

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON MAY 19, 2009 AT 7:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT	MAYOR CARL L SCOTT
CITY ATTORNEY	DAPHNE LANCASTER (FOR THOMAS TYNER)
ALDERMEN	DAVID CLAYTON JAMES MOORE LIESA WEAVER STEVE STRINGER
OTHERS	PARKER CHAPMAN TOMMYE CORLEY BUDDY REYNOLDS AMY HEATH DALE NUTTING TONY READY TOM HARDGES SETH HUNTER MICHELLE STREBECK LARRY CARRAWAY AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY WILLIE HINTON.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR SCOTT PRESENTED THE AGENDA WITH THE FOLLOWING CHANGES:

- IX. GENERAL BUSINESS
 - 1. OMIT
 - 8. OMIT
 - 16. REQUEST TO MODIFY CONTRACT WITH T L WALLACE IN THE AMOUNT OF \$6,018.07 FOR THE GRASSING OF TYNER ROAD.

- XII. RESOLUTIONS & PROCLAMATIONS
 - 2. OMIT
 - 3. REQUEST TO CONTRACT WITH GOVERNMENT CONSULTANTS, INC TO GIVE US A DETERMINATION OF OUR MONETARY NEED.

THEREUPON, ALDERMAN WEAVER MADE A MOTION TO ADOPT THE AGENDA WITH THE FOREGOING CHANGES. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE MINUTES OF THE REGULAR MEETING OF MAY 5, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE MINUTES OF THE REGULAR MEETING OF MAY 5, 2009. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT CALLED FOR PUBLIC COMMENT.

THEREUPON, HOUSTON HARTFIELD ADDRESSED THE MAYOR AND BOARD OF ALDERMEN ABOUT WHAT HE HAD HEARD ON TV ABOUT THE CITY LAYING OFF EMPLOYEES. HE STATED THAT THE BOARD NEEDS TO RETHINK THERE DECISION TO LAY OFF EMPLOYEES.

THEREUPON, ADA MADISON ADDRESSED THE MAYOR AND BOARD OF ALDERMEN TO DISCUSS THE LAY OFF OF CITY EMPLOYEES, AND HOW IT WILL AFFECT THE FAMILY LIFE OF THESE EMPLOYEES.

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO PAY ESTIMATE #1 IN THE AMOUNT OF \$63,442.13 TO WALTERS CONSTRUCTION FOR ASPHALT, CURB AND GUTTER AT FRIENDLY PARK.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY ESTIMATE #1 TO WALTERS CONSTRUCTION FOR ASPHALT, CURB AND GUTTER AT FRIENDLY PARK IN THE AMOUNT OF \$63,442.13. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A BID FOR THE FOLLOWING ON THE CULTURAL CENTER.

- | | |
|-------------------------------|-------------|
| A. EXTERIOR WINDOWS AND DOORS | \$1,500.00 |
| B. ROOFING | \$20,600.00 |

THEREUPON, ALDERMAN WEAVER MADE A MOTION TO ACCEPT THE BID FROM JIMMY CLARK FOR THE CULTURAL CENTER. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO ACCPET/REJECT BIDS ON SPRAY PARK.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO REJECT THE SPRAY PARK BIDS. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO PAY ESTIMATE #2 IN THE AMOUNT OF \$60,501.24 TO WALTERS CONSTRUCTION FOR ASPHALT, CURB AND GUTTER AT FRIENDLY PARK.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY ESTIMATE #2 TO WALTERS CONSTRUCTION IN THE AMOUNT OF \$60,501.24 FOR ASPHALT, CURB AND GUTTER AT FRIENDLY PARK. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO ADVERTISE FOR BIDS ON HUNTER'S RIDGE FIRE LANES.

THEREUPON, ALDERMAN MOORE MADE A MOTION TO AUTHORIZE THE CITY CLERK TO ADVERTISE FOR BIDS ON HUNTER'S RIDGE FIRE LANES. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO REFUND JULIO LORENZO CASH BOND IN THE AMOUNT OF \$631.00.

THEREUPON, ALDERMAN WEAVER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND JULIO LORENZO CASH BOND IN THE AMOUNT OF \$631.00. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO REFUND KEVIN SIMMONS OVERPAYMENT IN THE AMOUNT OF \$13.00 FOR TICKET.

THEREUPON, ALDERMAN WEAVER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND KEVIN SIMMONS FOR OVERPAYMENT OF TRAFFICE TICKET IN THE AMOUNT OF \$13.00. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST FROM DALE NUTTING, SANITATION SUPERVISOR, TO REFUND RICKY PATTERSON \$53.26 FOR THE SANITATION PICKING UP MAILBOX.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND RICKY PATTERSON \$53.26 FOR MAILBOX REPLACEMENT. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE RESIGNATION OF JANICE ROBINSON FROM THE PLANNING COMMISSION.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE RESIGNATION OF JANICE ROBINSON EFFECTIVE IMMEDIATELY FROM THE PLANNING COMMISSION. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO PLACE A FOUR WAY STOP SIGN AT THE INTERSECTION OF TEMPLE ROAD AND SUNRISE ROAD.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE STREET DEPARTMENT TO PLACE A FOUR WAY STOP SIGN AT THE INTERSECTION OF TEMPLE ROAD AND SUNRISE ROAD, UPON THE RECOMMENDATION OF THE POLICE CHIEF LEE SHELBOURN. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST FROM POLICE CHIEF LEE SHELBOURN TO SUSPEND MELISSA HARVEY FOR FIVE DAYS WITHOUT PAY BEGINNING MAY 21, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE RECOMMENDATION OF POLICE CHIEF LEE SHELBOURN TO SUSPEND MELISSA HARVEY FOR FIVE DAYS WITHOUT PAY BEGINNING MAY 21, 2009. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO MODIFY THE EMPLOYEE HANDBOOK IN REFERENCE TO PERSONAL TIME FOR THE FIRE DEPARTMENT.

SEE EXHIBIT "A"

MODIFY EMPLOYEE HANDBOOK
PERSONAL TIME

THEREUPON, ALDERMAN MOORE MADE A MOTION TO ADOPT THE FOREGOING MODIFICATION TO THE EMPLOYEE HANDBOOK. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO MODIFY THE EMPLOYEE HANDBOOK IN REFERENCE TO MARRIED EMPLOYEES.

SEE EXHIBIT "B"

EMPLOYEE HANDBOOK

THEREUPON, ALDERMAN MOORE MADE A MOTION TO MODIFY THE EMPLOYEE HANDBOOK IN REFERENCE TO MARRIED EMPLOYEES. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE AGREEMENT WITH GULF SOUTH PIPELINES FOR SEWER LINES ON GRAY CROSS ROAD.

SEE EXHIBIT "C"

GULF SOUTH PIPELINE

THEREUPON, ALDERMAN MOORE MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT WITH GULF SOUTH PIPELINE FOR SEWER LINES ON GRAYS CROSS ROAD. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF APRIL 2009

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE REVENUE AND EXPENDITURES REPORT FOR THE MONTH OF APRIL 2009. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF APRIL 2009.

THEREUPON, ALDERMAN WEAVER MADE A MOTION TO ACCEPT THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF APRIL 2009. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST FOR MICHELLE STREBECK TO ATTEND THE MML COURT CLERK CONFERENCE IN BILOXI, MS JULY 12-14, 2009.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE MICHELLE STREBECK TO ATTEND THE MML COURT CLERK CONFERENCE IN BILOXI, MS JULY 12-14, 2009 AND TO PAY HER EXPENSES. ALDERMAN MOORE SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING ORDINANCE FOR COMPENSATION OF THE ALDERMEN.

SEE EXHIBIT "D"

ORDINANCE 1988(73-P)

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ADOPT THE FOREGOING ORDINANCE. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT PRESENTED THE FOLLOWING PROCLAMATION FOR THE PETAL FIRE APPRECIATION MONTH.

SEE EXHIBIT "E"

PROCLAMATION

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

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT REQUESTED AN EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO CLEAR THE ROOM IN ORDER TO DECIDE IF AN EXECUTIVE SESSION IS NEEDED. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR SCOTT REOPENED THE MEETING.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN WEAVER MADE AMOTION TO ADJOUR THE EXECUTIVE SESSION. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

NO OFFICIAL ACTION WAS TAKEN IN EXECUTIVE SESSION.

WHEREAS, MAYOR SCOTT PRESENTED A REQUEST TO CONTRACT WITH GOVERNMENT CONSULTANTS, INC TO GIVE US A DETERMINATION OF OUR MONETARY NEEDS.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO CONTRACT WITH GOVERNMENT CONSULTANTS, INC, DEMERY GRUBBS, TO GIVE US A DETERMINATION OF OUR MONETARY NEEDS. ALDERMAN WEAVER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

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

THOSE PRESENT AND VOTING "AYE"

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

THOSE PRESENT AND VOTING "NAY"

NONE

THEREBEING NO FURTHER BUSINESS OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON THIS THE 19TH DAY OF MAY, 2009.



CARL L. SCOTT, MAYOR

(SEAL)

ATTEST:



JEAN ISHEE, CITY CLERK

EXHIBIT "A"

Emp. Handbook
Personal Time
for Fire Dept.

EXHIBIT "B"

Emp. Handbook

Re: Married
Employees

Prepared by and Recording Requested by:
Gulf South Pipeline Company, LP
111 Park Place, Suite 100
Covington, LA 70433
(985) 807-8100

Ref. Exhibit See Page 4
Sec. 39, E-S-N, R-12-W
Sec. 29, E-S-N, R-12-W
Forrest County, MS
GSPL Permit No. 3087

CITY OF PETAL MINUTE BOOK 30

activity or business loss of any kind. Additionally, any subsequent repair and or reinstallation of said facilities shall be at the sole (100%) cost of Permittee.

All proposed activities in the vicinity of Gulf South's right of way easement shall be conducted with extreme caution and with an inspector from Gulf South's on-site inspector, those operations comprising the necessity of their presence. Permittee hereby agrees to pay any costs associated with the project for a Gulf South inspector to be present during construction if deemed necessary by Gulf South. This shall apply to all hours after 7:00 P.M. Monday through Thursday, after 10:00 A.M. on Friday, weekends and all federal holidays.

EXHIBIT "C"

SPACE ABOVE FOR RECORDER'S USE

THIS DOCUMENT PERMITS BY:

GULF SOUTH PIPELINE COMPANY, LP
Hereinafter referred to as "Gulf South"

PERMITTED TO:

Name: City of Petal ("Permittee")
Address: 119 West 6th Ave, Petal MS 39468
Phone: 901-345-1770
E-mail: na
Date: May 7, 2009

Location: District 19th Mile 299
Gulf South Station No.: 897492, 911183, 900170 Mile Post

DESCRIPTION OF PERMITTED WORK

What: 2 - 6" sewer service lines and 1 - 6" sewer force main (together or singularly referred to as "Permitted Facilities")
Where: Gray Creek Road
Elevation: na

This Permit is granted subject to the conditions and special provisions set forth below:

- The Permit herein granted is subject to the existing easement rights and reserved interests of Gulf South at this above-referenced location. Nothing herein contained shall be construed to convey, waive or otherwise diminish Gulf South's existing rights whatsoever.
- This Permit shall be revocable by Gulf South upon written notice to permittee in the event of non-compliance with any requirements, conditions or specifications of this Permit.
- Permittee shall be in the vicinity of Gulf South's right of way easement, permittee shall give telephone notice to the On-Call Inspector at 800-227-0477. Such notice shall be made at least 48 hours before the start of any (3) day working days before work begins. Permittee shall keep the On-Call Inspector updated as required by state law.
- Permittee shall also give Gulf South a minimum of forty-eight (48) hours advance notice of any operations across Gulf South's easement and pipeline. This notification shall be made during normal business hours to James Hunter at 901-270-8873. Alternate notification can be made to Johnny McBeth at 901-583-3782.
- The operations authorized by Permittee shall be performed at the cost of expense to Gulf South and shall not interfere with Gulf South's current operations in the area. Gulf South's facility/facilities shall not be removed from service nor will the elevation or placement of Gulf South's facility/facilities of pipeline be affected.
- Permittee shall be liable for any expense, loss or damage of any kind or nature due to the presence of the Permitted Facilities at this location, including without limitation to coating, repair, pipe replacement, operational disturbance of gas loss of Gulf South business arising out of or resulting from the operation or activities of Permittee, its agents or employees during construction of and while maintaining and operating said Permitted facilities in the future.
- If Permittee's facilities or related equipment are damaged or destroyed or if said operations and equipment must be relocated or removed due to any emergency, operational or maintenance requirements arising out of the day-to-day business activities of Gulf South, Gulf South shall not be liable to Permittee or to any other person or entity for any damages whatsoever, including, but not limited to, any and all loss of production, damages of any type arising from the loss of product, loss of profit, interruption of business

- Permittee shall at all times maintain the Permitted Facilities in a condition that will not interfere with or endanger Gulf South's facility/facilities or pipeline and shall conform all construction activity to all applicable federal, state, county and/or local regulations.
- Permittee shall provide Gulf South unconditional, 24 hour per day rights of ingress and egress to and from Gulf South's pipeline facility across the Permitted Facility.
- Permittee shall not remove Gulf South's pipeline(s), markers or signs from the right of way without Gulf South's written consent. Permittee shall inform Gulf South if any facility markings become obscure and shall have corrective measures as requested by Gulf South.
- Permittee shall warn its excavator that the depth of the pipeline may vary. Permittee shall ensure that hand digging is performed as necessary to expose the pipeline and determine its depth.
- Permittee shall consider special precautions, such as backfilling, to prevent adjacent construction activities from encroaching on the pipeline right-of-way and damaging the pipeline.
- Permittee shall backfill or protect any open excavations at the conclusion of each day.
- Permittee shall not waste a water well, sewage treatment facility, septic tank, leach field, pond, swimming pool, driveway, junction box, catch basin or related facility within the limits of the right of way. Permittee shall not install utilities or man-made structures parallel to Gulf South's pipeline(s) within the right of way.
- Permittee shall not encroach the grade within the right of way. Permittee may add additional cover if it will hinder normal maintenance and Permittee receives Gulf South's prior approval.
- Permittee shall furnish Gulf South with an "as-built" plot of the Permitted Facilities to the extent said facilities cross Gulf South's right of way, said plot to be provided within thirty (30) days of completion of the installation of the Permitted Facilities.
- All crossings shall be made as near to a 90-degree angle as possible.
- To the fullest extent permitted by law, Permittee agrees to release, defend, indemnify, and hold Gulf South and its affiliated entities and the officers and employees of each of them collectively referred to hereinafter as "Innocenties") harmless from and against any liability, loss, cause of action, penalty, fine, cost (including, but not limited to, attorneys' fees, claim, or strict liability claim arising out of or in any way incident to the work or services performed by Permittee or its contractors or the employees of either, on account of personal injuries, death, damage to property, or damage to the environment, regardless of whether such harm is to Permittee, Innocenties, the employees or officers of either, or any other person or entity, and regardless of how such injury/damage/loss is caused (by Innocenties' negligence, the negligence of third parties, or otherwise), but excluding direct death/damage to the extent caused by the sole (100%) negligence of Innocenties. Permittee's duties under this paragraph shall survive the termination, revocation, or expiration of this Permit.
- The terms and conditions hereof shall be applicable to Permittee and to its successors and assigns.
- Each portion of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.
- To the extent that any portion of the foregoing terms and conditions conflict with any of the "Special Provisions" below, the terms and conditions of the "Special Provisions" shall control.

SPECIAL PROVISIONS:

- Permittee shall schedule a pre-construction meeting with Gulf South to discuss all aspects of the planned activities, pipeline marking schedule, and establish terms of communication.
- Permittee shall install its identification markers at the crossing boundaries of Gulf South's right of way limits. Permittee shall install its markers at the locations specified by Gulf South's on-site inspector.
- Permittee shall provide a complete circumferential exposure of Gulf South's pipeline if foreign lines or accessories cross under the pipeline by means of an open trench method of construction. Exposure of the

Page 103 1 Rev. 02-18-03 4/22/08 Page 112 2 Rev. 02-18-03 3/19/04

- Top of Gulf South's pipeline is required if the foreign structure crosses over Gulf South's pipeline and includes soil within twelve (12) inches of the pipe.
- Permittee shall provide support and protection for any Gulf South piping systems and shall properly backfill excavations or prevent settlement.
- If non conditions are part of wet, and raining could occur, marking shall be used on equipment crossings.
- The staging of construction equipment, machinery, vehicles, or materials to cross over Gulf South's pipeline at any time throughout the duration of construction.
- No travel up and down, or storage of equipment, machinery, vehicles, or materials are allowed in Gulf South's right of way.
- Gulf South's right of way is to be returned to the condition it was in prior to construction to better.
- For unusually bored crossings, Permittee shall install the Permitted Facility such that there is a minimum of three (3) feet clearance under Gulf South's pipeline(s). Elevation shall be maintained across the entire width of Gulf South's right of way. Drilling contractors to excavate observation windows on either side of the pipeline(s) to ensure proper distance of separation and avoidance of pipeline. Permittee shall submit its proposed drill path profile to Gulf South for review and approval prior to performing the work.
- For unusually drilled crossings, Permittee shall install the Permitted Facilities such that there is a minimum of ten (10) feet clearance under Gulf South's pipeline(s). Elevation shall extend across the entire width of Gulf South's right of way. Drilling contractors to excavate observation windows on either side of the pipeline(s) to ensure proper distance of separation and avoidance of pipeline. Permittee shall provide a magnetic surface or other monitoring system during all drilling operations. Permittee shall submit its proposed drill path profile to Gulf South for review and approval prior to performing the work.
- For unusually crossing, Permittee shall install the Permitted Facilities across the street below right of way easement at a depth that will allow a minimum of twenty-four (24) inches clearance below Gulf South's pipeline(s) and the Permitted Facility. Elevation shall be maintained across the entire width of Gulf South's right of way.
- Permittee shall maintain the current depth of cover of over the pipeline right of way.
- Permittee shall flag Gulf South's right of way of the crossing.

*Special Provisions Reviewed by Gulf South Engineering R/S 5/11/09 Initials Date

THE ABOVE TERMS AND CONDITIONS ARE HEREBY AGREED TO AND ACCEPTED THIS 10th DAY OF May, 2009.

CITY OF PETAL
Authorized Signature: [Signature]
Printed Name: Mayor
Title: Mayor

WITNESSES: (2)
Signature: [Signature]
Printed Name: Jean Khee
Signature: [Signature]
Printed Name: WILLIAM PERMAN

GULF SOUTH PIPELINE COMPANY, LP
By GS Pipeline Company, LLC,
General Partner
Authorized Signature: _____
Christie M. Simon cma 5-13-09
Printed Name
Vice President - Operations
Title

WITNESSES: (2)
Signature: _____
Printed Name: _____
Signature: _____
Printed Name: _____



GULF SOUTH PIPELINE COMPANY, LP ACKNOWLEDGMENT

Christie M. SIMON
Christie M. SIMON
I, Christe M. Simon, the undersigned notary public, duly commissioned and qualified to and for the parish and state of Mississippi, came and appeared before me at Gray Creek Road, which, having first being duly sworn, did say and declare to me that she is the person who executed the foregoing instrument as an attesting and executing witness thereto, and that the said name as Christie M. Simon, to be the identical person who executed the foregoing instrument as Vice President of Operations for Gulf Pipeline Company, LP, a Delaware limited liability company, general partner of Gulf South Pipeline Company, LP, a Delaware limited liability and her/his witness Christie M. Simon, sign this/their name as his voluntary act and deed, and for the purposes and consideration therein expressed in his/her presence (and in the presence of the other parties), and the other witness.

Signature of Approver: _____
Said to and subscribed before me at Gray Creek Road, on _____
Signature of Notary Public: _____
Date: _____

Witness
Christie M. Simon, Vice President of Operations, LP
111 Park Place, Suite 100
Covington, LA 70433
(985) 807-8100
Christina Burnett
154038
155
159-303
Melvina Latham
158271
156
158-47

ORDINANCE 1988 (73-P)
EXHIBIT "D"
AN ORDINANCE AMENDING ORDINANCE 1988(73-O)
TO PROVIDE FOR ADDITIONAL COMPENSATION FOR THE
BOARD OF ALDERMEN OF THE
CITY OF PETAL, MISSISSIPPI

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI:

SECTION I. Section 3 of Ordinance 1988(73-N) as passed and adopted on the 14TH day of August, 2006, be and the same is hereby amended to read as follows:

SECTION 3. **COMPENSATION OF ALDERMEN**

The Aldermen of the City of Petal, Mississippi shall be paid compensation for the performance of their official duties at the rate of \$10,000.00 annually.

SECTION II. All ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION III. Ordinance 1988 (73) and 1988 (73-O), except as amended herein, be and the same is hereby still in full force and effect.

SECTION IV. This Ordinance shall be in full force and effect immediately based on an emergency within the City of Petal and be in force upon adoption.

The above and foregoing ordinance amending Ordinance 1988 (73-O) having been reduced to writing, the same was introduced and read and a was taken thereon, first section by section and then upon the foregoing ordinance as a whole, with the following results:

Those present and voting "AYE" and in favor of the passage, adoption and approval of Sections, I, II, III and IV of the foregoing Ordinance:

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

Those present and voting "NAY" or against the passage, adoption and approval of Sections I, II, III, IV of the adoption of the foregoing Ordinance:

None

Those present and voting "AYE" and in favor of the adoption of the foregoing Ordinance as a whole:

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

Those present and voting "NAY" or against the adoption of the foregoing Ordinance as a whole:

None

WHEREUPON, the foregoing Ordinance be and the same is hereby passed, adopted and approved on this the 19th day of May, A.D., 2009.



/s/ CARL SCOTT
MAYOR

(SEAL)

ATTEST:

/s/ JEAN ISHEE
CITY CLERK

EXHIBIT "E"

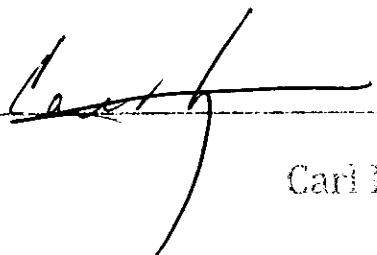
PROCLAMATION

WHEREAS, the Petal Fire Department has been working with the Muscular Dystrophy Association in their fight against neuromuscular disease; and,

WHEREAS, the Petal Fire Department has spent many hours collecting funds for MDA's "Fill the Boot" campaign; and,

WHEREAS, firefighters locally and nationally are the largest contributors to MDA, collecting millions of dollars to help fight the 43 neuromuscular diseases covered by the Muscular Dystrophy Association.

THEREFORE, I, Carl L. Scott, Mayor of the City of Petal and on behalf of the Petal Board of Aldermen, do hereby proclaim May 2009 as Petal Fire Appreciation Month for the City of Petal.



Carl L. Scott, Mayor

2009 marks 55 years of firefighter involvement in the fight against neuromuscular disease.