

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 17, 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 ROBERT F. LANGFORD DONALD H. ROWELL LEROY SCOTT
OTHERS PRESENT	CHIEF RODNEY JARRELL ASST. CHIEF ROY JOHNSON DEBORAH REYNOLDS NETTIE FARRIS AND OTHERS

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

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

ADD:

VII. BIDS

B) APPROVE BRADY SANDBLASTING – WATER HYDRANTS

X. GENERAL BUSINESS

6. RESIGNATION – JONATHAN WILDMAN

7. APPROVE THE SIGNING OF RELEASE FOR SOCCER GOALS

8. APPROVE RESOLUTION CHARGING CLEAN-UP COST AS LEIN ON PROPERTY AT 617 CARTERVILLE ROAD

XI. SEMINARS & TRAVEL

C) APPROVAL FOR MICHAEL REED TO ATTEND FALL PROSECUTOR'S SEMINAR IN ROBINSONVILLE, MS.

XII. ORDERS & ORDINANCES

A) DELETE

C) APPROVAL OF ORDER TO HIRE T.J. STEPHENS AT THE CIVIC CENTER

D)

E) APPROVAL TO TRANSFER CHARLES SUGGS FROM DISPATCHER TO TO 4TH CLASS POLICE OFFICER

F) APPROVAL TO HIRE TANYA CARTER AS DISPATCHER

G) APPROVAL TO PROMOTE BRIAN TOWNSEND TO 2ND LT. IN THE FIRE DEPARTMENT

H) APPROVE KEN COOLEY'S ANNUAL RAISE EFFECTIVE 10/11/00

XIII. RESOLUTIONS

B) APPROVAL FOR MAYOR TO EXECUTE AGREEMENT WITH THE PETAL GAS STORAGE FACILITY.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING AMENDMENTS. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON
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 OCTOBER 3, 2000.

THEREUPON, ALDERMAN ROWELL MADE A MOTION THAT THE MINUTES BE ACCEPTED AS WRITTEN. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON
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, JERRY CROWE STATED THAT IN HIS OPINION THE BOARD SHOULD SPEND EXTRA MONEY AND FOUR LANE SOUTH MAIN STREET AND ADD A TURN LANE. MR. CROWE STATED THAT IT WILL BE A MISTAKE TO THREE LANE SOUTH MAIN. Mr. CROWE ALSO ADDRESSED HIS CONCERNS OVER THE RED LIGHT AT CARTERVILLE ROAD, THE RENTAL PROPERTY INSPECTION ORDINANCE AND THE RANKS AT THE POLICE DEPARTMENT.

WHEREAS, THE HOUR OF 7:00 P.M. HAVING ARRIVED, THE MAYOR AND BOARD OF ALDERMEN PROCEEDED TO PUBLICLY OPEN AND READ THE SEALED BID FOR GASOLINE AND DIESEL FOR THE CITY VEHICLES.

SEE EXHIBIT "A"

R.R. MORRISON & SON, INC.
4920 HIGHWAY 61 SOUTH
VICKSBURG, MS. 39180

FIXED PRICE BID
&
MS. STATE CONTRACT BID
FILE # 946-93-4083-0

THEREUPON, ALDERMAN HINTON MADE A MOTION TO TAKE THE FOREGOING BIDS UNDER ADVISEMENT. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING AMENDMENTS TO THE PROPERTY MAINTENANCE CODE ORDINANCE.

THEREUPON, AFTER LENGTHY DISCUSSION, ALDERMAN SCOTT MADE A MOTION TO RESCIND ORDINANCE 2000. THE MOTION DIED FOR LACK OF A SECOND.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO TABLE THIS MATTER UNTIL THE MEETING OF NOVEMBER 7, 2000. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON
ALDERMAN ROBERT F. LANGFORD
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

ALDERMAN DONALD H. ROWELL

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING QUOTATION FROM BRADY'S SANDBLASTING TO SANDBLAST AND PRIME 112 FIRE HYDRANTS IN THE NORTHERN SECTION OF THE CITY.

SEE EXHIBIT "B"

BRADY'S SANDBLASTING

112 FIRE HYDRANTS @ \$30.00 EA.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ACCEPT BRADY'S SANDBLASTING'S QUOTATION OF \$30.00 TO SANDBLAST THE FIRE HYDRANTS. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE AGREEMENT BETWEEN THE CITY OF PETAL AND THE CITY OF HATTIESBURG SETTING WASTEWATER TREATMENT FEES FOR THE TREATMENT OF THE CITY OF PETAL'S SEWER BY THE CITY OF HATTIESBURG.

SEE EXHIBIT "C"

AGREEMENT

THEREUPON, ALDERMAN HINTON MADE A MOTION TO TABLE THIS MATTER UNTIL THE MEETING OF NOVEMBER 7, 2000. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE MUNICIPAL COMPLIANCE QUESTIONNAIRE TO THE BOARD.

SEE EXHIBIT "D"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

THEREUPON, ALDERMAN HINTON MADE A MOTION THAT THE QUESTIONNAIRE BE MADE A PART OF THE MINUTES. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON
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) AD FOR BIDS ON METAL BUILDING IN THE STREET DEPARTMENT
- B) ORDINANCE 1988 (73-J) SALARY COMPENSATION
- C) REQUEST FOR PROPOSALS - CDBG

THEREUPON, ALDERMAN SCOTT MADE A MOTION THAT THE FOREGOING PROOFS OF PUBLICATION BE ACCEPTED AND FILED. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL

ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE REVENUES AND EXPENDITURES REPORTS FOR THE MONTH OF SEPTEMBER 2000 TO THE BOARD.

THEREUPON, ALDERMAN ROWELL MADE A MOTION THAT THE REVENUES AND EXPENDITURES BE ACCEPTED AND FILED. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM DAN TOLBERT THAT A CLEAN-UP HEARING BE SET FOR PROPERTY OWNED BY ROGER DOSSETT AND LOCATED AT 707 HOLMES STREET FOR NOVEMBER 21, 2000 AT 6:30 P.M.

THEREUPON, ALDERMAN HINTON MADE A MOTION THAT THE HEARING FOR THE PROPERTY OWNED BY ROGER DOSSETT LOCATED AT 707 HOLMES STREET BE SET FOR NOVEMBER 21, 2000 AT 6:30 P.M. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY ASKED THAT THE BOARD ACCEPT THE VERBAL RESIGNATION OF JONATHAN WILDMAN EFFECTIVE OCTOBER 3, 2000.

THEREUPON, ALDERMAN LANGFORD MADE A MOTION THAT THE CITY ACCEPT JONATHAN WILDMAN'S RESIGNATION EFFECTIVE OCTOBER 3, 2000. ALDERMAN ROWELL SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A RELEASE TO BE SIGNED TO ALLOW THE PLACEMENT OF TWO (2) ADDITIONAL SOCCER GOALS ON THE CITY'S FIELDS BEHIND THE POLICE DEPARTMENT.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE RELEASE TO PLACE TWO (2) ADDITIONAL SOCCER GOALS ON THE CITY FIELDS.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE COST FOR CLEANING UP THE LOT AT
AT 617 CARTERVILLE ROAD.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO ADOPT THE FOLLOWING
RESOLUTION LEVYING A LIEN AGAINST THE FOLLOWING PROPERTY. ALDERMAN
LANGFORD SECONDED THE MOTION.

SEE EXHIBIT "E"

RESOLUTION

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY STATED THAT MICHAEL BULLOCK AND LEE DRAUGHN
ARE SCHEDULED TO ATTEND THE FIREFIGHTER 1001-1-11 FROM OCTOBER 30, 2000
TO DECEMBER 15, 2000 AT THE STATE FIRE ACADEMY.

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO AUTHORIZE MICHAEL
BULLOCK AND LEE DRAUGHN TO ATTEND FIREFIGHTER 1001-1-11 FROM OCTOBER
30, 2000 THROUGH DECEMBER 15, 2000. ALDERMAN LANGFORD SECONDED THE
MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY REQUESTED PERMISSION TO ATTEND THE MML SMALL
TOWN CONFERENCE, ALONG WITH ANY ALDERMEN WHO WISH TO ATTEND, ON
NOVEMBER 2, 2000 IN JACKSON, MS.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AUTHORIZE MAYOR GAY
AND ALDERMAN HINTON TO ATTEND THE MML SMALL TOWN CONFERENCE ON NOVEMBER
2, 2000. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED A REQUEST FROM T. MICHAEL REED, CITY
PROSECUTOR, TO ATTEND THE FALL PROSECUTOR'S SEMINAR IN ROBINSONVILLE,
MS. OCTOBER 25 - 27, 2000.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AUTHORIZE T. MICHEAL REED TO ATTEND THE FALL PROSECUTOR'S SEMINAR. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON
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 JACK MCKENNEY AS GROUNDSKEEPER EFFECTIVE OCTOBER 23, 2000 AT \$6.25 PER HOUR.
ORDER

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

IT IS HEREBY ORDERED THAT JACK MCKENNEY IS HIRED AS THE GROUNDSKEEPER EFFECTIVE OCTOBER 23, 2000 T \$6.25 PER HOUR.

SO ORDERED ON THIS THE 17TH DAY OF OCTOBER, AD, 2000.

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

THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON
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 T. J. STEPHENS AS HELPER AT THE CIVIC CENTER.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN DO HEREBY DEEM IT NECESSARY TO HIRE A HELPER AT THE CIVIC CENTER.

IT IS HEREBY ORDERED THAT T.J. STEPHENS IS HEREBY HIRED AS A HELPER AT THE CIVIC CENTER EFFECTIVE OCTOBER 23, 2000 AT \$6.25 PER HOUR.

SO ORDERED ON THIS THE 17TH DAY OF October, AD, 2000.

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

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER TRANSFERRING CHARLES SUGGS FROM DISPATCHER TO PATROLMAN 4TH CLASS EFFECTIVE OCTOBER 22, 2000.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MS. DO HEREBY DEEM IT NECESSARY TO FILL THE VACANCY LEFT BY KENT WADE IN THE POLICE DEPARTMENT.

IT IS HEREBY ORDERED THAT CHARLES SUGGS IS APPOINTED PATROLMAN 4TH CLASS EFFECTIVE OCTOBER 22, 2000 AT A SALARY OF \$19,600.00.

SO ORDERED ON THIS THE 17TH DAY OF OCTOBER, AD, 2000.

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

THOSE PRESENT AND VOTING "YEA"

**ALDERMAN WILLIE W. HINTON
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 TANYA CARTER AS A RECRUIT DISPATCHER AT A RATE OF \$7.25 PER HOUR EFFECTIVE OCTOBER 22, 2000.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MS. DO HEREBY DEEM IT NECESSARY TO HIRE A RECRUIT DISPATCHER.

IT IS HEREBY ORDERED THAT TANYA CARTER BE HIRED AS A RECRUIT DISPATCHER AT A RATE OF \$7.25 PER HOUR, EFFECTIVE OCTOBER 22, 2000.

SO ORDERED ON THIS THE 17TH DAY OF OCTOBER, AD, 2000.

THEREUPON, ALDERMAN HINTON MADE A MOTION THAT THE FOREGOING ORDER BE ADOPTED. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

**ALDERMAN WILLIE W. HINTON
ALDERMAN ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT**

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY STATED THAT IT HAS BEEN REQUESTED THAT BRIAN TOWNSEND BE PROMOTED TO A 2ND LT EFFECTIVE OCTOBER 19, 2000 AT A RATE OF \$9.078.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN DO HEREBY DEEM IT NECESSARY TO PROMOTE BRIAN TOWNSEND TO 2ND CLASS LIEUTENANT.

IT IS HEREBY ORDERED THAT BRIAN TOWNSEND BE PROMOTED TO 2ND LT. EFFECTIVE OCTOBER 19, 2000 AT A RATE OF \$9.078.

SO ORDERED ON THIS THE 17TH DAY OF OCTOBER 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 ROBERT F. LANGFORD
ALDERMAN DONALD H. ROWELL
ALDERMAN LEROY SCOTT

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING ORDER INCREASING KEN COOLEY'S PAY TO \$8.24 EFFECTIVE OCTOBER 11, 2000.

ORDER

WHEREAS, IT IS HEREBY ORDERED THAT
KEN COOLEY'S PAY BE INCREASED TO \$8.24,
DUE TO HIS ANNUAL INCREASE.

IT IS HEREBY ORDERED THAT KEN COOLEY'S
PAY BE INCREASED TO \$8.24 PER HOUR EFFECTIVE
OCTOBER 11, 2000.

SO ORDERED ON THIS THE 17TH DAY OF October,
AD, 2000.

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

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING PROCLAMATION
PROCLAIMING SUNDAY OCTOBER 15, 2000 AS SR. CITIZEN AWARENESS DAY IN
HONOR OF GEORGE MADDUX AND EDITH CREEL.

SEE EXHIBIT "F"

PROCLAMATION

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

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE FOLLOWING AGREEMENT BETWEEN THE CITY OF PETAL, FORREST COUNTY BOARD OF SUPERVISORS, THE PETAL SCHOOL DISTRICT AND THE PETAL GAS STORAGE COMPANY TO DETERMINE AN IN-LIEU-OF-TAX.

SEE EXHIBIT "G"

AGREEMENT

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE FOREGOING AGREEMENT. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY PRESENTED THE PRIVILEGE LICENSE FOR THE MONTH OF SEPTEMBER 2000, TO THE BOARD.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE LIST AS WRITTEN. ALDERMAN SCOTT SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY STATED THAT HE HAS A PROPOSAL FROM THE DUNN ROADBUILDERS, LLC TO REPAIR THE WALKING TRACK BY REMOVING THE ASPHALT, REPAIRING THE WALKING TRACK AND ADDING THE OVERLAY.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO REPAIR THE WALKING TRACK. ALDERMAN LANGFORD SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR GAY REQUESTED PERMISSION TO AUTHORIZE SHOWS, DEARMAN AND WAITS TO BEGIN WORK ON THE HYDRAULIC ANALYSIS WATER SYSTEM FOR THE CITY OF PETAL WATER DEPARTMENT.

THEREUPON, ALDERMAN ROWELL MADE A MOTION TO AUTHORIZE SHOWS, DEARMAN AND WAITS TO BEGIN WORK ON THE HYDRAULIC ANALYSIS WATER SYSTEM. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "YEA"

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

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN SCOTT MADE A MOTION TO RECESS THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMAN ON THIS THE 17TH OF OCTOBER, 2000 UNTIL 4:00 P.M. TUESDAY, OCTOBER 24, 2000. ALDERMAN HINTON SECONDED THE MOTION.

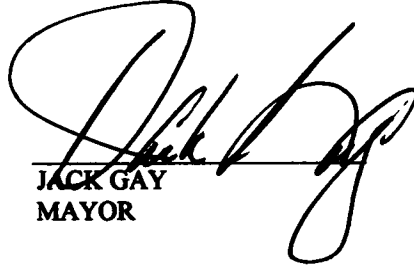
THOSE PRESENT AND VOTING "YEA"

ALDERMAN WILLIE W. HINTON
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 RECESSED
UNTIL TUESDAY OCTOBER 24, 2000.



JACK GAY
MAYOR

(SEAL)

ATTEST:



PRISCILLA C DANIEL
CITY CLERK

THIS

PAGE

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INTENTIONALLY

EXHIBIT "A"

*Approved
10/24/00*

PROPOSAL FOR SERVICE

FIXED PRICE BID

October 16, 2000

SUBJECT MATTER

FLEET FUELING SITES

AND

RELATED COMPUTER USAGE REPORTING

PARTIES

FUELMAN

AND

CITY OF PETAL

EXHIBIT "A"

1. **COMMERCIAL FUELING SITES**

Fuel will be available to City of Petal at over 14,000 convenient commercial fueling sites. All sites will have card reading equipment or terminals and are self-service. Fuel is accessed via control cards.

A. **LOCATIONS OF LOCAL FUELING SITES:**

See attached Fuel and Service Site Directory.

2. **REQUIRED MANAGEMENT CONTROLS**

A. **ACCESS CARDS - PROVIDED AT BIDDER'S EXPENSE.**

Access cards are required to activate card system

Needed Information:

1. description of vehicle
2. vehicle number
3. department number
4. fuel type
5. gallon capacity
6. other restrictions
7. last name, first initial
8. ID/employee number

B. **CONTROLS PROVIDED**

1. vehicle and driver ID
2. security code
3. fuel type restriction
4. tank capacity limitation
5. daily gallon limitation
6. weekly gallon limitation
7. card loss control

C. **REPLACEMENT OF CARDS**

Bidder will replace damaged cards due to normal wear and tear at its expense.

EXHIBIT "A"

D. RESPONSIBILITY FOR USE OF CARDS

City of Petal agrees to bear full responsibility for any liability resulting from the misuse, unauthorized use, loss or theft of any cards issued. This liability extends until noon of the first business day following receipt of written notice of card numbers lost. Cards are issued solely for the conduct of the customers business.

E. REPORTING TECHNIQUES

Fuel consumption reports are to be transmitted to the appropriate contact via printed program reporting weekly and will include the following:

1. vehicle number and description
2. driver name
3. date of fueling and site
4. odometer and miles per gallon
5. gallons and dollars
6. fuel type
7. total weekly usage and summary

3. **PRICING AND PAYMENT TERMS**

A. PRICING

Price for products purchased by City of Petal will be equal to the sum of the following (freight included):

1. Unleaded regular gasoline (87 octane), one hundred two and three tenths cents (\$1.023)
or
Unleaded plus gasoline (89 octane), one hundred eight and three tenths cents (\$1.083)
or
Unleaded premium gasoline (91 octane), one hundred fourteen and three tenths cents (\$1.143)
or
Low sulphur diesel (#2), one hundred three and eight tenths cents (\$1.038)
2. All applicable taxes.

EXHIBIT "A"

B. ACCEPTANCE PERIOD

This proposal is valid for 30 days, with one exception. Should the New York Mercantile Exchange price for the products quoted in this proposal change more than one cent (\$.01) per gallon during the acceptance period, Fuelman may opt to adjust the price up or down by the amount of the price change. Upon acceptance, this price would be fixed for the contract period.

Acceptance period is defined as the date on the front page of this proposal up to receipt of this contract, legally executed, and delivered or faxed to our office.

C. CONTRACT PERIOD

Firm pricing is for the period of November 1, 2000 through October 31, 2001. City of Petal agrees to purchase all of its fuel through Fuelman. City of Petal will have the option to renew the contract for an additional twelve months, if mutually agreeable, by providing thirty days written notice. City of Petal agrees to ratably purchase a minimum of 90% and a maximum of 110% of fuel gallons nominated below. Gallon nominations will be provided by City of Petal at the time of contract acceptance. Nominating gallons in the space provided below along with authorized signature will signify acceptance of this contract.

D. TERMS

Payment is due no later than the tenth day of the month following purchase. Invoices will be mailed each Monday for the preceding week ending Sunday midnight.

E. FEDERAL EXCISE TAX EXEMPTION

Fuelman will, according to current federal excise tax regulations, allow for the exemption of federal excise taxes on gasoline and diesel at the time of purchase.

EXHIBIT "A"

4. CONCLUSION

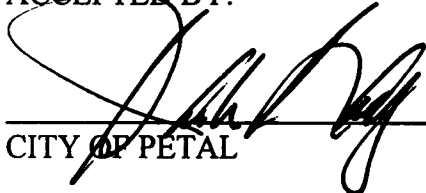
Fuelman is a programmable, high performance, automated system for commercial and government fleet owners. By capitalizing on the latest advances in hardware, software, and design methods, Fuelman has produced an innovative management system.

Abundant fueling sites provide wide coverage for full utilization of the system. Comprehensive weekly reporting provides clerical savings, eliminates abuse, and increases productivity.

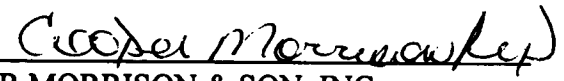
Gasoline Gallons: _____ /per month

Diesel Gallons: _____ /per month

ACCEPTED BY:



CITY OF PETAL



R. R MORRISON & SON, INC.

10-24-00
DATE

10.16.00
DATE

EXHIBIT "A"

PROPOSAL FOR SERVICE

***UNDER MS STATE CONTRACT
BID FILE # 946-93-4083-0***

October 16, 2000

SUBJECT MATTER

FLEET FUELING SITES

AND

RELATED COMPUTER USAGE REPORTING

PARTIES

FUELMAN

AND

CITY OF PETAL

EXHIBIT "A"

1. **COMMERCIAL FUELING SITES**

Fuel will be available to City of Petal at over 14,000 convenient commercial fueling sites. All sites will have card reading equipment or terminals and are self-service. Fuel is accessed via control cards.

A. **LOCATIONS OF LOCAL FUELING SITES:**

See attached Fuel and Service Site Directory.

2. **REQUIRED MANAGEMENT CONTROLS**

A. **ACCESS CARDS - PROVIDED AT BIDDER'S EXPENSE.**

Access cards are required to activate card system

Needed Information:

1. description of vehicle
2. vehicle number
3. department number
4. fuel type
5. gallon capacity
6. other restrictions
7. last name, first initial
8. ID/employee number

B. **CONTROLS PROVIDED**

1. vehicle and driver ID
2. security code
3. fuel type restriction
4. tank capacity limitation
5. daily gallon limitation
6. weekly gallon limitation
7. card loss control

C. **REPLACEMENT OF CARDS**

Bidder will replace damaged card due to normal wear and tear at its expense.

EXHIBIT "A"

D. **RESPONSIBILITY FOR USE OF CARDS**

City of Petal agrees to bear full responsibility for any liability resulting from the misuse, unauthorized use, loss or theft of any cards issued. This liability extends until noon of the first business day following receipt of written notice of card numbers lost. Cards are issued solely for the conduct of the customers business.

E. **REPORTING TECHNIQUES**

Fuel consumption reports are to be transmitted to the appropriate contact via printed program reporting weekly and will include the following:

1. vehicle number and description
2. driver name
3. date of fueling and site
4. odometer and miles per gallon
5. gallons and dollars
6. fuel type
7. total weekly usage and summary

Other reports available:

1. Weekly Motor Fuel Exception Report
2. Monthly Summary
3. Weekly Preventative Maintenance Report
4. Monthly Fleet Analysis
5. Year to Date Maintenance Analysis

3. **PRICING AND PAYMENT TERMS**

A. **PRICING**

Price for products purchased by City of Petal will be equal to the sum of the following (Freight Included):

1. Applicable average terminal/rack price as reported by OPIS each Thursday for each product purchased that calendar week. OPIS, Oil Price Information Service, is an independent company providing terminal/rack prices by area.
2. All applicable taxes.

EXHIBIT "A"

3. Fuelman margin of three and nine tenths cents (\$.039) per gallon for unleaded gasoline and three and nine tenths cents (\$.039) per gallon for diesel fuel deliveries.

B. ACCEPTANCE PERIOD

This proposal is valid for 30 days. After that date, Fuelman may review this offer. Upon acceptance, this margin would be fixed for the contract period.

Acceptance period is defined as the date on the front page of this proposal up to receipt of this contract, legally executed, and delivered or faxed to our office.

C. CONTRACT PERIOD – Per MS State Contract Bid File # 946-93-4083-0

The term of the agreement shall be for a period of twenty-four (24) months with an option to renew for up to three (3) additional twelve (12) month periods provided, however, that any contract extension shall be at no increase in service fee and shall be agreed to, in writing, by the State and the Contractor. Either party may choose not to renew the agreement with no penalty being applied. The effective date (or date of issue) is September 1, 1999.

D. TERMS

Payment is due no later than the tenth day of the month following purchase. Invoices will be mailed each Monday for the preceding week ending Sunday midnight.

E. FEDERAL EXCISE TAX EXEMPTION

Fuelman will, according to current federal excise tax regulations, allow for the exemption of federal excise taxes on gasoline and diesel at the time of purchase.

EXHIBIT "A"

4. CONCLUSION

Fuelman is a programmable, high performance, automated system for commercial and government fleet owners. By capitalizing on the latest advances in hardware, software, and design methods, Fuelman has produced an innovative management system.

Abundant fueling sites provide wide coverage for full utilization of the system. Consistent, fair pricing is demonstrated by independent pricing services which show Fuelman's weekly fuel costs. Comprehensive weekly reporting provides clerical savings, eliminates abuse, and increases productivity.

CITY OF PETAL

Cooper Morrison
R. R. MORRISON & SON, INC.

DATE

10.16.00
DATE

EXHIBIT "A"

THIS

PAGE

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INTENTIONALLY

EXHIBIT "B"



Petal Fire Department Chief Aubra Evans
102 Fairchild Dr.
Petal, Mississippi 39465
601-583-0991

"Dedicated to the preservation of Life and Property"

October 17, 2000

Mayor and Board of Aldermen
City of Petal
119 W. Eighth Ave.
Petal Ms 39465

Gentlemen

I am requesting the Board accept the estimate from Brady's Sandblasting to begin work sandblasting and prime 112 fire hydrants in the northern sector of the city.
This was budgeted of in FY-2000-2001 budget.

Professionally

A handwritten signature in cursive script that reads "Aubra Evans". The signature is written in black ink and is positioned above the printed name.

Aubra Evans

EXHIBIT "B"

OCT-13-00 09:20 PM FROM SANDBLASTING

601 544 5160

P.01

BRADY SANDBLASTING

983 HWY 11
PETAL, MS 39465

Telephone (601) 544-9587
Fax (601) 544-5160

City of Petal Fire Department
Attn: Chief Evans

October 13, 2000

Dear Chief Evans:

Thank you for the opportunity to estimate the following:

Sandblast and prime approximately 112 fire plugs in the City of Petal at a cost of: \$30.00 per plug.

City of Petal furnishes all primer and thinner. City of Petal is responsible for all traffic control as necessary.

If I can be of more help to you on this project, please let me know

Sincerely,


Dan Brady

DB/MS

EXHIBIT "C"

AGREEMENT

THIS AGREEMENT, entered into on the day and date hereinafter provided by and between the CITY OF HATTIESBURG, MISSISSIPPI, a municipal corporation hereinafter referred to as "HATTIESBURG" and the CITY OF PETAL, MISSISSIPPI, a municipal corporation, hereinafter referred to as "PETAL" for the purpose of setting forth the terms, conditions and covenants under and consistent with which HATTIESBURG will receive wastewater flow from PETAL into its wastewater treatment facility, at its South Lagoon, and to provide for payment of HATTIESBURG'S treatment charges.

ARTICLE I

Definitions

Section 1.01. DEFINITION OF TERMS. Terms and expressions used in this Agreement, including the preamble hereof, shall have the meaning set forth in this Article:

- (a) "*Domestic Wastewater*" means liquid and water-carried waste discharge from sanitary conveniences of dwellings, business buildings, institutions and the like, as distinct from wastes in industrial waste.
- (b) "*Fiscal Year*" means the twelve (12) month period beginning October 1 of each year.
- (c) "*Hattiesburg*" means the City of Hattiesburg, Mississippi, a municipal corporation.
- (d) "*Industrial Waste*" means the liquid and water borne wastes from industrial processes as distinct from wastes in domestic wastewater.
- (e) "*Month*" means calendar month.
- (f) "*Operation and Maintenance Expense*" means the current expense paid or accrued in the operation, maintenance and ordinary repair of the wastewater treatment facility of Hattiesburg and shall include without limitation the generality of the foregoing capital expenditures, insurance premiums and administrative expenses of Hattiesburg and such other reasonable and necessary current expenses relating solely to the wastewater treatment facility, as shall be in accordance with sound accounting practices, but shall not include any allowance for depreciation.
- (g) "*Person*" means and includes the State of Mississippi, a public agency as defined herein, or any municipal entity, town or political subdivision of governmental agency of the State of Mississippi or of the United States of America, or any

EXHIBIT "C"

individual, co-partnership, association, firm, trust, State or any other entity whatsoever.

- (h) "*Petal*" means the City of Petal, Mississippi, a municipal corporation.
- (i) "*Point of Entry*" means the point at which wastewater enters Hattiesburg's wastewater treatment facility.
- (j) "*Proportionate Share*" means that percentage of Petal's wastewater contributed to Hattiesburg's wastewater treatment facility for previous twelve (12) months or from date of Agreement if less than twelve (12) months.
- (k) "*Wastewater*" means domestic wastewater and industrial waste, together with such infiltration that may be present.
- (l) "*Wastewater Treatment Facility*" means the facility of Hattiesburg for treatment and disposal of wastewater, situated in Forrest County, Mississippi, as such facility now exists and as it may be hereinafter improved and/or expanded by Hattiesburg and commonly referred to as the "South Lagoon".

ARTICLE II

Discharge of Wastewater, Title and Metering

Section 2.01. **DISCHARGE.** Petal shall have the right to discharge wastewater into Hattiesburg's wastewater treatment facility.

Section 2.02. **POINT OF ENTRY.** Petal shall discharge its wastewater through point or points of entry designated by Hattiesburg or at such additional points of entry as may be mutually agreed to by Hattiesburg and Petal.

Section 2.03. **CONVEYANCE TO POINT OF ENTRY.** It shall be the sole responsibility of Petal, including and liability incurred in connection therewith, to convey such wastewater to the point of entry through Petal's disposal system to Hattiesburg's wastewater treatment facility. Petal further agrees and covenants at its own expense to conduct and/or maintain its system up to the point of entry.

Section 2.04. **TITLE TO WASTEWATER AND RESPONSIBILITY THEREFORE.** Title to wastewater discharged hereunder shall remain in Petal to point of entry, and upon passing through point of entry, title thereto and all effluent therefrom shall pass to Hattiesburg. As between the parties, each party hereto agrees to save and hold the other party harmless from all claims, demands, and causes of action which may be asserted by any person on account of the reception, transportation, delivery and disposal while title remains in such party. Provided, however, that any charge against Hattiesburg resulting from the operation of Petal's sewer disposal system shall be deemed an expense of and charged to Petal, regardless of whether title

EXHIBIT "C"

to the wastewater giving rise to any such charge against Hattiesburg has vested in Hattiesburg. Petal shall be advised of and have the right to contest any charge made by any charging agency.

This covenant is not made for the benefit of any third party. Hattiesburg takes responsibility as between the parties hereto for the proper reception and ultimate treatment and disposal of such wastewater received by it from point of entry; provided, however, that the wastewater meets applicable Federal and State standards and restrictions.

Section 2.05. **METERING.** At point of entry into Hattiesburg's wastewater treatment facility, or at such point which will allow for measuring all of Petal's wastewater, the necessary equipment and device of standard type for measuring properly all of Petal's wastewater shall be installed, operated and maintained by Petal. Such meters and other equipment shall be the property of Petal. Hattiesburg and Petal shall have access to such metering equipment at all reasonable times for inspection and examination, but the reading, calibration and adjustment thereof shall be done by employees or agents of Petal in the presence of a representative of Hattiesburg if requested by Hattiesburg. All reading of meters will be read weekly and entered upon proper books of records maintained by Petal and a copy of each weekly reading will be provided to Hattiesburg. Hattiesburg shall have access to these record books during reasonable business hours. Meters shall be calibrated in accordance with recommendation of the manufacturer of the meters. If, for any reason a meter is out of service or out for repair, or if, upon any test, the percentage of accuracy of any meter is found to be ten percent (10%) or more, plus or minus, registration thereof shall be corrected for a period of time extending back to the time when such inaccuracy began, if such time is ascertainable, and if such time is not ascertainable, then for a period extending back one-half (1/2) of the time elapsed since the date of the last calibration, but in no event further back than a period of six (6) months.

Section 2.06. **UNIT OF MEASUREMENT.** The unit of measurement for wastewater delivery hereunder shall be one thousand (1,000) gallons, U.S. Standard Liquid Measure, or such other lawful unit as Hattiesburg may determine to be appropriate and applicable.

ARTICLE III.

Comprehensive Sewer Use Provisions

Section 3.01. **ADMISSIBLE DISCHARGES.** Petal agrees that wastewater discharge from its system into Hattiesburg's wastewater treatment facility shall be of such quality that:

- (a) Effluent thereof shall not be in violation of and will fully comply with Chapter 21, Section 24 of Hattiesburg's Code of Ordinances, a copy of which is attached hereto and made a part hereof; and
- (b) Effluent thereof meets the then current standards of the State Department of Environmental Quality and the United States Environmental Protection Agency and any other governmental body having legal authority to set standards for such effluent; and

EXHIBIT "C"

- (c) Hattiesburg's wastewater treatment facility is not damaged to the extent to cause unnecessary repairs or replacement or increased operation and maintenance expenses.

Section 3.02. **COMPREHENSIVE SEWER USE PROVISIONS.** Petal shall adopt, maintain and impose upon its users such rules and regulations as are necessary to insure compliance with Section 3.01 to the same extent as would be imposed by an appropriate Ordinance of Hattiesburg if such user were located within the jurisdiction of Hattiesburg.

Section 3.03. **INDUSTRIAL WASTE.** Petal shall not allow the discharge of any industrial waste into its sewer system without written consent of Hattiesburg. Before any such consent may be given, the industry shall file with Hattiesburg a statement showing the average analysis of the industrial waste it wishes to discharge. No consent for the discharge of industrial waste will be given by the Hattiesburg if such waste does not pass through and inspection manhole located so as to be accessible at all times to inspectors of Hattiesburg and Petal. If inspection indicates that damage may be resulting from the discharge, Petal shall be responsible to Hattiesburg for any such damages, payable immediately upon determination of the amount involved by the parties.

Section 3.04. **TESTING.** Petal shall allow Hattiesburg access to its system at any accessible point for purposed of taking samples of Petal's wastewater for analysis to insure compliance with Article III of this Agreement. The results of such analysis will be made available to Petal at Petal's request.

ARTICLE IV.

Payments and Annual Adjustments

Section 4.01 During the first fiscal year of this Agreement, Petal shall pay to Hattiesburg for the treatment of its wastewater \$ 0.29 per thousand gallons, based on actual metered volume and is due and payable to Hattiesburg within fifteen (15) days of the end of each month. The \$ 0.29 rate shall be considered the base rate from which adjustments are to be made as hereinafter provided.

Section 4.02. Each monthly payment shall be accompanied by certification from Petal as to the beginning and ending meter reading.

Section 4.03. The metered rate as provided under Section 4.01 shall remain firm for and through the first five (5) fiscal years of this Agreement. Thereafter the meter rate as provided in Section 4.01 for each ensuing fiscal year shall be adjusted based on the movement of the unadjusted figures of the U.S. Department of Labor Consumer Price Index (CPI) for all urban consumers (CPI-U). The metered rate for the sixth (6th) fiscal year of this Agreement shall be changed in an amount equal to the percentage of movement of the CPI-U for the previous four (4) years seven (7) month period ending in the month of July. Thereafter, the meter rate shall be changed in an amount equal to the percentage of the movement of the CPI-U for the twelve (12) month period ending in the month of July of each year of this Agreement. The meter rate change as a result of

EXHIBIT "C"

this formula shall automatically become effective on the first day of each fiscal year as herein provided and shall be binding upon Petal for the subsequent fiscal year.

Section 4.04. If, during the term of this Agreement and any extension thereof and by reason of any State or Federal mandate or as may be necessary to accommodate any increase wastewater received at Hattiesburg's wastewater treatment facility, Hattiesburg is required to respond, modify, improve or make additions to its wastewater treatment facility; then and in that event, Petal agrees to pay to Hattiesburg its proportionate share of said costs.

Section 4.05. If, by reason of the provisions set forth in Sections 4.04, Hattiesburg is caused to incur an increase in operation and maintenance expense at its wastewater treatment facility and Petal's proportionate share of that expense would be greater than the adjustment made to the meter rate pursuant to Section 4.03; then in that event, the meter rate shall be changed by Hattiesburg in an amount equal to the percentage of Petal's proportionate share of that expense.

Section 4.06. Petal's proportionate share as provided under Section 4.04 shall be payable within twelve (12) months from date of contract entered into by the City as provided pursuant to Section 4.04.

Section 4.07. If, by reason of any event occurring under Section 4.04, Hattiesburg is required to borrow the necessary funds, including but not limited to any bonded indebtedness, Petal may pay its proportionate share, including interest expense, and any other cost associated therewith, on an annual basis consistent with any repayment obligation and schedule of Hattiesburg; however, should this Agreement be terminated for any reason and at such time there is an outstanding balance due from Petal to Hattiesburg, under the provision of this Section, the balance shall become immediately due and payable.

ARTICLE V

Effective Date and Term of Agreement

Section 5.01. **EFFECTIVE DATE.** This Agreement shall become effective as of October 1, 2000 and as of that date this Agreement shall constitute the sole and only Agreement between Hattiesburg and Petal as to the matters contained herein.

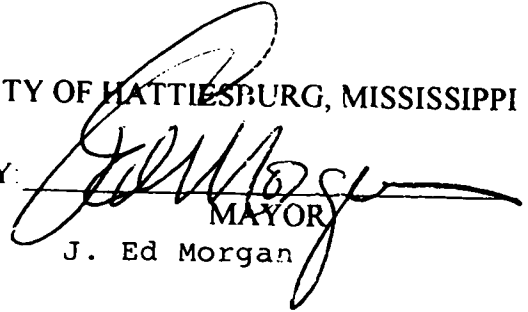
Section 5.02. **TERM OF AGREEMENT.** This Agreement shall be in force and effect from October 1, 2000 and shall continue in effect from year to year unless either party hereto shall give not less than six (6) month notice in writing to the other that this Agreement shall no longer be in force and effect; however, in no instance shall this Agreement terminate earlier than the end of any fiscal year.

EXHIBIT "C"

WITNESS THE SIGNATURES of the parties on duplicate originals, on this the
17th day of October, A.D., 2000.

CITY OF HATTIESBURG, MISSISSIPPI

BY:



MAYOR
J. Ed Morgan

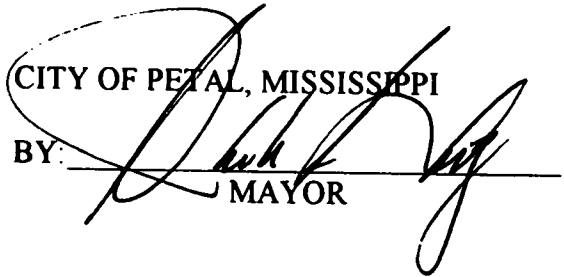
ATTEST:



CITY CLERK

CITY OF PETAL, MISSISSIPPI

BY:



MAYOR

ATTEST:



CITY CLERK

EXHIBIT "D"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

INFORMATION

Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no," and, as a result, more information on this questionnaire may be required and/or separate workpapers may be needed.

1. Name and address of municipality: CITY OF PETAL
P O BOX 564 PETAL MS 39465
2. List the date and population of the latest official U.S. Census or most recent official census:
7883
3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).
- | | |
|---|-----------------|
| <u>MAYOR JACK GAY 304 GARDEN LANE PETAL MS</u> | <u>582-1665</u> |
| <u>CITY ATTORNEY THOMAS TYNER 315 HEMPHILL HATTIESBURG MS</u> | <u>583-2671</u> |
| <u>ALDERMAN WILLIE HINTON 201 BENNETT STREET PETAL MS</u> | <u>544-6441</u> |
| <u>ALDERMAN CHARLES E HOLBROOK 204 SUN CIRCLE PETAL MS</u> | <u>544-3659</u> |
| <u>ALDERMAN ROBERT F LANGFORD 110 WEST 7TH AVENUE PETAL MS</u> | <u>544-6971</u> |
| <u>ALDERMAN DONALD H ROWELL 100 STARLANE DRIVE PETAL MS</u> | <u>545-2393</u> |
| <u>ALDERMAN LEROY SCOTT 113 AZALEA AVENUE PETAL MS</u> | <u>583-1519</u> |
| <u>CITY CLERK PRISCILLA C DANIEL 2122 OLD RICHTON ROAD PETAL MS</u> | <u>544-8797</u> |
4. Period of time covered by this questionnaire:
From: 10/01/99 To: 09/30/00
5. Expiration date of current elected officials' term: JULY 2001


EXHIBIT "D"

PETAL
(MUNICIPALITY)

Certification to Municipal Compliance Questionnaire

Year Ended September 30, ~~19~~ 2000

We have reviewed all questions and responses as contained in this Municipal Compliance Questionnaire for the Municipality of Petal, and, to the best of our knowledge and belief, all responses are accurate.


(City Clerk's Signature)

10/17/2000
(Date)


(Mayor's Signature)

10/17/2000
(Date)

Minute Book References:

Book Number 19

Page 445

(Clerk is to enter minute book references when questionnaire is accepted by board.)

EXHIBIT "D"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

ANSWER ALL QUESTIONS: Y - YES, N - NO, N/A - NOT APPLICABLE

PART I - GENERAL

1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) Y
2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27) Y
3. Are municipal records open to the public? (Section 25-61-5) Y
4. Are meetings of the board open to the public? (Section 25-41-5) Y
5. Are notices of special or recess meetings posted? (Section 25-41-13) Y
6. Are all required personnel covered by appropriate surety bonds?
 - Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter) Y
 - Municipal clerk (Section 21-15-38) Y
 - Deputy clerk (Section 21-15-23) Y
 - Chief of police (Section 21-21-1) Y
 - Deputy police (Section 45-5-9) (if hired under this law) Y
7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19) Y
8. Are minutes of board meetings signed by the mayor or majority of the board within ~~30~~ days of the meeting? (Section 21-15-33) Y
9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53) Y
10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) Y

EXHIBIT "D"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31) Y
12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? (Section 21-35-31 or 21-17-19) Y

PART II - CASH AND RELATED RECORDS

1. Where required, is a claims docket maintained? (Section 21-39-7) Y
2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9) Y
3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7) Y
4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13) Y
5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13) Y
6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9) Y
7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23) Y
8. Has the municipality held a public hearing and published its adopted budget? (Section 21-35-5) Y
9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25) Y

EXHIBIT "D"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25) Y
11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) Y
12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) Y
13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) Y
14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) Y
15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) Y
16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution) -- Sections 21-19-45 through 21-19-59, etc.] Y
17. Are fixed assets property tagged and accounted for? (Section 7-7-211 - Municipal Audit and Accounting Guide) Y
18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y
19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) Y

PART III - PURCHASING AND RECEIVING

1. Are bids solicited for purchases, when required by law (written bids and advertising)? [Section 31-7-13(b) and (c)] Y
2. Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] Y

EXHIBIT "D"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

3. Are all one-source item and emergency purchases documented on the board's minutes? [Section 31-7-13(m) and (k)] Y
4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23) Y

PART IV - BONDS AND OTHER DEBT

1. Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) Y
2. Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) Y
3. Have the required trust funds been established for utility revenue bonds? (Section 21-27-65) Y
4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) Y
5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) Y

PART V - TAXES AND OTHER RECEIPTS

1. Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167) Y
2. Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53) Y
3. Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63) (COUNTY COLLECTS) Y
4. Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53) Y

EXHIBIT "D"

MUNICIPAL COMPLIANCE QUESTIONNAIRE

5. Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321) Y
6. Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) Y
7. Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) Y
8. Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) Y
9. Has the municipality levied or appropriated not less than 1/4 mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39) Y
10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73) Y
11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21) Y
12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1) Y

EXHIBIT "E"
RESOLUTION

RESOLUTION FINDING AND DETERMINING THAT THE PROPERTY LOCATED AT 617 CARTERVILLE ROAD IN PETAL, MISSISSIPPI AND OWNED BY WOODROW CARPENTER IS IN SUCH A STATE OF UNCLEANLINES AS TO BE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY

WHEREAS, DUE AND PROPER NOTICE HAS BEEN GIVEN TO THE OWNER OF THE PROPERTY LOCATED AT 617 CARTERVILLE ROAD IN PETAL, MISSISSIPPI OF A HEARING CONDUCTED BEFORE THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL TO DETERMINE THAT SAID PROPERTY NEEDS TO BE BROUGHT UP TO THE CITY'S CODE.

WHEREAS, SAID HEARING HAVING BEEN DULY AND PROPERLY HELD AND EVIDENCE HAVING BEEN PRESENTED, ALL IN CONFORMANCE WITH SECTION 21-19-11 OF THE MISSISSIPPI CODE OF 1972 AS AMENDED;

NOW THEREFORE, BE IT RESOLVED;

SECTION 1:

THAT THE PROPERTY LOCATED AT 617 CARTERVILLE ROAD IS IN SUCH A STATE OF UNCLEANLINES AS TO BE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY.

SECTION 2:

THAT IF THE OWNER OF SAID PROPERTY HAS NOT BROUGHT THE PROPERTY UP TO COMPLIANCE WITHIN 30 DAYS FROM THIS RECEIPT, THE CITY OF PETAL SHALL, BY THE USE OF MUNICIPAL EMPLOYEES OR BY CONTRACT, PROCEED TO REMOVE THE VIOLATION BY EXERCISING ITS RIGHTS UNDER THE "CLEANING OF PRIVATE PROPERTY" SECTION OF THE MISSISSIPPI CODE 21-19-11.

SECTION 3:

THAT ALL COST INCURRED BY THE MUNICIPALITY, IF ANY, PLUS PENALTY, IF ANY, SHALL BECOME AS ASSESSMENT AGAINST SAID PROPERTY, ALL AUTHORIZED AND PERMITTED PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE OF 1972, AS AMENDED.

SO RESOLVED, ON THIS THE 17TH DAY OF OCTOBER, 2000, A.D.



JACK GAY
MAYOR

(SEAL)

EXHIBIT "E"

OCTOBER 16, 2000

RE: PROPERTY LOCATED AT 617 CARTERVILLE ROAD

CLEAN UP WITH CITY CREW AND EQUIPMENT

6 MEN	AT	\$6.50	\$39.00	4.5 HOURS	\$177.50
1 MAN			\$7.98	4.5 HOURS	35.91
1 SIDEARM				3 HOURS (\$30.00 PER)	90.00
1 LONGARM				3 HOURS	90.00
2 WEEDEATERS	(25 PER DAY EACH)			4.5 HRS	50.00
1 BACKHOE				3 HOURS (\$30.00)	90.00
					<u>\$533.41</u>

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

WHEREAS, the Mayor and Board of Aldermen of the City of Petal, Mississippi, find that it is appropriate to give special recognition to individuals and families who have played a significant role in the history and development of the community, and;

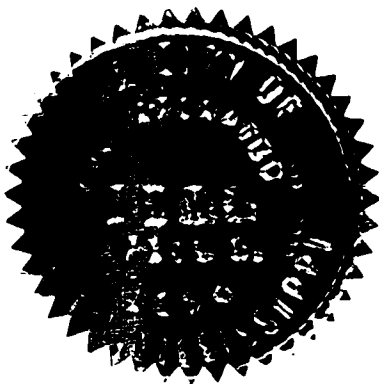
WHEREAS, when members of our community join in order to celebrate their heritage, it is appropriate for said families to be officially recognized, and;

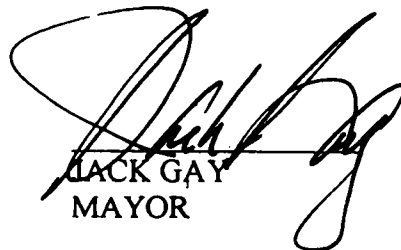
WHEREAS, Mr. George Maddux and Mrs. Edith Creel are both lifelong residents of our community and are both charter members of Lynn Ray Road Baptist Church and Calvary Baptist Church as well as being past members of River Avenue Baptist Church.

SO BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, along with Lynn Ray Road Baptist Church in celebrating Senior Awareness Day, to recognize Mr. George Maddux and Mrs. Edith Creel as residents of our community who have made substantial contributions to the growth and progress of this community, and to convey our best wishes for this celebration of proclaiming, Sunday October 15, 2000, as;

GEORGE MADDUX AND EDITH CREEL DAY IN PETAL, MISSISSIPPI

SO RESOLVED by the Mayor and Board of Aldermen on this, the 15TH day of October, 2000.




JACK GAY
MAYOR

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

EXHIBIT "G"

EXHIBIT "G"

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