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 APRIL 18, 2000 AT 7:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT

MAYOR JACK GAY

CITY ATTORNEY

THOMAS W. TYNER

ALDERMEN

WILLIE W. HINTON CHARLES E. HOLBROOK ROBERT F. LANGFORD DONALD H. ROWELL

LEROY SCOTT

OTHERS

SYLVIA FORSTER MR & MRS TESTA WILLIAM PAGE **DEBORAH REYNOLDS**

DALE AND NANCY HENSARLING

THE MAYOR DECLARED A QUORUM PRESENT AND DECLARED THE CITY COUNCIL IN SESSION.

THE INVOCATION WAS OFFERED BY CHARLES E. HOLBROOK.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR GAY PRESENTED THE AGENDA WITH THE FOLLOWING AMENDMENTS:

ADD:

X. GENERAL BUSINESS

- JAMES K DUKES, JR. RESIGNATION
 PURCHASE AD IN MISS HOSPITALITY PROGRAM
- 6. PAYMENT OF \$730.00 TO GRAHAM LOTT FOR THE ADDITIONAL PAINTING AT THE CIVIC CENTER
- 7. APPROVAL OF RENTAL OF MOBILE OFFICE UNIT FOR THE STREET DEPARTMENT.

DELETE:

1. SCOTT PHILLIPS ADDRESS BOARD ON THE MS NATIONAL GUARD SELECTIVE SERVICE PROGRAM

ADD:

SEMINARS & TRAVEL XI.

REQUEST TO SEND JOSEPH BARKER TO THE METHOD OF ENHANCING SAFETY EDUCATION.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE MINUTES OF THE REGULAR MEETING OF THE APRIL 4, 2000 AND THE RECESSED MEETING OF APRIL 11, 2000 TO THE BOARD.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ACCEPT THE MINUTES AS WRITTEN. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY CALLED FOR PUBLIC COMMENT.

THEREUPON, SYLVIA FORSTER ADDRESSED THE BOARD CONCERNING THE CITY'S ORDINANCE WHICH BANS GARAGE SALES ON COMMERCIAL PROPERTY. MS. FORSTER STATED THAT IF YOU CALL CITY HALL YOU ARE TOLD THAT YOU CANNOT HOLD THE SALES ON COMMERCIAL PROPERTY BUT THE SALES ARE BEING HELD BY SOME ANYWAY AND THAT THE PURPERTRATORS ARE NOT BEING PUNISHED FOR VIOLATING THE CITY ORDINANCE.

THEREUPON, MAYOR GAY STATED THAT CITY HALL ADVISES ACCORDING TO THE ORDINANCE AND THAT THE ENFORCEMENT OF THE ORDINANCE IS THE RESPONSIBILITY OF THE POLICE DEPARTMENT AND THAT THIS ISSUE HAS BEEN ADDRESSED BY CHIEF JARRELL WITH HIS OFFICERS.

WHEREAS, MAYOR GAY PRESENTED THE ENGINEER'S TABULATION OF THE BIDS RECEIVED ON APRIL 11, 2000 FOR THE TREE REMOVAL ALONG GREEN'S CREEK IN WHICH HE RECOMMENDS THAT THE CITY AWARD THE PROJECT TO THE LOW BIDDER, A.E.BOYER COMPANY, LLC.

SEE EXHIBIT "A"

LETTER AND TABULATION

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO AWARD THE BID TO A.E. BOYER COMPANY, LLC OF HATTIESBURG, MS. IN THE AMOUNT OF \$58,750.00. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE LETTER OF RESIGNATION FROM CAPTAIN JEFF GAY OF THE FIRE DEPARTMENT EFFECTIVE APRIL 4, 2000.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ACCEPT CAPTAIN GAY'S RESIGNATION. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF MARCH TO THE BOARD.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ACCEPT THE REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF MARCH. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A LETTER OF RESIGNATION FROM JAMES K. DUKES, JR., CITY PROSECUTOR, EFFECTIVE APRIL 30, 2000.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT MR. DUKES' RESIGNATION. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM PETAL'S FIRST MISS HOSPITALITY, AMY JENNINGS, FOR THE CITY TO PURCHASE AN AD IN THE MISS HOSPITALITY PROGRAM.

THEREUPON, ALDERMAN HINTON MADE A MOTION FOR THE CITY TO PURCHASE AN AD IN THE AMOUNT OF \$150.00. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED INVOICES FROM GRAHAM LOTT IN THE AMOUNT OF \$730.00 FOR THE ADDITIONAL PAINTING AT THE CIVIC CENTER.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO PAY MR. LOTT THE \$730.00. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY STATED THAT JEFF DAVIS HAS A MOBILE OFFICE UNIT AVAILABLE FOR RENT FOR USE AS THE STREET DEPARTMENT OFFICE UNTIL THE CITY BARN IS REBUILT.

THEREUPON, ALDERMAN SCOTT MADE A MOTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH JEFF DAVIS TO RENT HIS MOBILE OFFICE UNIT AT A RATE OF \$100.00 PER MONTH. ALDERMAN HOLBROOK SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON
ALDERMAN CHARLES E. HOLBROOK
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FOR JOSEPH BARKER TO ATTEND THE "METHOD OF ENHANCING SAFETY EDUCATION" SEMINAR AT THE STATE FIRE ACADEMY MAY 1 & 2, 2000.

THEREUPON, ALDERMAN SCOTT MADE A MOTION AUTHORIZING MR. BARKER TO ATTEND THE SEMINAR AND TO PAY HIS EXPENSES. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER HIRING MICHAEL BULLOCK AS A RECRUIT IN THE FIRE DEPARTMENT EFFECTIVE APRIL 20,2000.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MS. DO HEREBY DEEM IT NECESSARY, DUE TO THE RESIGNATION OF JEFF GAY, TO HIRE A FIREMAN.

IT IS HEREBY ORDERED THAT MICHAEL BULLOCK BE HIRED AS A RECRUIT EFFECTIVE APRIL 20,2000 AT A RATE OF \$7.456 PER HOUR.

SO ORDERED ON THIS THE 18^{TH} DAY OF APRIL, AD, 2000.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED AN ORDER INCREASING JANE PAGE'S SALARY TO \$7.28 PER HOUR EFFECTIVE APRIL 20, 2000.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF PETAL, MS. DO HEREBY DEEM IT NECESSARY
TO INCREASE THE SALARY FOR JANE PAGE ON HER ANNIVERSARY
DATE.

IT IS HEREBY ORDERED THAT JANE PAGE'S SALARY BE INCREASED TO \$7.28 PER HOUR EFFECTIVE APRIL 20, 2000. SO OREDERED ON THIS THE 18TH DAY OF APRIL, AD, 2000.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL

ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER PROMOTING KEN COOLEY TO PERMANENT MAINTENANCE FOREMAN IN THE WATER DEPARTMENT EFFECTIVE APRIL 20, 2000 WITH A SIX-MONTH PROBATIONARY PERIOD.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MS. DO HEREBY DEEM IT NECESSARY TO PROMOTE KEN COOLEY TO MAINTENANCE FOREMAN IN THE WATER DEPARTMENT.

IT IS HEREBY ORDERED THAT KEN COOLEY BE PROMOTED TO MAINTENANCE FOREMAN EFFECTIVE APRIL 20, 2000 AND HIS SALARY BE INCREASED TO \$8.00 PER HOUR. SO ORDERED ON THIS THE $18^{\rm TH}$ DAY OF APRIL, AD, 2000.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROCLAMATION SETTING THE WEEK OF MAY 6-12, 2000 AS "NATIONAL NURSES WEEK" IN PETAL.

SEE EXHIBIT "B"

PROCLAMATION

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING PROCLAMATION. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY STATED THAT THE CITY HAS RECEIVED TWO (2) CHECKS FROM THE TRAVELERS INSURANCE TOTALING \$28,450.00 FOR THE BACKHOE, AIR COMPRESSOR & STRIPER DAMAGED IN THE FIRE AT THE CITY BARN. MAYOR GAY ALSO STATED THAT DOUG DALE FROM THE TRAVELERS INSURANCE COMPANY HAS GIVEN THE CITY PERMISSION TO KEEP THE DAMAGED BACKHOE AND TO REPAIR IT OR TO SELL IT FOR SALVAGE.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE CHECKS FROM THE TRAVELERS AND THE DAMAGED BACKHOE. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL

ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADVERTISE FOR BIDS FOR A NEW BACKHOE. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADVERTISE FOR THE SALE OF THE DAMAGED BACKHOE AS SURPLUS PROPERTY. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, CITY ATTORNEY THOMAS W. TYNER PRESENTED THE FOLLOWING OPTION TO CONVEY EASEMENT FROM EMMA T. RUSSELL FOR THE PLACEMENT OF CITY WATER AND SEWER LINES ACROSS HER PROPERTY.

SEE EXHIBIT "C'

OPTION TO CONVEY EASEMENT

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE FOREGOING OPTION. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF MARCH TO THE BOARD.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADJOURN. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON ALDERMAN CHARLES E. HOLBROOK ALDERMAN ROBERT F. LANGFORD ALDERMAN DONALD H. ROWELL ALDERMAN 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 18^{TH} DAY OF APRIL, AD, 2000.

(SEAL)

ATTEST:

PRISCILLA C. DANIEL

CITY CLERK

PAUL J. SHOWS (1996)

EXHIBIT "A"

SHOWS, DEARMAN & WAITS, INC.

CONSULTING ENGINEERS
P. O. BOX 1711, 301 SECOND AVENUE
HATTIESBURG, MISSISSIPPI 39403-1711
TELEPHONE 601-544-1621
FAX 601-544-0501

RAYMOND M. DEARMAN, P.E., R.L.S. MICHAEL T. WAITS, P.E., R.L.S. WILLIAM F. WAITS, P.E., R.L.S. NICHOLAS M. CONNOLLY, P.E. KYLE D. WALLACE, P.E.

April 11, 2000

City of Petal P. O. Box 564 Petal, MS 39465 Attn: Mayor Jack Gay

RE: Tree Removal Along Green's Creek

Dear Mayor Gay,

Enclosed is a copy of the Bid Tabulation on the above referenced project.

I recommend this project to be awarded to the low bidder, A. E. Boyer Company, LLC of Hattiesburg, Mississippi in the amount of \$58,750.00.

We request your approval of the low bid and await your approval to award the contract to A. E. Boyer Company, LLC.

Should you have any questions or comments, please do not hesitate to call. With kindest regards, I remain

Sincerely,

Kyle Wallace, P. E.

KW/lss

Enclosure

f'\projects/City of Petal/F00435 Tree Removal Along Green's Creek/Correspondence/Award of Contract

ITEM

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ITEM

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QUANTITY

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Selective Snagging

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47,409.75

and Tree Removal

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\$56,250.00

80,000.00

120,000.00 | 168,013.50

252,020.25

FOTAL BID:

\$58,750.00

126,500.00

299,430.00

EXHIBIT "A"

BID TABULATION TREE REMOVAL ALONG GREEN'S CREEK

APRIL 11, 2000 CITY OF PETAL

Middleton Backhoe

2837 Hwy 84 W

297 West Lake Road A.E. Boyer Company, LLC

Hattiesburg, MS

TINU

TINU

Jackson, MS 39206

Laurel, MS 39441

ERS, Inc.
4526 Office Park Dr Suite 2

KYLE D. WALLACE, P.E.

ON APRIL 11, 2000, AND THAT SAID TABULATION IS TRUE AND CORRECT TO THE BEST OF MY BELIEF.

THIS IS TO CERTIFY THAT I HAVE CHECKED THE TABULATION OF THE BIDS RECEIVED BY CITY OF PETAL AT 4:00 P.M.

CITY OF PETALATION MINUTE BOOK 19

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PAGE 180

WHEREAS, THE WORK OF AMERICA'S 2.6 MILLION REGISTERED NURSES TO SAVE EXHIBIT "B"

LIVES AND TO MAINTAIN THE HEALTH OF MILLIONS OF INDIVIDUALS IS THE FOCUS

OF THIS YEAR'S NATIONAL NURSES WEEK, CELEBRATED ANNUALLY MAY 6-12

THROUGHOUT THE UNITED STATES, AND

WHEREAS, THE CITY OF PETAL SUPPORTS AND ENCOURAGES NATIONAL NURSES
WEEK PROGRAMS THROUGHOUT THE STATE AND DISTRICT NURSES ASSOCIATIONS,
OTHER SPECIALTY NURSING ORGANIZATIONS, EDUCATIONAL FACILITIES, AND
INDEPENDENT HEALTH CARE COMPANIES AND INSTITUTIONS, AND

WHEREAS, THE AMERICAN NURSING ASSOCIATION THROUGH ITS 53 CONSTITUENT
ASSOCIATIONS, ADVANCES THE NURSING PROFESSION BY FOSTERING HIGH
STANDARDS OF NURSING PRACTICE, PROMOTING ECONOMIC AND GENERAL WELFARE,
PROMOTING A POSITIVE AND REALISTIC VIEW OF NURSING, AND LOBBYING CONGRESS
AND REGULATORY AGENCIES ON HEALTH CARE ISSUES IMPACTING NURSES AND THE
PUBLIC, AND

WHEREAS, JACK GAY, MAYOR OF THE CITY OF PETAL, ASK THAT ALL RESIDENTS OF THIS CITY JOIN IN HONORING THE REGISTERED NURSES WHO CARE FOR ALL OF US, AND BE IT FURTHER, RESOLVED THAT THE RESIDENTS OF THE CITY OF PETAL CELEBRATE REGISTERED NURSES ACCOMPLISHMENTS AND EFFORTS TO IMPROVE OUR HEALTH CARE SYSTEM AND SHOW OUR APPRECIATION FOR THE NATION'S REGISTERED NURSES NOT JUST DURING THIS WEEK, BUT AT EVERY OPPORTUNITY THROUGHOUT THE YEAR.

"MAY 6-12, 2000 AS "NATIONAL NURSES WEEK" IN THE CITY OF PETAL, MISSISSIPPI"

(SEAL)

MAYOR

EXHIBIT "C"

EXHIBIT "C"