

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 DECEMBER 7, 2010 AT 6:00 P.M. IN THE BOARDROOM OF SAID CITY.

THOSE PRESENT	MAYOR HAL MARX
CITY ATTORNEY	TOM TYNER
ALDERMEN	DAVID CLAYTON TONY DUCKER WILLIE HINTON STEVE STRINGER
OTHERS	ADA MADISON ALLEN FLYNT AND MANY OTHERS

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

THE INVOCATION WAS OFFERED BY TOM TYNER.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, THE MAYOR PRESENTED THE AGENDA WITH THE FOLLOWING AMENDMENTS

GENERAL BUSINESS

20. REQUEST TO ADOPT NEW FEE SCHEDULE FOR THE CIVIC CENTER.

21. REQUEST TO ACCEPT AGREEMENT WITH WILLIAM SHARP FOR OPERATION OF R/C TRACK.

THEREUPON, ALDERMAN DUCKER MADE A MOTION TO ADOPT THE AGENDA AS AMENDED. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 16, 2010 AND THE SPECIAL MEETING OF NOVEMBER 23, 2010.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 16, 2010 AND THE SPECIAL MEETING OF NOVEMBER 23, 2010 AS WRITTEN. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX CALLED FOR PUBLIC COMMENT.

THERE WAS NONE.

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY SHOWS DEARMAN & WAITS INVOICE 16229 IN THE AMOUNT OF \$1881.00 FOR CENTRAL AVE DRAINAGE PROJECT.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY SHOWS DEARMAN & WAITS INVOICE 16229 IN THE AMOUNT OF \$1881.00 FOR CENTRAL AVE DRAINAGE PROJECT. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ADOPT AN AMENDMENT TO THE JORT AGREEMENT TO INCLUDE NEW DATES FOR USE OF CULTURAL CENTER.

EXHIBIT "A"

AGREEMENT

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ADOPT THE FOREGOING AMENDMENT TO THE JORT AGREEMENT TO INCLUDE NEW DATES FOR USE OF CULTURAL CENTER. ALDERMAN STRINGER SECONDED THE MOTION

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO BEGIN REVIEW OF AN AMENDMENT TO ORDINANCE 2006 (103) ADOPTING MORE RECENT BUILDING AND FIRE CODES.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO BEGIN REVIEW OF AN AMENDMENT TO ORDINANCE 2006 (103) ADOPTING MORE RECENT BUILDING AND FIRE CODES. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A MEMORANDUM OF COMMITMENT WITH SOUTHERN MS PLANNING AND DEVELOPMENT DISTRICT FOR SENIOR SERVICES.

EXHIBIT "B"

MEMORANDUM OF COMMITMENT

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE MEMORANDUM OF COMMITMENT WITH SOUTHERN MS PLANNING AND DEVELOPMENT DISTRICT FOR SENIOR SERVICES IN THE AMOUNT OF \$1500.00. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO GRANT A VARIANCE FOR 205 BAKER ST ALLOWING A TEMPORARY GRAVEL DRIVE ALONG THE CENTER OF THE PROPOSED ROADWAY.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO GRANT A VARIANCE FOR 205 BAKER ST ALLOWING A TEMPORARY GRAVEL DRIVE ALONG THE CENTER OF THE PROPOSED ROADWAY. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO GRANT A VARIANCE TO 205 BAKER ST ALLOWING A REAR SETBACK OF 18FT INSTEAD OF 25 FT.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO GRANT A VARIANCE TO 205 BAKER ST ALLOWING A REAR SETBACK OF 18FT INSTEAD OF 25 FT. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO SET A ZONING HEARING DATE FOR 65 CITY BARN LOOP.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO SET A ZONING HEARING DATE OF DECEMBER 28, 2010 AT 6:00 P.M. FOR 65 CITY BARN LOOP. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE RESIGNATION OF DEAN STEPHENS AS PART TIME OFFICER IN THE POLICE DEPT.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE RESIGNATION OF DEAN STEPHENS AS PART TIME OFFICER IN THE POLICE DEPT EFFECTIVE DECEMBER 1, 2010. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO ACCEPT THE RESIGNATION OF ERIC HARDING AS PART TIME POLICE OFFICER.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ACCEPT THE RESIGNATION OF ERIC HARDING AS PART TIME POLICE OFFICER EFFECTIVE DECEMBER 1, 2010. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO SEND ONE (1) FORD RANGER, VIN #1FTCR10X1NUC55875 AND ONE (1) JOHN DEERE TRACTOR, SN: 141866 TO MARTIN & MARTIN AUCTION.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE THE AUCTION OF ONE (1) FORD RANGER, VIN #1FTCR10X1NUC55875 AND ONE (1) JOHN DEERE TRACTOR, SN: 141866 THROUGH MARTIN & MARTIN AUCTIONS. ALDERMAN DUCKER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO REFUND ROBERT MCGILVARY CASH BOND IN THE AMOUNT OF \$3464.00 PURSUANT TO REQUEST OF JUDGE SMALLWOOD.

THEREUPON, ALDERMAN DUCKER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO REFUND THE CASH BOND TO ROBERT MCGILVARY IN THE AMOUNT OF \$3464.00. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY ESTIMATE #2 IN THE AMOUNT OF \$49,640.84 TO PRECISION CONSTRUCTION FOR CENTRAL AVE DRAINAGE PROJECT.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY ESTIMATE #2 IN THE AMOUNT OF \$49,640.84 TO PRECISION CONSTRUCTION FOR CENTRAL AVE DRAINAGE PROJECT. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY ESTIMATE #3 IN THE AMOUNT OF \$26,479.67 TO PRECISION CONSTRUCTION FOR CENTRAL AVE DRAINAGE PROJECT.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY ESTIMATE #3 IN THE AMOUNT OF \$26,479.67 TO PRECISION CONSTRUCTION FOR CENTRAL AVE DRAINAGE PROJECT. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR AN ADJUSTMENT TO WATER SERVICES BILLED AT 230 SMITHVILLE RD.

THEREUPON, ALDERMAN CLAYTON NOTED EVIDENCE OF A REPAIRED LEAK AND MADE A MOTION TO AUTHORIZE AN ADJUSTMENT IN THE AMOUNT OF \$93.00 FOR 230 SMITHVILLE RD. ALDERMAN DUCKER SECONDED THE MOTION

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY THE 2004 GO BOND INTEREST IN THE AMOUNT OF \$44,443.75 TO TRUSTMARK BANK.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY THE 2004 GO BOND INTEREST IN THE AMOUNT OF \$44,443.75 TO TRUSTMARK BANK. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO PAY THE 2006 WATER/SEWER BOND INTEREST IN THE AMOUNT OF \$174,007.11 TO HANCOCK BANK.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE CITY CLERK TO PAY THE 2006 WATER/SEWER BOND INTEREST IN THE AMOUNT OF \$174,007.11 TO HANCOCK BANK. ALDERMAN CLAYTON SECONDED THE MOTION

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST TO RENEW THE LIABILITY INSURANCE PLAN WITH MS MUNICIPAL LIABILITY FOR JAN – DEC 2011.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO RENEW THE LIABILITY INSURANCE PLAN WITH MS MUNICIPAL LIABILITY FOR JAN – DEC 2011. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING PROOFS OF PUBLICATION

AD FOR BIDS – GREENS CREEK BANK STABILIZATION

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE FOREGOING PROOF OF PUBLICATION FOR FILING. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE DOCKET OF CLAIMS FOR THE MONTH OF NOVEMBER 2010.

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO APPROVE CLAIM #117512 – 117875 FOR THE MONTH OF NOVEMBER 2010. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A NEW FEE SCHEDULE FOR THE CIVIC CENTER.

EXHIBIT "C"

CIVIC CENTER FEE SCHEDULE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE NEW FEE SCHEDULE FOR THE CIVIC CENTER. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED AN AGREEMENT WITH WILLIAM SHARP FOR OPERATION OF A R/C RACE CAR TRACK WITH A COUPLE OF ADDITIONS RECOMMENDED BY TOM HARDGES.

EXHIBIT "D"

AGREEMENT W/WILLIAM SHARP

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE AGREEMENT WITH WILLIAM SHARP WITH CHANGES SUGGESTED BY TOM HARDGES. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED A REQUEST FOR RICK VARNER TO ATTEND BASIC NARCOTICS INVESTIGATION AT RCTA IN MERIDIAN, MS ON DECEMBER 12 – 16, 2010.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE RICK VARNER TO ATTEND BASIC NARCOTICS INVESTIGATION AT RCTA IN MERIDIAN, MS ON DECEMBER 12 – 16, 2010 AT TO PAY EXPENSES. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR MARX PRESENTED THE FOLLOWING ORDER HIRING GRANT CROWDER AS PART TIME FIREFIGHTER.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF PETAL DEEM IT NECESSARY TO  
HIRE A PART TIME FIREFIGHTER

IT IS HEREBY ORDERED THAT GRANT CROWDER  
BE HIRED AS PART TIME FIREFIGHTER AT A  
RATE OF \$8.50 PER HOUR EFFECTIVE DECEMBER 8, 2010.

SO ORDERED THIS THE 7<sup>TH</sup> DAY OF DECEMBER 2010

THEREUPON, ALDERMAN CLAYTON MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER  
ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADJOURN THE REGULAR MEETING OF DECEMBER 7, 2010. ALDERMAN CLAYTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

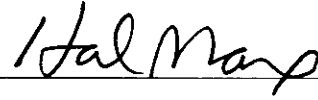
ALDERMAN DAVID CLAYTON  
ALDERMAN TONY DUCKER

ALDERMAN WILLIE HINTON  
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

NONE

THERE BEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR AND BOARD OF  
ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON DECEMBER 7, 2010



MAYOR HAL MARX

SEAL

ATTEST



**AGREEMENT BETWEEN EXHIBIT 'A' CITY OF PETAL AND JUST OVER  
THE RAINBOW THEATER (JORT)**

The City of Petal hereby agrees to give the Just Over the Rainbow Theater, Inc. (JORT) priority use of the auditorium and stage area of the Petal Cultural Arts Center for the 2010-2011 theater season.

Under the terms of this agreement, JORT will have priority use of the auditorium and stage for the following dates:

Monday, September 20, 2010 through Sunday, November 7, 2010.

Monday, January 24, 2011 through Sunday, March 13, 2011.

Saturday, May 14, 2011 through Friday, July 1, 2011.

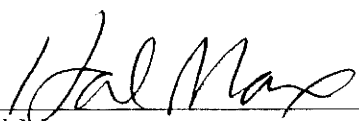
JORT will designate a representative to communicate with the director of the Cultural Arts Center. JORT will provide the director of the Cultural Arts Center a weekly schedule of board meetings, auditions, set building, rehearsals and performances in a timely manner. The Cultural Center Director will, in turn, notify JORT in a timely manner if the auditorium area has been requested by an outside group.

The City of Petal reserves the right to allow limited use of the auditorium during the above periods, provided it does not interfere with JORT's scheduled use.

In addition, JORT will have use of the storage facilities inside the Cultural Arts Center for furniture, props and costumes, with only designated persons on the JORT Board, designated directors, and authorized City of Petal personnel having access. Use of the storage facilities will be for the duration of the 2010-2011 theater season.

For priority use of the auditorium and stage areas of the Cultural Arts Center and storage of materials during the 2010-2011 season, JORT will pay rent to the City of Petal in the amount of \$400 per month, due on or about the first of each month, beginning August 1, 2010 and continuing through July 31, 2011.

This agreement shall be in effect from date of approval by the Mayor and Board of Aldermen of the City of Petal until July 31, 2011.

  
\_\_\_\_\_  
Hal Marx  
Mayor, City of Petal

\_\_\_\_\_  
Deborah Hardy  
President, JORT

**MEMORANDUM OF COMMITMENT**  
**EXHIBIT B**

Between the  
Southern Mississippi Planning and Development District  
Area Agency on Aging  
and the  
City of Petal

The Older American Act requires written permission of planned contribution for aging services. It is the purpose of this agreement to advise the Area Agency on Aging of the City of Petal's commitment of \$ 1500<sup>00</sup> for the purpose of accessing federal/state funds to provide services to the eligible elderly population of the City of Petal.

This Memorandum of Commitment is contingent upon the availability of funds.

CITY OF PETAL

SOUTHERN MISSISSIPPI PLANNING  
AND DEVELOPMENT DISTRICT

Hal Marx  
Authorized Official

Leslie Newcomb  
Leslie Newcomb, Executive Director

12/07/10  
Date

12-13-2010  
Date

**EXHIBIT "C"**

AGREEMENT BETWEEN THE CITY OF PETAL  
AND WILLIAM SHARP FOR OPERATION OF REMOTE-CONTROL  
RACE CAR TRACK

The CITY OF PETAL, MISSISSIPPI agrees to rent two (2) acres of land located along the Leaf River in what is known as the Riverfront Property to Mr. William Sharp for the purpose of operating a track for remote-control (RC) race cars.

For use of these two (2) contiguous acres of property, Mr. William Sharp will pay the City of Petal the amount of twenty-five dollars (\$25) per year, with the full amount due at the time this agreement is executed.

The City of Petal requires, and Mr. Sharp agrees to, the following conditions for the lease of this property:

1. Mr. Sharp will adhere to ALL city guidelines as it relates to building the race track.
2. All construction at the track will be performed by Mr. Sharp or his organization.
3. William Sharp will be the responsible party for all activities, programs, or events involving the use of the race track.
4. NO events, programs, or activities are to take place at/on the race track without the approval of the City of Petal Recreation Department.
5. Anytime the track is being used, the Race Track Organization will have a Port-a-John available, with no exception.
6. If Mr. Sharp or his organization is hosting an event/race and the participants are charged a fee of any type, the City of Petal will get thirty (30) percent of all fees and/or charges collected.
7. William Sharp will be responsible for area beautification in and around the track, to include, but not limit to: Mowing, weed-eating, picking up trash, and having the Port-a-John serviced weekly.
8. Mr. Sharp will provide a policy of premises liability insurance with limits of \$500,000.00, naming the City of Petal as an additional insured.

  
\_\_\_\_\_  
May