

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 OCTOBER 3, 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 PRESENT	CHIEF RODNEY JARRELL ASST CHIEF ROY JOHNSON DEBORAH REYNOLDS BUDDY REYNOLDS NETTIE FARRIS AND OTHERS

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

WHEREAS, THE INVOCATION WAS OFFERED BY CHARLES E. HOLBROOK.

WHEREAS, THE PLEDGE OF ALLEGIANCE WAS RECITED.

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

ADD:

- VII. BIDS - QUOTES
  - A) QUOTE FROM C. J. MORGAN TO BORE & INSTALL 8" SEWER LINE AT THE CORINTH ROAD APARTMENTS
  
- X. GENERAL BUSINESS
  - 12. APPROVE ALL DEPOSITS AT THE CIVIC CENTER AS NON-REFUNDABLE IF EVENT IS CANCELLED
  - 13. SET RULE THAT ALL EVENTS MUST BE PAID IN FULL AT LEAST 30 DAYS PRIOR TO BOOKING AND WILL NOT BE REFUNDED IF CANCELLED LESS THAN 30 DAYS PRIOR TO THE EVENT.
  - 14. APPROVE PAYMENT TO EMERGENCY MANAGEMENT DISTRICT IN THE AMOUNT OF \$10,158.00.
  - 15. APPROVE PAYMENT TO SHOWS DEARMAN & WAITS IN THE AMOUNT OF \$16,024.00 FOR ENGINEERING SERVICES ON THE CDBG PROJECT FOR WALMART UPON THE RECEIPT OF THE FUNDS FROM THE STATE.
  
- XII. ORDERS & ORDINANCES
  - B) ORDER HIRING BRENT HOLDER EFFECTIVE OCTOBER 9, 2000 AT A RATE AT A RATE OF \$6.50 PER HOUR
  - C) ORDER HIRING BETTY ODOM AS A SUBSTITUTE BUS DRIVER AT A RATE OF \$6.00 PER HOUR
  - D) ORDER PROMOTING ERIC HARDING TO FIREFIGHTER 2<sup>ND</sup> CLASS EFFECTIVE OCTOBER 8, 2000.
  
- XIII. RESOLUTIONS
  - C) INTERLOCAL AGREEMENT BETWEEN THE CITY OF PETAL AND FORREST COUNTY FOR THE INFRASTRUCTURE FOR THE WALMART PROJECT.
  - E) RESOLUTION ESTABLISHING THE VALUE OF THE CITY'S 12.381 ACRES OF SURPLUS PROPERTY PROPOSED TO BE OFFERED FOR SALE TO THE FAMILY "Y".

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. 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 MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF SEPTEMBER 19, 2000 TO THE BOARD.

THEREUPON, ALDERMEN LANGFORD MADE A MOTION TO ADOPT THE MINUTES AS WRITTEN. 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 CALLED FOR PUBLIC COMMENT, BUT THERE WAS NONE.

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING QUOTATION FROM C. J. MORGAN FOR THE PLACEMENT OF AN 8" SEWER LINE AT THE APARTMENTS ON OLD CORINTH ROAD.

SEE EXHIBIT "A"

QUOTATION

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE FOREGOING QUOTATE FROM C. J. MORGAN. 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 CHIEF JARRELL AT THE POLICE DEPARTMENT TO PURCHASE TWO (2) USED HIGHWAY PATROL CARS.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE THE CHIEF TO PURCHASE TWO (2) USED HIGHWAY PATROL CARS. 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 RECOMMENDED, AFTER REVIEWING THE BID RECEIVED ON SEPTEMBER 19, 2000, THAT THE BID FOR THE TERM CONTRACT TO RELACE STORM SEWER BE AWARDED TO C. J. MORGAN, INC.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACCEPT THE BID FROM C.J. MORGAN, INC. 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 THE FOLLOWING LETTER FROM THE U.S. DEPARTMENT OF JUSTICE ADVISING CHIEF JARRELL THAT THE GRANT APPLICATION SUBMITTED TO THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) UNDER THE UNIVERSAL HIRING PROGRAM WAS NOT FUNDED IN THE ROUND OF FUNDING.

SEE EXHIBIT "B"  
LETTER

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ACKNOWLEDGE THE RECEIPT OF THE LETTER AND TO ENTER IT IN THE MINUTES. 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 ESTIMATE #15 FOR THE HIGHWAY 42 UTILITY RELOCATION PROJECT FROM SHOWS, DEARMAN & WAITS, INC. FOR ENGINEERING SERVICES IN THE AMOUNT OF \$489.31.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO PAY SHOWS, DEARMAN AND WAITS, INC. \$489.31 UPON RECEIPT OF THE FUNDS FROM THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION. 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 INVOICE # 11978 IN THE AMOUNT OF \$16,559.10 FROM SHOWS, DEARMAN & WAITS, INC. FOR ENGINEERING SERVICES PROVIDED ON THE SOUTH MAIN STREET PROJECT.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO PAY SHOWS, DEARMAN & WAITS, INC. \$16,559.10. 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 FOLLOWING PROOFS OF PUBLICATION TO THE BOARD:

- A) ORDINANCE 1979 (42-A110)
- B) RESOLUTION – FINAL BUDGET 2000-2001
- C) RESOLUTION – TAX LEVY

THEREUPON, ALDERMAN ROWELL MADE A MOTION THAT THE FOREGOING PROOFS OF PUBLICATION BE ACCEPTED AND FILED. 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 THE CITY'S COLLISION INSURANCE FOR THE CITY VEHICLES IS DUE IN THE AMOUNT OF \$16,570.05 TO CLYDE C. SCOTT INSURANCE CO.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO PAY \$16,570.05 TO CLYDE C. SCOTT. 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 REQUESTED APPROVAL TO ADVERTISE FOR PROFESSIONAL SERVICES FOR APPLICATION AND PREPARATION AND IMPLEMENTATION OF 2001 CDBG PROGRAM.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR THE SERVICES ON THE 2001 CDBG PROGRAM. 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 THE CITY CLERK WILL NEED TO SEND THE MISSISSIPPI PROCUREMENT CENTER NOTIFICATION OF THE ADVERTISEMENT ON THE 2001 CDBG PROGRAM AND THAT LETTERS WILL NEED TO BE SENT SOLICITING MINORITIES TO SUBMIT BIDS FOR THE SERVICES ADVERTISED FOR ON THE 2001 CDBG PROGRAM.

THEREUPON, ALDERMAN HINTON MADE A MOTION AUTHORIZING THE CITY CLERK TO NOTIFY THE MS PROCUREMENT CENTER AND TO SEND THE LETTERS TO THE MINORITIES. 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 A COMMITTEE WILL HAVE TO BE  
SELECTED TO RATE AND RANK THE PROPOSALS RECEIVED FOR THE SERVICES  
NEEDED FOR THE 2001 CDBG PROGRAM.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO APPOINT THE FOLLOWING:

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

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 IT WILL BE NECESSARY TO SEND AN ADA  
(SECTION 504) LETTER AS REQUIRED BY THE 2001 CDBG PROGRAM.

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT THE LETTER BE SENT AS  
REQUIRED. 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 CANCELLATION OF THE DEED OF TRUST  
ON WILLIS BOND'S RENTAL PROPERTY ON MAMIE STREET AS HE HAS SOLD THE  
PROPERTY AND SATISFIED THE REMAINING BALANCE ON HIS LOAN.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO CANCEL THE DEED OF  
TRUST ON WILLIS BOND'S PROPERTY. 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 CLAIMS # 59013 - 59395 OF THE CITY OF PETAL  
GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PAY CLAIMS # 59013 - 59395 OF THE CITY OF PETAL GENERAL FUNDS AND THE PETAL WATER AND SEWER FUNDS.

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 RULES CONCERNING THE DEPOSITS AT THE CIVIC CENTER NEED TO BE AMENDED TO READ AS FOLLOWS TO-WIT:

ALL DEPOSITS ARE NON-REFUNDABLE IF THE SCHEDULED EVENT IS CANCELLED.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION THAT THE FOREGOING RULE BE ADOPTED. 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 STATED THAT THE RULE CONCERNING THE RENTAL PAYMENT AT THE CIVIC CENTER NEEDS TO READ AS FOLLOWS TO-WIT:

ALL EVENTS MUST BE PAID FOR, IN FULL, AT LEAST THIRTY (30) DAYS PRIOR TO THE DATE OF THE EVENT. IF THE EVENT IS LESS THAN 30 DAYS FROM THE BOOKING THE RENTAL MUST BE PAID IN FULL AT THE TIME OF BOOKING. IF THE BOOKING IS CANCELLED WITHIN 30 DAYS OF THE EVENT THE ENTIRE RENTAL FEE IS FORFEITED.

THEREUPON, ALDERMAN ROWELL MADE A MOTION THAT THE FOREGOING RULE BE ADOPTED. 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 INVOICE # 001474 FROM THE EMERGENCY MANAGEMENT DISTRICT (EMD) FOR THE \$10,158.00 PAYMENT FOR THE 2001 RADIO SYSTEM.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO PAY THE EMD \$10,158.00. 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 INVOICE # 11980 FROM SHOWS, DEARMAN & WAITS, INC IN THE AMOUNT OF \$16,024.00 FOR ENGINEERING SERVICES PER CONTRACT DATED AUGUST 2, 2000 FOR THE CDBG PROJECT ON THE WALMART IMPROVEMENTS.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO PAY INVOICE #11980 IN THE AMOUNT OF \$16,024.00 TO SHOWS, DEARMAN & WAITS, INC. 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 THE FOLLOWING ORDER HIRING TOM HARDGES AS A FULL-TIME EMPLOYEE AND SETTING HIS SALARY AT \$7.00 PER HOUR EFFECTIVE OCTOBER 1, 2000.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN DO HEREBY DEEM IT NECESSARY TO HIRE A FULL-TIME PROGRAM DIRECTOR.

IT IS HEREBY ORDERED THAT TOM HARDGES BE HIRED AS THE FULL-TIME PROGRAM DIRECTOR IN THE RECREATION DEPARTMENT AT A RATE OF \$7.00 PER HOUR EFFECTIVE OCTOBER 1, 2000.

SO ORDERED ON THIS THE 3<sup>RD</sup> DAY OF OCTOBER, AD, 2000.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADOPT THE FOREGOING ORDER. 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 FOLLOWING ORDER HIRING BRENT HOLDER, UPON THE RECOMMENDATION OF DALE NUTTING, STREET SUPERVISOR.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN DO HEREBY DEEM IT NECESSARY TO HIRE A LABORER IN THE STREET DEPARTMENT.

IT IS HEREBY ORDERED THAT BRENT HOLDER BE HIRED AT A RATE OF \$6.50 PER HOUR EFFECTIVE OCTOBER 9, 2000.

SO ORDERED ON THIS THE 3<sup>RD</sup> DAY OF OCTOBER, AD, 2000.

THEREUPON, ALDERMAN HOLBROOK 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 THE FOLLOWING ORDER HIRING BETTY ODOM AS A SUBSTITUTE BUS DRIVER.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN DO HEREBY DEEM IT NECESSARY TO HIRE A SUBSTITUTE BUS DRIVER.

IT IS HEREBY ORDERED THAT BETTY ODOM IS HIRED AS A SUBSTITUTE BUS DRIVER EFFECTIVE OCTOBER 4, 2000 AT A RATE OF \$6.00 PER HOUR.

SO ORDERED ON THIS THE 3<sup>RD</sup> DAY OF OCTOBER, AD, 2000.

THEREUPON, ALDERMAN SCOTT 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 THE FOLLOWING ORDER PROMOTING FIREFIGHTER 3<sup>RD</sup> CLASS ERIC HARDING TO 2<sup>ND</sup> CLASS UPON THE RECOMMENDATION OF FIRE CHIEF AUBRA EVANS.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN DO HEREBY DEEM IT NECESSARY, UPON THE RECOMMENDATION OF CHIEF EVANS, TO PROMOTE FIREFIGHT ERIC HARDING TO 2<sup>ND</sup> CLASS.

IT IS HEREBY ORDERED THAT ERIC HARDING BE PROMOTED TO 2<sup>ND</sup> CLASS AND THAT HIS RATE OF PAY BE INCREASED TO \$8.672 PER HOUR EFFECTIVE OCTOBER 8, 2000.

SO ORDERED ON THIS THE 3<sup>RD</sup> DAY OF OCTOBER, 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 RESOLUTION AUTHORIZING THE APPLICATION PREPARATION AND THE SUBMITTAL OF THE 2001 CDBG APPLICATION.

SEE EXHIBIT "C"



RESOLUTION  
AUTHORIZING PREPARATION AND SUBMITTAL  
OF AN APPLICATION FOR FUNDS FROM THE  
STATE OF MISSISSIPPI  
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE FOREGOING  
RESOLUTION. 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 FOLLOWING RESOLUTION REQUESTING  
THE LEGISLATURE TO ENACT A LOCAL AND PRIVATE BILL TO AUTHORIZE THE CITY OF  
PETAL TO IMPOSE A SPECIAL SALES TAX FOR CERTAIN PURPOSES UPON APPROVAL BY AT  
LEAST 3/5<sup>TH</sup>S OF THE VOTE CAST IN A SPECIAL ELECTION.

SEE EXHIBIT "D"  
RESOLUTION OF THE MAYOR AND  
BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI

A RESOLUTION REQUESTING THE LEGISLATURE OF THE  
STATE OF MISSISSIPPI TO ENACT A LOCAL AND PRIVATE BILL, TO  
AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF PETAL,  
MISSISSIPPI, TO IMPOSE A SPECIAL SALES TAX OF NOT MORE THAN  
1% ON THE GROSS PROCEEDS OF ALL SALES OR THE GROSS  
INCOME OF BUSINESSES IN THE MUNICIPALITY DERIVED FROM  
ACTIVITIES TAXED AT THE RATE OF 7% OR MORE UNDER THE  
MISSISSIPPI SALES TAX LAW; TO PROVIDE THAT THE SPECIAL  
SALES TAX NOT BE LEVIED UNLESS AUTHORIZED BY AT LEAST  
3/5<sup>TH</sup>S OF THE VOTE CAST AT AN ELECTION CALLED AND HELD FOR  
SUCH PURPOSE; TO AUTHORIZE THE CITY OF PETAL, MISSISSIPPI TO  
INCUR AN INDEBTEDNESS IN AN AMOUNT NOT GREATER THAN AN  
AMOUNT WHOSE DET SERVICE IS CAPABLE OF BEING FUNDED BY  
THE PROCEEDS OF THE SPECIAL SALES TAX; TO PROVIDE THAT THE  
SPECIAL SALES TAX REVENUE COLLECTED PURSUANT TO SUCH  
A TAX SHALL BE USED AND EXPENDED BY THE CITY OF PETAL,  
ONLY TO FUND THE CONSTRUCTION OF CERTAIN TRANSPORTATION,  
RECREATION, AND INFRASTRUCTURE PROJECTS AND/OR OTHER  
CAPITAL PROJECTS.

THEREUPON, ALDERMAN HOLBROOK MADE A MOTION TO ADOPT THE  
FOREGOING RESOLUTION. 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 INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF PETAL, MISSISSIPPI AND FORREST COUNTY, MISSISSIPPI FOR  
PUBLIC INFRASTRUCTURE IMPROVEMENTS AT THE WALMART SUPERCENTER.

SEE EXHIBIT "E"

INTERLOCAL AGREEMENT BETWEEN FORREST COUNTY, MISSISSIPPI AND THE CITY OF  
PETAL, MISSISSIPPI FOR THE CONSTRUCTION, OPERATION, MAINTENANCE AND FUNDING  
OF PUBLIC INFRASTRUCTURE IMPROVEMENTS

**THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE FOREGOING INTERLOCAL AGREEMENT. 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 THE FOLLOWING RESOLUTION ESTABLISHING THE VALUE OF THE 12.381 ACRES BELONGING TO THE CITY AND PROPOSED TO BE SOLD TO THE FAMILY "Y".**

**SEE EXHIBIT "F"**

**RESOLUTION ESTABLISHING THE VALUE OF 12.381 ACRES  
BELONGING TO THE CITY OF PETAL, MISSISSIPPI, AND  
FOR RELATED PURPOSES**

**THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. 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**

**THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ADJOURN. 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**

**THEREUPON, ALDERMAN HINTON MADE A MOTION TO ENTER BACK INTO SESSION AT THE REQUEST OF JONATHAN WILDMAN. 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, UPON THE REQUEST OF JONATHON WILDMAN, TO CLOSE THE ROOM TO DETERMINE IF AN EXECUTIVE SESSION IS NEEDED. 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

MAYOR GAY REOPENED THE MEETING.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS. 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

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION. 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

NO OFFICIAL ACTION WAS TAKEN IN EXECUTIVE SESSION.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION TO ADJOURN. ALDERMAN ROWELL SECONDED THE MOTION.

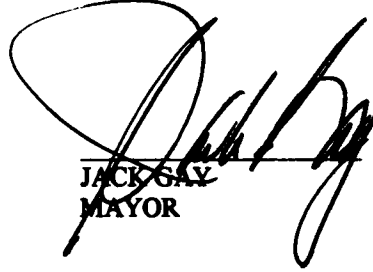
THOSE PRESENT AND VOTING "YEA"

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

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 3<sup>RD</sup> DAY OF OCTOBER, AD, 2000.



JACK GAY  
MAYOR

(SEAL)

ATTEST:



PRISCILLA C. DANIEL  
CITY CLERK

EXHIBIT "A"

FROM :

FAX NO. :

Oct. 02 2000 01:50PM P1

PROPOSAL  
20029PRO  
C. J. MORGAN, INC  
292 EATONVILLE ROAD  
HATTIESBURG, MS 39401

PROPOSAL SUBMITTED TO: CITY OF PETAL

DATE: OCTOBER 2, 2000

ADDRESS: PETAL, MS 39465

PHONE: 545-6685

Attention: JACK GAY, MAYOR

JOB NAME: SEWER LINES  
JOB LOCATION: VARIOUS

We hereby submit specifications and estimates for:

- |  |    |           |
|--|----|-----------|
| 1) BORE AND INSTALL 8" SEWER LINE AND CROSSING ROAD<br>TO NEW APARTMENTS ON OLD CORINTH ROAD | LS | \$3150.00 |
| 2) BORE AND INSTALL 6" SEWER LINE ON LYNN RAY ROAD<br>TO SERVICE HOUSE                       | LS | 2700.00   |

NOTE: THIS DOES NOT INCLUDE CONTRACTORS TAX OR BOND IF APPLICABLE WILL BE  
ADDED AT INVOICING.

We propose hereby to furnish material and labor, complete in accordance with above specifications, for the  
sum of: AS PER ABOVE

Payment to be made as follows: UPON COMPLETION

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to  
standard practices. Any alteration or deviation from above specifications involving extra costs will be  
executed only upon written orders, and will become an extra charge over and above the estimate.

AUTHORIZED SIGNATURE: C. Bruce Morgan

NOTE: This proposal may be withdrawn by us if not accepted within 15 days.

Acceptance of Proposal: \_\_\_\_\_

Date of Acceptance: \_\_\_\_\_

EXHIBIT "B"



U.S. Department of Justice

Office of Community Oriented Policing Services (COPS)  
Grants Administration Division

1100 Vermont Avenue, NW  
Washington, D.C. 20530

September 18, 2000

Chief Charles Jarrell  
Petal Police Department  
P.O. Box 583  
Petal, MS 39465

Dear Chief Jarrell:

Thank you for your application to the Office of Community Oriented Policing Services for funding under the Universal Hiring Program. Your proposal was one of 2,515 applications received by the COPS Office. This high level of interest in the COPS Universal Hiring Program included funding requests totaling more than \$697,613,819.

Unfortunately, we were only able to fund a portion of the applications received. While your proposal was not among those selected thus far, we anticipate additional awards next fiscal year, subject to Congressional appropriations. Your application will receive further consideration when additional funds are allocated to the COPS Office for this program.

Again, thank you for your interest in the Universal Hiring Program. We will keep you informed on the status of your application.

Sincerely,

A handwritten signature in cursive script that reads "Bob Phillips".

Robert A. Phillips  
Assistant Director for Grants Administration

EXHIBIT "C"

11/02/2000 THU 10:50 FAX 8016385292

JIMMY GOURAS

002

**RESOLUTION  
AUTHORIZING PREPARATION AND SUBMITTAL  
OF AN APPLICATION FOR FUNDS FROM THE  
STATE OF MISSISSIPPI'S  
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT**

**WHEREAS**, the Mississippi Department of Economic and Community Development, Division of Community Development has Community Development Block Grant (CDBG) funds available from its FY 2001 Program; and

**WHEREAS**, regulations governing the CDBG program allow the utilization of said funds for public facilities improvements including but not limited to infrastructure such as water or wastewater improvements, drainage improvements, public buildings, road/street improvements, or other similar public infrastructure improvements; and

**WHEREAS**, the Mayor and Aldermen of the City of Petal desire to request CDBG Public Facilities funds from the State of Mississippi in order to improve the quality of life of the citizens; and

**WHEREAS**, the Mayor and Aldermen of the City of Petal deem it to be in the best interests of the citizens of the City to upgrade public facilities by seeking CDBG Public Facilities funds to serve its citizenry.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Aldermen that:

1. Jack Gay, Mayor in and of the City of Petal, is hereby authorized and directed to submit an application for CDBG Public Facilities Funds, and along with said application, all understandings and assurances contained therein and to provide such additional information as may be required; and
2. Jack Gay, Mayor in and of the City of Petal, is hereby authorized to publish the necessary notices for Request for Proposals for Administrative Services, Engineering and/or Architectural Services, and Legal Services, all public hearing notices, and any environmental notices, such as "Request for Release of Funds/Finding of No Significant Impact and Floodplain Notices as applicable in accordance with the guidelines governing the CDBG application process; and
3. Jack Gay, Mayor in and of the City of Petal, is hereby authorized to execute any and all documents necessary and pertinent to the application; and

EXHIBIT "C"

11/02/2000 THU 10:50 FAX 8016385292

JIMMY GOURAS

003

4. Jack Gay, Mayor in and of the City of Petal, is hereby authorized to execute a grant offer and any other documents necessary to the acceptance and implementation of the program should the project be approved.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Alderman ROWELL, seconded by Alderman SCOTT, and was adopted by the following vote, to wit:

YEAS:

NAYS:


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

The Mayor thereby declared the motion carried and the Resolution adopted on this the 3rd day of OCTOBER, 2000.

ATTEST:

ADOPTED:

  
Priscilla Daniel, City Clerk

  
Jack Gay, Mayor



**RESOLUTION OF THE MAYOR AND  
BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI**  
~~EXHIBIT D~~

A RESOLUTION REQUESTING THE LEGISLATURE OF THE STATE OF MISSISSIPPI TO ENACT A LOCAL AND PRIVATE BILL, TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF PETAL MISSISSIPPI, TO IMPOSE A SPECIAL SALES TAX OF NOT MORE THAN 1% ON THE GROSS PROCEEDS OF ALL SALES OR THE GROSS INCOME OF BUSINESSES IN THE MUNICIPALITY DERIVED FROM ACTIVITIES TAXED AT THE RATE OF 7% OR MORE UNDER THE MISSISSIPPI SALES TAX LAW; TO PROVIDE THAT THE SPECIAL SALES TAX NOT BE LEVIED UNLESS AUTHORIZED BY AT LEAST 3/5<sup>TH'S</sup> OF THE VOTE CAST AT AN ELECTION CALLED AND HELD FOR SUCH PURPOSE; TO AUTHORIZE THE CITY OF PETAL, MISSISSIPPI TO INCUR AND INDEBTEDNESS IN AN AMOUNT NOT GREATER THAN AN AMOUNT WHOSE DEBT SERVICE IS CAPABLE OF BEING FUNDED BY THE PROCEEDS OF THE SPECIAL SALES TAX; TO PROVIDE THAT THE SPECIAL SALES TAX REVENUE COLLECTED PURSUANT TO SUCH A TAX SHALL BE USED AND EXPENDED BY THE CITY OF PETAL, ONLY TO FUND THE CONSTRUCTION OF CERTAIN TRANSPORTATION, RECREATION, AND INFRASTRUCTURE PROJECTS AND/OR OTHER CAPITAL PROJECTS.

THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, A MUNICIPALITY, DO HEREBY REQUEST THAT THE LEGISLATURE OF THE STATE OF MISSISSIPPI ENACT LOCAL AND PRIVATE LEGISLATION, TO PERMIT THE CITY OF PETAL TO ACCOMPLISH THE FOLLOWING, TO WIT:

1.

To permit the municipality to impose a special sales tax of not more than 10% on the gross proceeds of all sales or the gross income of businesses in the municipality derived from activity taxed at the rate of 7% or more under the Mississippi Sales Tax Law; and

2.

To provide that the special sales tax shall not be levied unless authorized by at least 3/5<sup>th's</sup> of the vote cast at an election called and held for such purpose; and

3.

To authorize the City of Petal to incur an indebtedness in an amount not greater than an amount who's debt service is capable of being funded by the proceeds of the special sales tax; and

4.

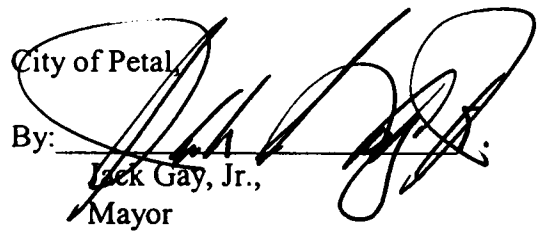
To provide that the special sales tax revenue collected pursuant to such a tax shall be used and expended by the municipality only to fund the construction of certain transportation, recreation, and infrastructure projects, and/or other capital projects; and

EXHIBIT "D"

5.

Under such additional terms and provisions as the Legislature of the State of Mississippi might impose.

SO RESOLVED on this, the 3<sup>rd</sup> day of October A.D., 2000.

City of Petal,  
By:   
Jack Gay, Jr.,  
Mayor

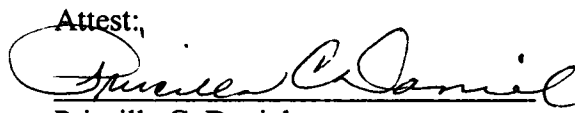
Attest:  
  
Priscilla C. Daniel,  
City Clerk

EXHIBIT "E"

**INTERLOCAL AGREEMENT BETWEEN FORREST COUNTY, MISSISSIPPI  
AND THE CITY OF PETAL, MISSISSIPPI FOR THE  
CONSTRUCTION, OPERATION MAINTENANCE AND FUNDING OF PUBLIC  
INFRASTRUCTURE IMPROVEMENTS**

---

**THIS AGREEMENT** made by and between **FORREST COUNTY, MISSISSIPPI**, (the "County") a political subdivision of the State of Mississippi, acting by and through its duly elected and serving Board of Supervisors and the **CITY OF PETAL, MISSISSIPPI**, (the "City") a municipal corporation of the State of Mississippi, acting by and through its duly elected and serving Mayor and Board of Aldermen.

**RECITALS:**

**WHEREAS**, the Board of Supervisors of the County is the duly elected and serving governing authority of the County; and

**WHEREAS**, the Mayor and Board of Aldermen of the City are the duly elected and serving governing authority of the City; and

**WHEREAS**, the County and City are in need of additional and expanded public infrastructure facilities to foster and support development; and

**WHEREAS**, the County and City recognize that the Infrastructure Improvements (as herein defined) are necessary to serve the needs of the people of the County and City; and

**WHEREAS**, the County and the City are authorized pursuant to §§ 21-45-1 et seq., Mississippi Code of 1972, as amended to contract with each other for joint and cooperative action relating to the financing for the construction of public infrastructure improvements and facilities and to jointly pledge revenues to fund the debt service of any such indebtedness incurred pursuant to the tax increment financing laws; and

**EXHIBIT "E"**

**WHEREAS**, on September 19, 2000, the City approved and adopted the Tax Increment Financing Plan, Wal-Mart SuperCenter Project, Petal, Mississippi (hereinafter the "City TIF Plan") and on September 21, 2000, the County approved and adopted the Tax Increment Financing Plan, Wal-Mart SuperCenter Project, Forrest County, Mississippi (hereinafter the "County TIF Plan") (the City TIF Plan and the County TIF Plan collectively referred to hereinafter as the "TIF Plans"), which provide for the issuance of not to exceed the principal amount of \$600,000 Tax Increment Limited Obligation Bonds of the City (the "Bonds") to fund certain public infrastructure improvements described in the TIF Plans and as further defined herein below; and

**WHEREAS**, as described in the TIF Plans and this Agreement the City shall, pursuant to agreement with Wal-Mart Stores, Inc. ("Wal-Mart"), undertake the development and construction of the necessary public infrastructure improvements in order to provide needed municipal services and infrastructure to certain property located within the City and County as more fully described in **Exhibit "A"** attached hereto (the "District Property"), which property is also the Tax Increment Financing District defined in the TIF Plans; and

**WHEREAS**, concurrently with the construction of the Infrastructure Improvements Wal-Mart shall construct or cause to be constructed a Wal-Mart SuperCenter consisting of at least 109,000 square feet (the "SuperCenter") on certain land located within the District Property; and

**WHEREAS**, the County and City affirmatively recognize and represent that these joint and mutual efforts, performed under the terms of this agreement, or otherwise, will foster the development and redevelopment of the District Property, and accord well with the needs of the people of the County and City.

EXHIBIT "E"

WITNESSETH:

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual covenants and promises contained herein, the County and the City do hereby agree as follows:

1. **PURPOSE:** The purpose of this agreement is to provide for joint participation of the County and City in the acquisition, construction, operation, maintenance and financing of public infrastructure improvements and facilities necessary to serve the needs of the people of the County and City to be located within the County and City.

2. **STATUTORY AUTHORITY:** The County and City are authorized to fulfill the terms of this agreement under the authority of §§ 21-45-1 et seq., Mississippi Code of 1972, as amended.

3. **EFFECTIVE DATE:** This agreement shall become effective from and after the date it has been approved by the governing authorities of the County and City and executed by the parties hereto.

4. **THE INFRASTRUCTURE IMPROVEMENTS:** The Infrastructure Improvements shall consist of the development and construction of necessary public infrastructure improvements in order to provide needed municipal services and public infrastructure to the District Property, said improvements to include the installation of utilities such as water, sanitary sewer and natural gas lines; installation of drainage; construction of roadways with curb and gutter; installation of traffic signalization and signage; relocation/realignment of roadways; relocation of utilities; landscaping of rights-of-way, purchase of rights-of-way necessary for the installation of the improvements described hereinabove (hereinafter collectively referred to as the "Infrastructure Improvements") which shall be acquired, leased, or owned, and maintained by, the City for public use.

**EXHIBIT "E"**

**5. OBLIGATIONS AND RESPONSIBILITIES OF THE COUNTY AND CITY:**

(1) City: The City shall have the following obligations and responsibilities:

(a) The City shall issue tax increment limited obligation bonds in the principal amount of not to exceed \$600,000 for up to twenty (20) years (the "Bonds") the proceeds of which will be used to pay the cost of acquiring and constructing the Infrastructure Improvements for the County and City, and the costs of issuance and capitalized interest.

(b) The City shall pledge for the life of the Bonds the incremental increase in ad valorem tax revenues (excluding school taxes) and payments in lieu of tax if applicable generated by the SuperCenter and District Property in an amount which when combined with the County's Pledge as set forth hereinbelow, is sufficient to secure and provide for payment of the debt service on the Bonds including paying and transfer agent fees, amounts necessary to fund a debt reserve, capitalized interests, and any other amounts required under the City's Bond Resolution for the issuance of the Bonds (the "City's Pledge").

(c) The City shall, pursuant to the authority provided in §§ 21-45-1 et seq., Mississippi Code of 1972, as amended, enter into a Development and Reimbursement Agreement with Wal-Mart for purposes of constructing the Infrastructure Improvements and providing for reimbursement to Wal-Mart from the proceeds of the Bonds for eligible expenditures, and further, providing for the construction of the SuperCenter by Wal-Mart at its own expense.

(d) The City is designated as the legal entity assigned the responsibility for administration of the joint undertaking, and the City Clerk is hereby designated as the officer to receive, disburse and account for the funds of the undertaking in the manner prescribed by law.

EXHIBIT "E"

(e) All real or personal property acquired for purposes of the joint undertaking shall be acquired, leased, or owned by the City and shall be maintained by the City.

(f) Upon the expiration of this Agreement, all interests in any real or personal property acquired for the purpose of the joint undertaking shall remain with the City.

(g) The City shall provide documentation to the County for any expenditures made with respect to this agreement.

(h) The City shall open and maintain a Bond Fund within the City depository into which shall be deposited the City's Pledge and the County's Pledge for debt service for the Bonds as provided for in this Agreement.

(2) County: The County shall have the following obligations and responsibilities:

(a) The County shall and by this Agreement does hereby pledge for a term of ten (10) years from the dated date of the Bonds the incremental increase in real property ad valorem tax revenue (excluding school taxes) and payments in lieu of taxes if applicable generated by the SuperCenter and District Property as additional security and payment on the Bonds including paying and transfer agent fees, amounts necessary to fund a debt reserve, capitalized interests, and any other amounts required under the City's Bond Resolution issued by the City for purposes of financing the Infrastructure Improvements (the "County's Pledge). The County further agrees that it will authorize and approve the execution of such Pledge and security documents consistent with this Agreement as may be reasonably required in connection with the City's issuance, sale and delivery of the Bonds.

(b) The County agrees that it shall, not less than ten (10) days of any installment becoming due on the Bonds, deposit with the City the County's Pledge.

**EXHIBIT "E"**

6. **DURATION:** This agreement shall be for the duration of the Bonds issued by the City as same are required by this agreement and as same are provided for in the TIF Plans, but shall in no event exceed ten (10) years from the first interest payment due date of the Bonds unless mutually agreed to by the City and the County.

7. **AMENDMENT:** This agreement may be amended by mutual written consent of the County and the City.



EXHIBIT "E"

THIS AGREEMENT ENTERED into this the 3rd day of October,  
2000.

FORREST COUNTY, MISSISSIPPI

By: \_\_\_\_\_  
PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

\_\_\_\_\_  
CHANCERY CLERK

CITY OF PETAL, MISSISSIPPI

By:  \_\_\_\_\_  
MAYOR

ATTEST:


  
CITY CLERK

EXHIBIT "F"

RESOLUTION ESTABLISHING THE VALUE OF 12.381 ACRES BELONGING  
TO THE CITY OF PETAL, MISSISSIPPI, AND FOR RELATED PURPOSES

The Mayor and Board of Aldermen of the City of Petal, Mississippi, having previously determined and adjudicated by appropriate resolution, that a certain parcel of property belonging to the City of Petal, and containing approximately 12.381 acres is surplus property, and authorizing an option to purchase said property to the Family YMCA of Southeast Mississippi, Inc., d/b/a/ The Family Y, the Mayor and Board of Aldermen were called upon to establish the fair market price for such property as determined by three (3) professional property appraisers pursuant to the requirements of Section 21-17-1 of the Mississippi Code of 1972, as amended, the Mayor and Board of Aldermen of the City of Petal, Mississippi, do find and adjudicate as follows, to wit:

1.


That as to the property under consideration, the Mayor and Board of Aldermen have receive three (3) estimates of value from three (3) qualified appraisers; those estimates are:

Walt McArthur:	\$28,750.00
Greg Wheeler:	\$31,000.00
Stan Lightsey:	\$37,000.00

The Mayor and Board of Aldermen of the City of Petal, Mississippi, do hereby find, and adjudicate, that the average of the three (3) appraisals is the sum of \$32,250.00, and that the sale price offered by the Family YMCA of Southeast Mississippi, Inc., d/b/a/ The Family Y, in the amount of \$34,000.000 exceeds the value of the average of the three (3) appraisals, and that it would be in the best municipality, to consummate the sale of the property to the Family YMCA of Southeast Mississippi, Inc., d/b/a/ The Family Y, as previously resolved, for the total sum of \$34,000.00.

SO RESOLVED ON THIS, the 19<sup>th</sup> day of September, A.D., 2000.

  
MAYOR

ATTEST:  
  
CITY CLERK