desire to give the best possible library service to the citizens within their respective jurisdictions.

Section 39-3-8, Mississippi Code of 1972, states: "The board of trustees of any municipal public library, or any group of municipal public libraries, and the board of trustees of any county public library systems, may, with the consent of the governing body of said municipality, or municipalities, and with the consent of the board of supervisors of said county, contract with each other or among themselves, to create, maintain, and support a joint city-county public library system."

Pursuant to the above statute, a contractual agreement executed November 7, 1950, and revised and extended February 14, 1962, exists for the provision of library services to the residents of Forrest County outside of the municipal corporate limits of the City of Hattiesburg in return for certain consideration to the City of Hattiesburg.

Section 39-3-1, Mississippi Code of 1972, provides that governing bodies of counties and municipalities may establish and maintain public libraries in connection with free public libraries already established therein and may acquire necessary real estate by purchase, gift, or donation and may erect necessary buildings thereon.

Section 39-3-5, Mississippi Code of 1972, as amended, provides that the board of supervisors of a county supporting a public library or public library system may levy a four mill tax for the support, upkeep and maintenance of any public library or public library system located in such county and may make contributions from any available funds for the support, upkeep, and maintenance of any public library or public library system located in such county. Section 39-3-7, Mississippi Code of 1972, Annotated, as amended, confers the same authority on a municipality, except that the tax which it may levy is three mills.

Section 39-3-13, Mississippi Code of 1972, Annotated, as amended, authorizes the governing body of any municipality and the board of supervisors of any county in the state to contract with the board of trustees of any established public library or public library system to receive the services of that established public library or public library system and further specifies the structure and authority of the board of trustees of a public library system and the content of contracts for library services.

NOW, THEREFORE, pursuant to the statutes above described and other applicable law, it is understood and agreed by the parties hereto that said participation by the City of Hattiesburg, the City of Petal and the County of Forrest shall be in the form of mutual support of a public library system to be known as The Library of Hattiesburg, Petal and Forrest County under the following terms:

1. LIBRARY SERVICE AREA. The Library shall provide public library service to residents of the City of Hattiesburg, City of Petal, and Forrest County. Residents living outside of the defined service area wishing to use the Library will be required to pay an annual fee for library service, based on the Forrest County per capita appropriation, the state per capita appropriation for that fiscal year, and such other factors, including cost of operation, as the Board of Trustees deems appropriate.

2. PARTIES AND RESPONSIBILITIES REGARDING PARTICIPATION IN THE LIBRARY SYSTEM. Beginning with the Library's 1989-1990 fiscal year, the Library shall be supported by an annual tax levy of not less than 1.25 mills each from the City of Hattiesburg, the City of Petal, and Forrest County, provided the prescribed minimum levy does not adversely affect the ability of the governing authorities to provide essential services. The actual levy will be determined by the governing authorities of the City of Hattiesburg, the City of Petal and Forrest County upon the recommendation of the Mayor of the City of Hattiesburg or his designee, the Mayor of the City of Petal or his designee, and President of the Forrest County Board of Supervisors or his designee, who shall meet jointly no later than the fifteenth day of July of each year to review the annual operating budget request that shall be prepared by the Library Board of Trustees. The governing authorities of the City of Hattiesburg, the City of Petal, and Forrest County shall transmit each month sums raised by levy in the preceding month and settled to the governing authorities by the tax collector.

The Library Board of Trustees shall be responsible for all maintenance, including utilities and insurance of the Library buildings and for the operation and administration of Library services, providing however, such insurance shall be placed through the record owner, such premium thereof to be reimbursed by Library.

For the consideration of one (1) dollar per year, the City of Hattiesburg does hereby lease, let and demise the building and grounds known as the "Hattiesburg Public Library" and the building and grounds known as the "Petal Public Library" and all other properties, including

shall be filled for unexpired terms in the same manner in which members of the Board were first appointed. Any Trustee who shall not attend four (4) consecutive meetings of the Board shall be subject to removal by the appointing authority upon the recommendation of the remaining Trustees. No Trustee shall receive a salary or other compensation for his service; provided, however, that all Trustees shall be reimbursed for their necessary traveling expenses and mileage incident to their attendance upon the business of the Board, as provided in Section 25-3-41, Mississippi Code of 1972.

The Board of Trustees shall have the administrative powers and responsibilities as prescribed in Section 39-3-17, Mississippi Code of 1972:

"... immediately after their appointment or election, shall meet and organize by the election of such officers as they deem necessary. They shall (a) adopt such bylaws, rules and regulations for their own guidance and for the government of the library as they deem expedient; (b) meet at least once in each quarter; (c) have the supervision, care and custody of all property of the library, including the rooms or buildings constructed, leased or set apart therefor; (d) employ a library system director, prescribe his/her duties, fix his/her compensation, and remove him/her for cause; (e) employ, upon the recommendation of the library system director, such other staff as may be necessary and fix their compensation; (f) submit annually to the governing body a budget containing estimates for the finances of the ensuing years; (g) have exclusive control of the finances of the library system; (h) accept such gifts or money or property for library purposes as they deem expedient; (i) on recommendation of the library system director purchase books, periodicals, maps, equipment, insurance and supplies for the library system; (j) dispose of equipment and discarded library materials as provided in Section 19-7-5, Mississippi Code of 1972; and (k) do all other acts necessary for the orderly and efficient management of the library system."

the contract is proposed, said amendment will be presented to all parties for approval within not more than seventy-five (75) days after the March Board Meeting.

6. DISSOLUTION OF LIBRARY SYSTEM. Any party wishing to terminate the agreement shall give a minimum of ninety (90) days notice prior to the end of the Library's fiscal year (September 30).

In case of dissolution of The Library of Hattiesburg, Petal and Forrest County, title to land and buildings is and shall remain vested in the governing body, and all land and building leases contained herein shall be considered void. All other assets, including library books and materials, furniture, and equipment shall be divided by a committee composed of one (1) Trustee representing each governing body and two (2) persons selected by the Mississippi Library Commission.

7. MISCELLANEOUS. This Contract supersedes and cancels all prior agreements pertaining to library services and administration between all parties hereto. All references herein to sections of the Mississippi Code of 1972 shall mean and include such sections as heretofore and hereafter amended.

Executed in quadruplicate counterparts on the day and date first herein mentioned.

ATTEST:

Pamela Lambert  
Pamela Lambert, Secretary

ATTEST:

John C. Meador  
John C. Meador, City Clerk

ATTEST:

Priscilla Daniel  
Priscilla Daniel, City Clerk

The City of Hattiesburg, the City of Petal, and Forrest County are entitled to have one representative each who can attend the meetings of the regularly appointed Board who can serve said Board in an advisory capacity.

There shall be one (1) library director for the Library, who shall attend the meetings of the regularly appointed Board who shall serve said Board in an advisory capacity. The library director shall have such educational qualifications as are prescribed by the Mississippi Library Commission. The library director shall administer and establish procedures according to policies established by the Board of Trustees. His or her duties shall include: (a) employment of staff with the approval of the Board of Trustees; (b) prescription of staff duties; (c) removal of staff for cause; (d) preparation of the budget; (e) financial and statistical management; (f) reporting to the Board of Trustees; and (g) other acts necessary for the orderly and efficient administration of the Library.

4. ELIGIBILITY AND CRITERIA FOR PARTICIPATION OF NEW LIBRARIES.

Any municipality which is aiding in maintaining or supporting a public library, or which desires to aid in providing public library service for that portion of Forrest County's residents who reside within the municipality may participate in The Library of Hattiesburg, Petal and Forrest County. The board of supervisors of any neighboring county may with the consent of the board of trustees of their established public library system, contract for library service with the Library of Hattiesburg, Petal and Forrest County. The board of trustees of any neighboring regional public library system may contract for such region to receive library service from The Library of Hattiesburg, Petal and Forrest County. This participation shall be on such terms as may be agreed upon among the governing body of the municipality or county, the board of trustees of the library wishing to participate in The Library of Hattiesburg, Petal and Forrest County, and the Board of Trustees of The Library of Hattiesburg, Petal and Forrest County.

5. A STATED CONTRACT REVIEW AND RENEWAL PROCESS. The Board of Trustees shall review the contract each year at the March Board meeting. The contract shall be automatically renewed unless the Board of Trustees calls for an amendment to the contract at said time. If an amendment to

THE LIBRARY OF HATTIESBURG, PETAL AND  
FORREST COUNTY

By:

Benjamin F. Bell  
Benjamin F. Bell, Chairman

THE CITY OF HATTIESBURG

By:

G. D. Williamson  
G. D. Williamson, Mayor

THE CITY OF PETAL

By:

Sidney P. Smith  
Sidney P. Smith, Mayor

FORREST COUNTY

By:

Samuel L. Smith

THEREUPON Alderman Campbell made a motion to enter into the contract and to authorize the Mayor to execute the contract. Alderman Ratliff seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
R. L. Hullum  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY" None

WHEREAS the Mayor presented the following proofs of publication to the Board:

- 1) Ordinance 1979 (42-A50)
- 2) Request for Proposals - CDBG
- 3) Public Notice - Zoning Hearing - McAlister

THEREUPON Alderman Scott made a motion that the foregoing proofs of publication be accepted and filed. Alderman Clepper seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
R. L. Hullum  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": NOne

WHEREAS the proration for the month of October was presented to the Board.

WHEREAS Mayor Smith presented the request for a progress payment for Gary Davis in the amount of \$1,525.00 for his property at 107 Cora Street.

THEREUPON Alderman Scott made a motion to authorize the payment of the progress payment for Gary Davis in the amount of \$1,525.00 upon receipt of the CDBG funds. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
R. L. Hullum  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

WHEREAS Mayor Smith presented a request for the City Clerk and the Deputy City Clerk to attend the Certification Update for the Miss. Municipal Clerks, Assessors and Tax Collectors December 8 & 9 1988 at the Coliseum Ramada Inn in Jackson.

THEREUPON Alderman Clepper made a motion to authorize the City Clerk and the Deputy City Clerk to attend the Seminar in Jackson and to pay their expenses. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
R. L. Hullum  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

THEREUPON Alderman Scott made a motion to enter into executive session to discuss pending litigation. Alderman Campbell seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
R. L. Hullum  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

THEREUPON Alderman Campbell made a motion to adjourn the executive session. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper

Those present and voting "NAY": None

THEREUPON Alderman Ratliff made a motion to adjourn. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
R. L. Hulum  
Willie Ratliff  
Leroy Scott

Those present and voting "NAY": None

Therebeing no further business the regular meeting of the Mayor and Board of Aldermen of the City of Petal, Ms was adjourned on this the 15th day of November, A.D., 1988.

  
SIDNEY O. SMITH, MAYOR

(SEAL)

ATTEST:

  
PRISCILLA C. DANIEL  
CITY CLERK

\*\*\*\*\*

BE IT REMEMBERED that there was begun and held the regular meeting of the Mayor and Board of Aldermen of the City of Petal, Mississippi on December 6, 1988 in the Board Room of said City.

Those present: Mayor Sidney O. Smith  
City Attorney: Alex Brinkley in Tom Tyner's absence  
Aldermen: W. H. Campbell  
Reuben Clepper  
willie Ratliff  
Leroy Scott  
Others present: Scott Randall  
Jerry Holifield  
David Hamm  
and others

The Mayor declared a quorem present and declared the City Council in session.  
The invocation was offered by Leroy Scott.

WHEREAS Alderman Campbell made a motion that the minutes of the regular meeting of November 15, 1988 be accepted as written. Alderman Clepper seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper  
Willie Ratliff  
Leroy Scott

WHEREAS Mayor Smith called for public comment.

THEREUPON Scott Randall of U. A. Cablevision requested that the Mayor and Board of Aldermen consider the adoption of a resolution approving of and consenting to the transfer and assignment of rights and duties of license of cable television and audio communications from U. A. Cablevision to CAT Partnership. THEREUPON Mayor Smith stated that the Board would take this under advisement.

WHEREAS Alderman Campbell made a motion to adopt the County & Land rolls for the City of Petal and the Petal Municipal Separate School District. Alderman Scott seconded the motion.

Those present and voting "AYE": W. H. Campbell  
Reuben Clepper