

CITY OF PETAL
MINUTE BOOK 25

19

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD THE RECESS MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI OF SEPTEMBER 6, 2005 ON THIS THE 15TH DAY OF SEPTEMBER, 2005 AT 6:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT	MAYOR CARL SCOTT
ALDERMEN	DAVID CLAYTON JAMES MOORE STEVE STRINGER LIESAWEAVER
OTHERS PRESENT	TOMMYE CORLEY

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

WHEREAS, MAYOR CARL SCOTT PRESENTED A REQUEST TO ACCEPT THE RIGHT OF ENTRY FOR THE U S ARMY CORP OF ENGINEERS TO DEPOSIT DEBRIS ON THE 43 ACRES OF LAND OWNED BY THE CITY OF PETAL.

SEE EXHIBIT "A"

CONTRACT
RIGHT OF ENTRY

THEREUPON, ALDERMAN STRINGER MADE A MOTION FOR THE MAYOR TO EXECUTE THE RIGHT OF ENTRY FOR THE U S ARMY CORP OF ENGINEERS TO DEPOSIT DEBRIS ON 43 ACRES OF LAND OWNED BY THE CITY OF PETAL. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER
ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO APPOINT DESIGNATION OF APPLICANT AGENT FOR HURRICANE KATRINA.

SEE EXHIBIT "B"

APPLICATION AGENT

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO APPOINT JAY ESTES AS DESIGNATION OF APPLICANT AGENT FOR MEMA/FEMA FOR HURRICANE KATRINA. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER
ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING RESOLUTION ADOPTING THE FY 2005-2006 BUDGET.

SEE EXHIBIT "C"

FY 2005-2006 BUDGET RESOLUTION

THEREUPON, ALDERMAN MOORE MADE A MOTION TO ADOPT THE FOREGOING RESOLUTION. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER
ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING RESOLUTION SETTING
THE 2005 TAX LEVY FOR THE CITY OF PETAL AND THE PETAL SCHOOL DISTRICT.

SEE EXHIBIT "D"

2005 TAX LEVY RESOLUTION

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ADOPT THE FOREGOING
RESOLUTION. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER
ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING PROCLAMATION.

SEE EXHIBIT "E"

EMERGENCY PROCLAMATION

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE FOREGOING
EMERGENCY PROCLAMATION. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER
ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING PROCLAMATION
OF EXISTENCE OF A LOCAL EMERGENCY.

SEE EXHIBIT "F"

PROCLAMATION

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ADOPT THE FOREGOING
PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY. ALDERMAN MOORE
SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER
ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO ADOPT THE NEW ROAD OFF OF DAWSON CUT-OFF AND NAME IT KATRINA LANE.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO ACCEPT THE ROAD OFF OF DAWSON CUT-OFF AS KATRINA LANE AS A CITY ROAD. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER
ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ADJOURN. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON
ALDERMAN JAMES MOORE
ALDERMAN STEVE STRINGER
ALDERMAN LIESA WEAVER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREBEING NO FURTHER BUSINESS, THE REGULAR MEETING OF SEPTEMBER 6, 2005 OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON THIS THE 15TH DAY OF SEPTEMBER, 2005.


CARL SCOTT
MAYOR

(SEAL)

ATTEST:


JEAN ISHEE
CITY CLERK

EXHIBIT "A"

RIGHT OF ENTRY

FORREST COUNTY
STATE OF MISSISSIPPI

WHEREAS, on the twenty ninth day of August, 2005, the President declared a "major disaster" in the State of Mississippi under the provisions of Public Law 288, 93rd Congress, as amended, and

WHEREAS, the Governor of the State of Mississippi agreed that the State of Mississippi would provide without cost to the United States all lands, easements, and rights-of-ways necessary to accomplish the approved work and to hold and save the United States free from damages due to the requested work, and shall indemnify the Federal Government against any claims arising from such work.

NOW THEREFORE, CITY OF PETAL County, a public entity within the State of Mississippi, grants to the United States, the U.S. Army Corps of Engineers, and its contractors and subcontractors, the authority and permission to enter in and upon all properties owned or under the control of CITY OF PETAL County more specifically to include the following:

- 4.3 ACRE DEBRIS SITE
- 1.4 ACRE DEBRIS SITE

The purpose of this Right-of-Entry is to allow for access in and upon all public lands referenced above for the following activities: 1) the removal of organic debris; 2) to deposit organic refuse, trees, tree limbs, and other such materials; 3) to operate a chipping/mulching process for the debris disposal/reduction of the organic refuse, trees, tree limbs and other such materials referenced above; and 4) the right to burn organic refuse trees, tree limbs and other such materials on the designated disposal sites described above. Further this Right-of-Entry allows and provides for the preparation, operation, maintenance, and restoration of the designated disposal site or sites pursuant to the request for the United States acting through the Office of the Federal Emergency Management Agency (FEMA) and the appropriate federal agencies to perform such activities.

It is further agreed that in conjunction with this Right-of-Entry that THE CITY OF PETAL County will provide a mutually acceptable site for the final disposition of all residual debris, and if this site is not provided in a timely fashion, then restoration of the debris disposal site or sites will be limited to the area surrounding the debris mounds and access roads to the site.

CITY OF PETAL County further agrees and warrants that it will hold harmless and indemnify the United States, The United States Army Corps of Engineers, its contractors and subcontractors for any damage or claim of damage of any type whatsoever, either to the above described property or persons situated thereon, and hereby releases, discharges and waives any and all actions, either legal or equitable, which the undersigned has or ever might or may have by reason of any action of the United States, the United States Corps of Engineers, its contractors or subcontractors pursuant to this right of entry.

FORREST COUNTY

BY [Signature] Mayor City of Petal

ATTEST:
BY [Signature]
(COUNTY/CITY SEAL)

EXHIBIT "B"

DESIGNATION OF APPLICANT AGENT

BE IT RESOLVED BY: The Mayor and Board of Aldermen OF: The City of Petal, MS
Governing Body City, County, Other Entity

THAT Jay Estes Planning & Development
Name of Designated Agent Official Position

ADDRESS: _____ TELEPHONE (W) _____ (H) _____

is hereby authorized to execute for and in behalf of Petal
City, County, Other Entity

a public entity established under the laws of the State of Mississippi, applications for the purpose of obtaining and administering certain federal financial assistance under the Disaster Relief Act of 1974 (Public Law 93-228), amended by Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, (Public Law 100-707) and to file them with the Governor's Authorized Representative.

PASSED AND APPROVED THIS 15 DAY OF September 2005.

[Signature] Ward 1 Alderman
Name and Title

Lisa Weaver Ward 3 Alderman
Name and Title

[Signature] Ward 2 Alderman
Name and Title

Name and Title

[Signature] Ward 4 Alderman
Name and Title

Name and Title

CERTIFICATION

I, Jean Ishee, duly appointed City Clerk
Title

of, The City of Petal, MS, do hereby certify that the above is a true and

correct copy of a resolution passed and approved by the Board of Aldermen
Governing Body

of The City of Petal on the 15th day of September, 2005.

DATE

Jean Ishee
SIGNATURE

EXHIBIT "C"

RESOLUTION

A RESOLUTION ADOPTING AND APPROVING
THE FINAL BUDGET OF THE CITY OF PETAL,
MISSISSIPPI, FOR THE FISCAL YEAR
BEGINNING OCTOBER 1, 2005 AND ENDING
SEPTEMBER 30, 2006 AND FOR OTHER
PURPOSES HEREIN EXPRESSED

BE IT RESOLVED AND ORDERED by the Mayor and Board of Aldermen of the City of Petal, Mississippi, as follows;

That the final budget for the City of Petal, Mississippi, for the fiscal year commencing October 1, 2005 and ending September 30, 2006, a true and correct copy of which is hereby attached, shall be entered at length and in detail in the official minutes of this meeting.

BE IT FURTHER RESOLVED AND ORDERED that the final budget a true and correct copy of which is attached hereto, be and is hereby approved and adopted.

BE IT FURTHER RESOLVED that the City Clerk shall cause to be published a summary of the final budget for the City of Petal, Mississippi, for the fiscal year commencing October 1, 2005 and ending September 30, 2006 as required by Section 21-35-5 of the Mississippi Code of 1972, as annotated and recompiled; said summary to be published at least once in the Petal News, a newspaper published in the County of Forrest, with a general circulation to the City of Petal, Mississippi, and qualified to publish legal notices.

THUS RESOLVED AND ORDERED on this the 15th day of September, 2005.

CITY OF PETAL, MISSISSIPPI



CARL SCOTT
MAYOR

(SEAL)

ATTEST:



JEAN SHEE
CITY CLERK

CITY OF PETAL
MINUTE BOOK 25

RESOLUTION FIXING THE AD VALOREM ²⁵ LEVY
ON REAL AND PERSONAL PROPERTY FOR TAXES
IN THE CITY OF PETAL, MISSISSIPPI, AND THE PETAL
MUNICIPAL SEPARATE SCHOOL DISTRICT FOR THE
YEAR OF 2005

EXHIBIT "D"

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF

PETAL, MISSISSIPPI:

SECTION I. That for the year 2005 there shall be and is hereby levied on all taxable property real and personal within the corporate limits of the City of Petal, Mississippi, for ad valorem taxes for municipal purposes as indicated, the following levies to be collected on each dollar of assessed value shown upon, the real and personal ad valorem assessment rolls of said City, within the city limits thereof, to-wit:

FOR GENERAL REVENUE PURPOSES—31.00

TOTAL LEVIED FOR MUNICIPAL PURPOSES—31.00

SECTION II. That for the year 2005, there shall be and there is hereby levied on all taxable property, real and personal, within the Petal Municipal Separate School District, within the City of Petal, Mississippi, and within the added territory outside the City of Petal for ad valorem taxes for school purposes such levies having been authorized by the Board of Trustees of said School District by order entered on its minutes and certified to the Mayor and Board of Aldermen, the following levies to be collected on each dollar of assessed valuation shown on the said ad valorem assessment rolls, to-wit:

FOR DISTRICT SCHOOL OPERATION AND MAINTENANCE FUND,
LEVIED UNDER THE PROVISIONS OF SECTION 37-37-35
OF THE CODE OF 1972, AS AMENDED—55.00

TOTAL LEVIED FOR SCHOOL PURPOSES—55.00

SECTION III. That for the year 2005 there shall be and there is hereby levied on all taxable property real and personal, within the Petal Municipal Separate School District within the City of Petal, Mississippi, and within the added territory outside the City of Petal for ad valorem taxes for the School Building Program Fund, such levies having been authorized by the Board of Trustees of said School District by order entered on its minutes and certified to the Mayor and Board of Aldermen, the following levies to be collected on each dollar of assessed valuation shown on the said ad valorem assessment rolls, to-wit:

FOR DISTRICT SCHOOL BUILDING PROGRAM FUND, LEVIED
UNDER THE PROVISIONS OF SECTION 37-59-105 OF THE CODE
OF 1972 AS AMENDED—1.75

SECTION IV. That for the year 2005, there shall be and is hereby levied on all taxable property, real and personal, within the corporate limits of the City of Petal, Mississippi, for ad valorem taxes for the following levies to be collected on each dollar of assessed value shown upon the real and personal ad valorem assessment rolls of said City, within the city limits thereof, to-wit:

FOR LIBRARY PURPOSES LEVIED UNDER THE PROVISIONS
OF SECTION 39-3-7 OF THE MISSISSIPPI CODE OF 1972,
AS AMENDED—1.14

TOTAL LEVIED FOR LIBRARY PURPOSES—1.14

SECTION V. That for the year of 2005, there shall be and is hereby levied on all taxable property, real and personal within the corporate limits of the City of Petal, Mississippi, for ad valorem taxes for the following levies to be collected on each dollar of assessed value shown upon the real and personal ad valorem assessment rolls of said City, within the City limits thereof, to-wit:

FOR \$1,200,000 GENERAL OBLIGATION BONDS, SERIES
2001 PURPOSE LEVIED UNDER THE PROVISIONS
OF SECTION 21-33-301 THROUGH 21-33-329 OF THE
MISSISSIPPI CODE OF 1972 AS AMENDED—2.50

SECTION VI. That for the year 2005, there shall be and is hereby levied on all taxable property, real and personal within the Petal Municipal Separate School District within the City of Petal, Mississippi and within the added territory outside the City of Petal for ad valorem taxes to repay the promissory not issued because of the revenue shortfall in the 2002-2003 budget year, such levy having been authorized by the Board of Trustees of said School District by order entered upon, its minutes, and certified to the Mayor and Board of Aldermen; the following levy to be collected on each dollar of assessed value shown on the said Ad Valorem Assessment Rolls, to-wit:

FOR REVENUE SHORTFALL PROMISSORY NOTES FUND,
LEVIED UNDER THE PROVISIONS OF SECTION 37-57-108
OF THE MISSISSIPPI CODE OF 1972, AS AMENDED—64

SECTION VII. That for the year of 2005, there shall be and is hereby levied on all taxable property, real and personal within the corporate limits of the City of Petal, Mississippi, for ad valorem taxes for the following levies to be collected on each dollar of assessed value shown upon the real and personal ad valorem assessment rolls of said City, within the City limits thereof, of wit:

FOR \$2,500,000 GENERAL OBLIGATIONS BONDS, SERIES 2004
PURPOSE LEVIED UNDER THE PROVISIONS OF
SECTION 21-33-301 THROUGH 21-33-329 OF THE MISSISSIPPI
CODE OF 1972 AS AMENDED—3.50

SECTION VIII. That this resolution shall be in full force and effect from and after its passage.

Alderman made a motion to adopt the foregoing resolution, and the motion was seconded by Alderman .

Those present and voting "AYE"

Alderman David Clayton
Alderman Kay Fairley
Alderman James Moore
Alderman Steve Stringer
Alderman Liesa Weaver

Those present and voting "NAY"

None

The motion to adopt the aforesaid resolution having received the affirmative vote of the majority of the members of the Board of Aldermen, the Mayor declared the motion passed and the resolution adopted on this the 15th day of September, 2005.


Carl Scott
Mayor

(SEAL)

ATTEST:


Jean Leese
City Clerk

Publish 1 time: September 22, 2005

EXHIBIT "E"

8/26/2005 4:41 PM FROM: Fax The Emergency Management District TO: 9,9 601 545-6685 PAGE: 002 OF 002

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
(BY CITY COUNCIL OR Board of Supervisors)

WHEREAS, THE PETAL CITY COUNCIL does hereby find:

That conditions of extreme peril to the safety of persons and property have arisen

within said the City caused by HURRICANE KATRINA

commencing on or about 12 a.m. / (p.m.) on the 27th day of

AUGUST, 2005:

That the aforesaid conditions of extreme peril warrant and necessitate the proclamation
of the existence of a local emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that in accordance with
Section 33:15-17, MS Code of 1972, a local emergency now exists throughout said
County; and

IT IS FURTHER PROCLAIMED AND ORDERED that said local emergency shall
be deemed to continue to exist until its termination is proclaimed by the Mayor and City
Council of the City of PETAL, Forrest County, State of Mississippi.

DATE: _____

ATTEST:
[Signature]
Clerk - City Council

CITY OF PETAL
State of MS

[Signature]
Mayor

[Signature]
City Alderman

[Signature]
City Alderman

[Signature]
City Alderman

[Signature]
City Alderman

City Alderman

MEMA DR-3(Rev. 06/95)

EXHIBIT "F"

PROCLAMATION

WHEREAS, Governor Haley Barbour has issued an emergency proclamation in light of Hurricane Katrina; and

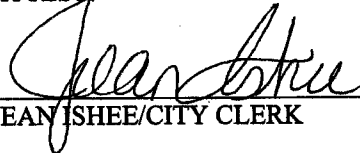
WHEREAS, the Mayor and Board of Aldermen of the City of Petal ("the City") has determined that, under provisions of *Miss. Code Ann. 31-7-13(k)*, an emergency exists growing out the devastating effects of Hurricane Katrina in with regard to the purchase of any commodities or repair contracts so that a delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the City of Petal ("the City").

NOW, THEREFORE, BE IT RESOLVED that the City declares an emergency with regard to the purchase of any commodities or repair contracts in accordance with *Miss. Code Ann 31-7-13(k)*.

IT IS FURTHER PROCLAIMED AND ORDERED that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the Mayor and Board of Aldermen of the City of Petal, Forrest County, State of Mississippi.

DATE : SEPTEMBER 15, 2005

ATTEST:


JEAN ISHEE/CITY CLERK

CITY OF PETAL


MAYOR/ CARL SCOTT


DAVID CLAYTON/WARD I


KAY FAIRLEY/ALDERMAN AT LARGE


JAMES MOORE/WARD IV


STEVE STRINGER/ WARD II


LIESA WEAVER/WARD III .

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