

Minutes of January 4, 2011
Mayor and Board of Aldermen

Be it remembered that two public hearings before the Mayor and Board of Aldermen, Long Beach, Mississippi, were begun and held, at 5:00 o'clock p.m., Tuesday, the 4th day of January, 2011, in the Long Beach City Hall, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed by order of the Mayor and Board of Aldermen for holding said public hearings.

There were present and in attendance on said board and at the public hearings the following named persons: Mayor William Skellie, Jr., Aldermen Leonard G. Carrubba, Sr., Gary J. Ponthieux, Bernie Parker, Kaye H. Couvillon, Ronnie Hammons, Jr., Mark E. Lishen, Carolyn J. Anderson, City Clerk Rebecca E. Schruoff, and James C. Simpson, Jr.

There being a quorum present sufficient to transact the business of these public hearings, the following proceedings were had and done.

The first public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach at 235 South Lang Avenue and assessed to Patricia Erwin Terrell, is in such a state of uncleanness as to constitute a menace to the public health and safety of the community, all in accordance with §21-19-11 of the Mississippi Code 1972, as amended.

The Mayor recognized the City Clerk for her report, whereupon, Alderman Anderson made motion seconded by Alderman Parker and unanimously carried to make the aforesaid report a part of the record of this public hearing, collective Exhibit "A", as follows:

- The Clerk reported that pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on December 7, 2010, that she did cause to be sent, via certified mail, return receipt requested, Legal Notice of Public Hearing, to Patricia Erwin Terrel at her mailing address, 19 Spencer Street, Apartment 318, Lebanon, NH, 03766-6304, the forwarding address provided by the United States Postal Service.
- The Clerk further reported that the United States Postal Service attempted to deliver the certified mail on December 13, 2010 and a notice was left; no further information is available from the postal service. Said legal notice is as follows:

Minutes of January 4, 2011
Mayor and Board of Aldermen

City of Long Beach

BOARD OF ALDERMEN
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kaye H. Couvillon - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

CITY ATTORNEY
James C. Simpson, Jr.

91 7108 2133 3938 0606 8293

MAILED
Date: 12/9/10

December 9, 2010

Name: Patricia Erwin Terrell
Address: 19 Spencer Street Apartment 318
City, State, Zip Code: Lebanon, NH 03766-6304

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting, December 7, 2010, hold a public hearing at 5:00 p.m. Tuesday, January 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Patricia Erwin Terrell and situated in the City of Long Beach, Mississippi, at 235 Lang Avenue, is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 235 Lang Avenue, Long Beach, Mississippi 39560
Parcel Number: 0512H-02-017.000
Legal Description: LOTS 17 & 18 LESS 10 FT OF LOT 18 BLK 6 HARBOR VIEW

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars(\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done.

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822
www.cityoflongbeachms.com

Minutes of January 4, 2011 Mayor and Board of Aldermen

An adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

The action herein authorized shall not be undertaken against any one (1) parcel of land more than six (6) times in any one (1) calendar year, and the expense of cleaning of said property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority that it is necessary to clean the property or land more than once within a calendar year, then the municipality may clean it provided notice to the property owner is given by United States mail to the last known address at least ten (10) days before cleaning the property. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. In the event the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned. In the event that the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes as provided by *Section 21-19-11 Mississippi Code, Annotated*.

All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 7th day of December, 2010.


Rebecca E. Schruiff
City Clerk

Minutes of January 4, 2011
Mayor and Board of Aldermen

City of Long Beach

BOARD OF ALDERMEN
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kaye H. Couvillon - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

CITY ATTORNEY
James C. Simpson, Jr.

NOTICE OF VIOLATION

September 15, 2010

91 7108 2133 3938 0606 5896

Patricia Erwin Terrell
19 Spencer Street Apartment 318
Lebanon, NH 03766-6304

Reference: 235 Lang Avenue; Long Beach, MS 39560
Tax Parcel Number(s) 0512H-02-017.000

Dear Mrs. Terrell:

After inspecting the above referenced property I find that you are in violation of the 2003 International Property Maintenance Code for the City of Long Beach, MS as listed below:

2003 International Property Maintenance Code, Chapter 3, Section 302.1: Sanitation. "All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition."

2003 International Property Maintenance Code, Chapter 3, Section 302.4: Weeds. "All premises and exterior property shall be maintained free from weeds or plant growth in excess. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

2003 International Property Maintenance Code, Chapter 3, Section 307.1: Accumulation of rubbish or garbage. "All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

The purpose of this letter is to request that you inspect or have inspected the above referenced property and voluntarily have such land cleaned, within fourteen (14) days from date above, in order to avoid cost and expenses and inconvenience to you incident to a public hearing and such further actions as may be determined upon such hearing.

Should you have any questions, you may contact my office at (228) 863-1554.

Sincerely,

Earl Levens
Building Code Official

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www.cityoflongbeachms.com

Minutes of January 4, 2011 Mayor and Board of Aldermen

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Search Results

Label/Receipt Number: 9171 0821 3339 3806 0682 93
Class: First-Class Mail®
Service(s): Return Receipt Electronic
Status: Notice Left

We attempted to deliver your item at 8:27 am on December 13, 2010 in LEBANON, NH 03766 and a notice was left. No further information is available for this item.

Detailed Results:

- Notice Left, December 13, 2010, 8:27 am, LEBANON, NH 03766
- Arrival at Unit, December 13, 2010, 8:08 am, LEBANON, NH 03766
- Electronic Shipping Info Received, December 09, 2010

Notification Options

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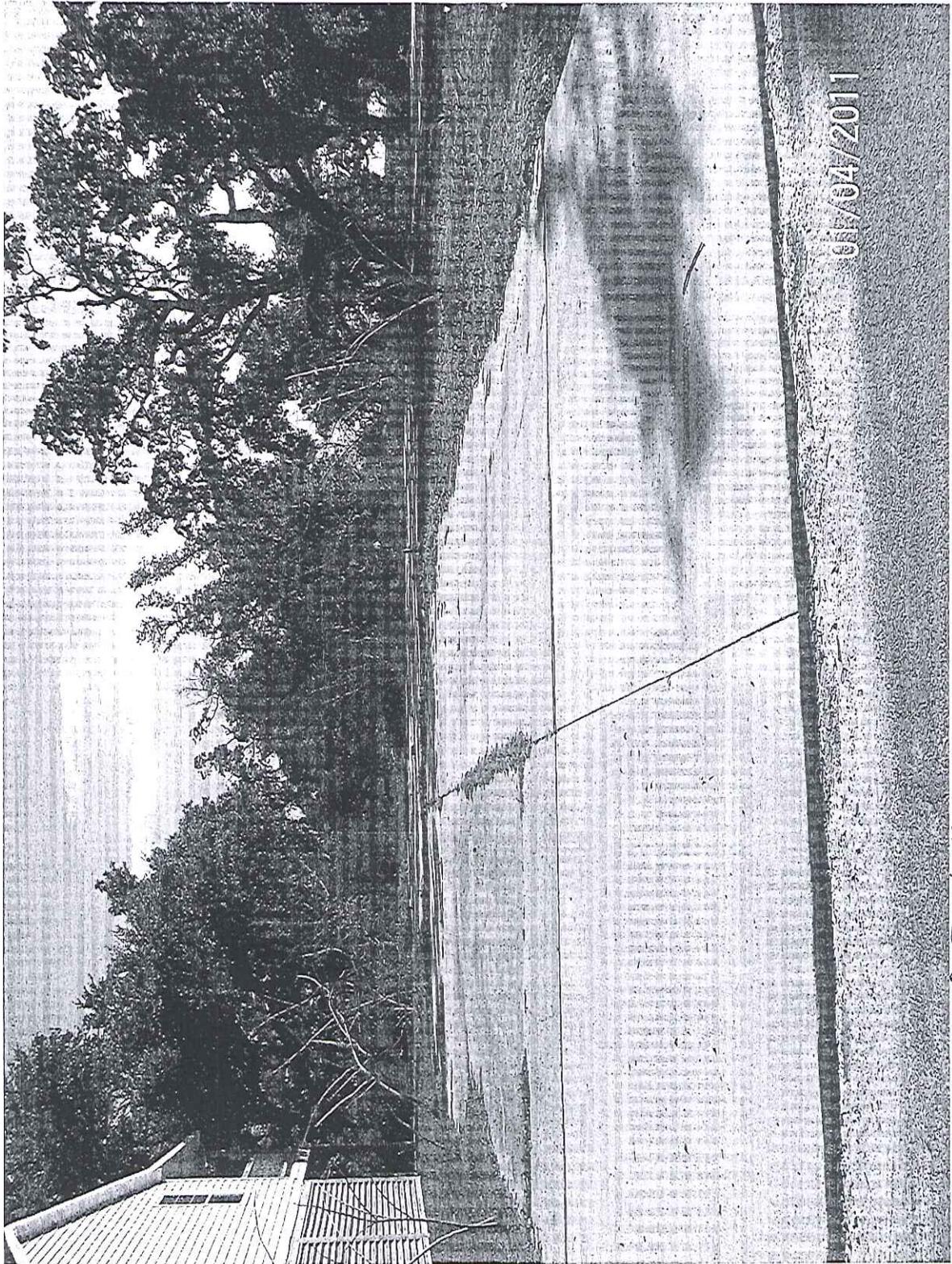
1/4/2011

- The Clerk reported that the legal notice of public hearing was posted at the Long Beach City Hall and on the subject property, 235 South Lang Avenue, Long Beach, Mississippi, by the Building Official as required by state law.
- The Clerk submitted photographs depicting the subject property taken on January 4, 2011, by Building Official Earl Levens, as follows:

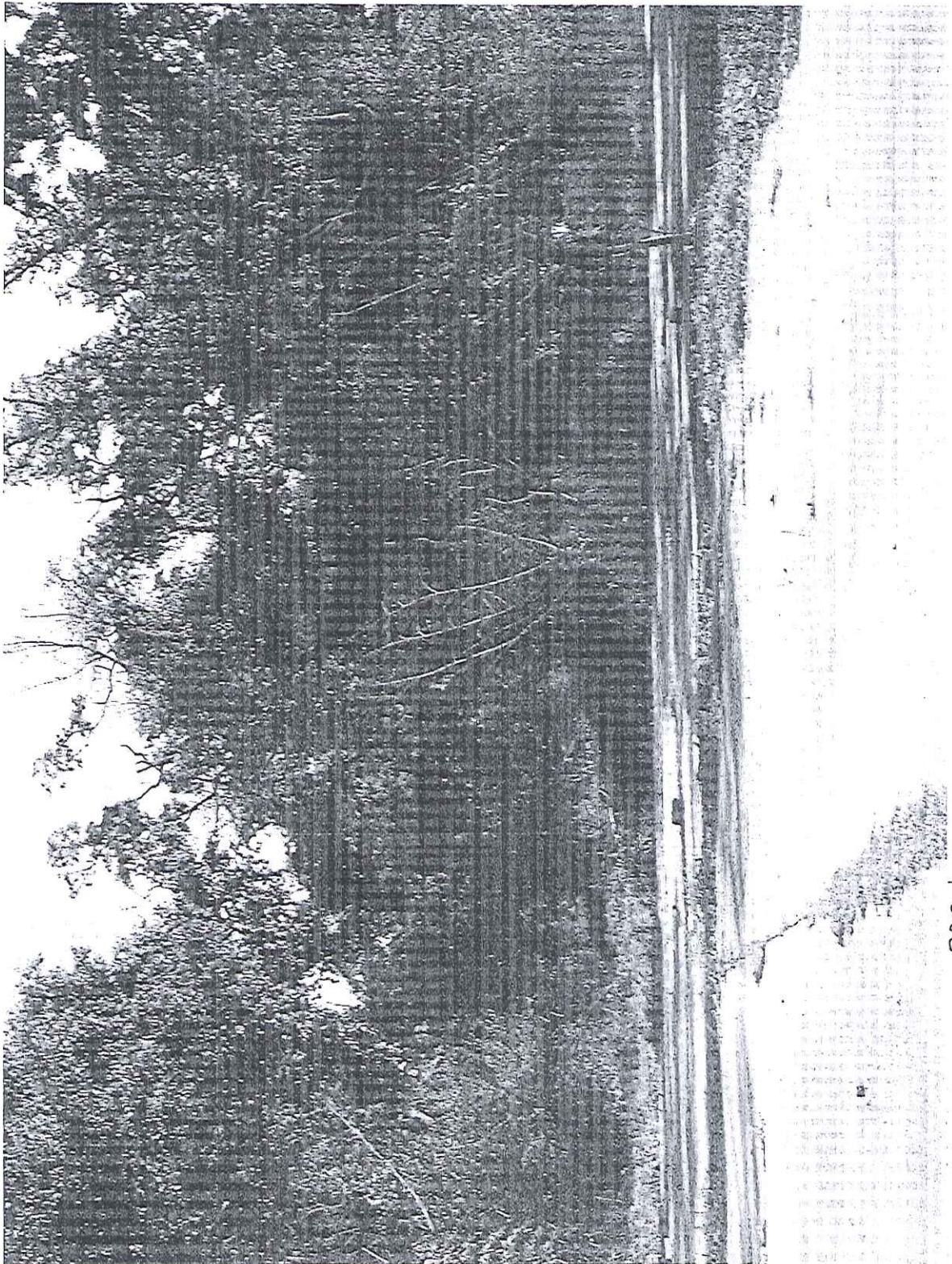
M.B. 70

PUBHEAR/REG:01.04.11

Minutes of January 4, 2011
Mayor and Board of Aldermen



Minutes of January 4, 2011
Mayor and Board of Aldermen



- The Clerk submitted a sworn affidavit affirming the posting of said Notice of Public Hearing and the validity of the photographs depicting the subject property, 235 South Lang Avenue, Long Beach, Mississippi as of January 4, 2011; said affidavit is as follows:

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Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared EARL LEVENS, known to me to be the Building Official of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

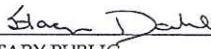
1. That he is the duly appointed and acting Building Official of the City of Long Beach, Mississippi;
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of photographs of those certain properties to determine the state of the property in its then condition on the date of such public hearings; and other matters pertaining to such public hearings and the business of the zoning/code enforcement in and for the City of Long Beach;
3. That on or before December 24, 2010, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Patricia Erwin Terrell, and located at 235 South Lange Avenue, Long Beach, Mississippi and at the City Hall, 645 Klondyke Road and 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on January 4, 2011, he did take and cause to be processed photographs depicting said property in its then condition, to be submitted as exhibits' at the public hearing scheduled for January 4, 2011.

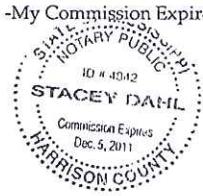
This the 4th day of January, 2011.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 16th day of November, 2010.

-My Commission Expires-


NOTARY PUBLIC



AFFIDAVIT- PHOTOS; POST NOTICE

The Mayor opened the floor for public comments from the property owner or her representative and no one came forward to be heard.

There being no further discussion or comments, Alderman Carrubba made motion seconded by Alderman Lishen and unanimously carried to close the public hearing and take formal action, as follows:

Upon review of the photographs and documents submitted during the course of the public hearing, Alderman Ponthieux made motion seconded by Alderman

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Couvillon and unanimously carried declaring that the property located at 235 South Lang Avenue and assessed to Patricia Erwin Terrell is in satisfactory condition according to city ordinances and property maintenance codes and no further action was required or taken at this time.

The second public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach and located at 449 Klondyke Road, assessed to Todd Smith, is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community, all in accordance with §21-19-11 of the Mississippi Code 1972, as amended.

The Mayor recognized the City Clerk for her report, whereupon, Alderman Carrubba made motion seconded by Alderman Anderson and unanimously carried to make the aforementioned report a part of the record of this public hearing, collective Exhibit "A", as follows:

- The Clerk reported that pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on December 7, 2010, that she did cause to be sent, via certified mail, return receipt requested, Legal Notice of Public Hearing to Todd Smith, 449 Klondyke Road, Long Beach, Mississippi, 39560, as the same appears of record on the Harrison County 2010 Real Property Tax Rolls.
- The Clerk further reported that the legal notice was returned undeliverable. Said notice is as follows:

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Mayor and Board of Aldermen

City of Long Beach

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Kaye H. Couvillon - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

91 7108 2133 3938 0606 8286

MAILED
Date: 12/9/10

December 9, 2010

Name: Todd Smith
Address: 449 Klondyke Road
City, State, Zip Code: Long Beach, MS 39560

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting, December 7, 2010, hold a public hearing at 5:00 p.m. Tuesday, January 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Todd Smith and situated in the City of Long Beach, Mississippi, at 449 Klondyke Road, is in such a state of uncleanliness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 449 Klondyke Road, Long Beach, Mississippi 39560
Parcel Number: 0611N-01-001.000
Legal Description: LOT 28 BLK 4 BETTER HOMES SUBD

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars(\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done.

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Minutes of January 4, 2011

Mayor and Board of Aldermen

An adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

The action herein authorized shall not be undertaken against any one (1) parcel of land more than six (6) times in any one (1) calendar year, and the expense of cleaning of said property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority that it is necessary to clean the property or land more than once within a calendar year, then the municipality may clean it provided notice to the property owner is given by United States mail to the last known address at least ten (10) days before cleaning the property. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. In the event the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned. In the event that the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes as provided by *Section 21-19-11 Mississippi Code, Annotated.*

All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 7th day of December, 2010.


Rebecca E. Schruoff
City Clerk

Minutes of January 4, 2011
Mayor and Board of Aldermen

City of Long Beach

BOARD OF ALDERMEN
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kaye H. Couvillon - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

October 7, 2010

91 7108 2133 3938 0606 7982

NOTICE OF NON COMPLIANCE WITH ZONING ORDINANCE

449 Klondyke Rd.
Long Beach, Ms. 39560

Reference: 449 Klondyke Rd. Long Beach, Ms. 39560
Parcel # 0611N-01-001.000

Dear Mr. Smith,

You are hereby notified that you are in violation of the following:
INTERNATIONAL PROPERTY MAINTENCE CODE: CHAPTER 3 :
SECTION, 302.1 & 302.4 (SEE ATTACHED)

After inspecting the above referenced property, it has been determined that you are in violation of overgrown grass and weeds. You have 14 days to bring this matter into compliance. You may call 228-863-1554, my cell 228-669-2318, or take this notice with you to the Permit Office, located at 645 Klondyke Road for directions and/or corrective measures..

Failure to comply with this notice constitutes a violation and is chargeable as a misdemeanor

By order of
City of Long Beach
Claire leatherwood
Ordinance Officer

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www.cityoflongbeachms.com

Minutes of January 4, 2011 Mayor and Board of Aldermen

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Search Results

Label/Receipt Number: 0171 0821 3339 3806 0882 86
Class: First-Class Mail®
Service(s): Return Receipt Electronic
Status: Delivered

Your item was delivered at 3:17 pm on December 21, 2010 in LONG BEACH, MS 39560.

Track & Confirm

Enter Label/Receipt Number.

Detailed Results:

- Delivered, December 21, 2010, 3:17 pm, LONG BEACH, MS 39560
- Notice Left, December 18, 2010, 8:33 am, LONG BEACH, MS 39560
- Arrival at Unit, December 18, 2010, 8:15 am, LONG BEACH, MS 39560
- Electronic Shipping Info Received, December 09, 2010

Notification Options

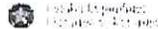
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Get current event information or updates for your item sent to you or others by email.

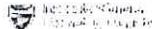
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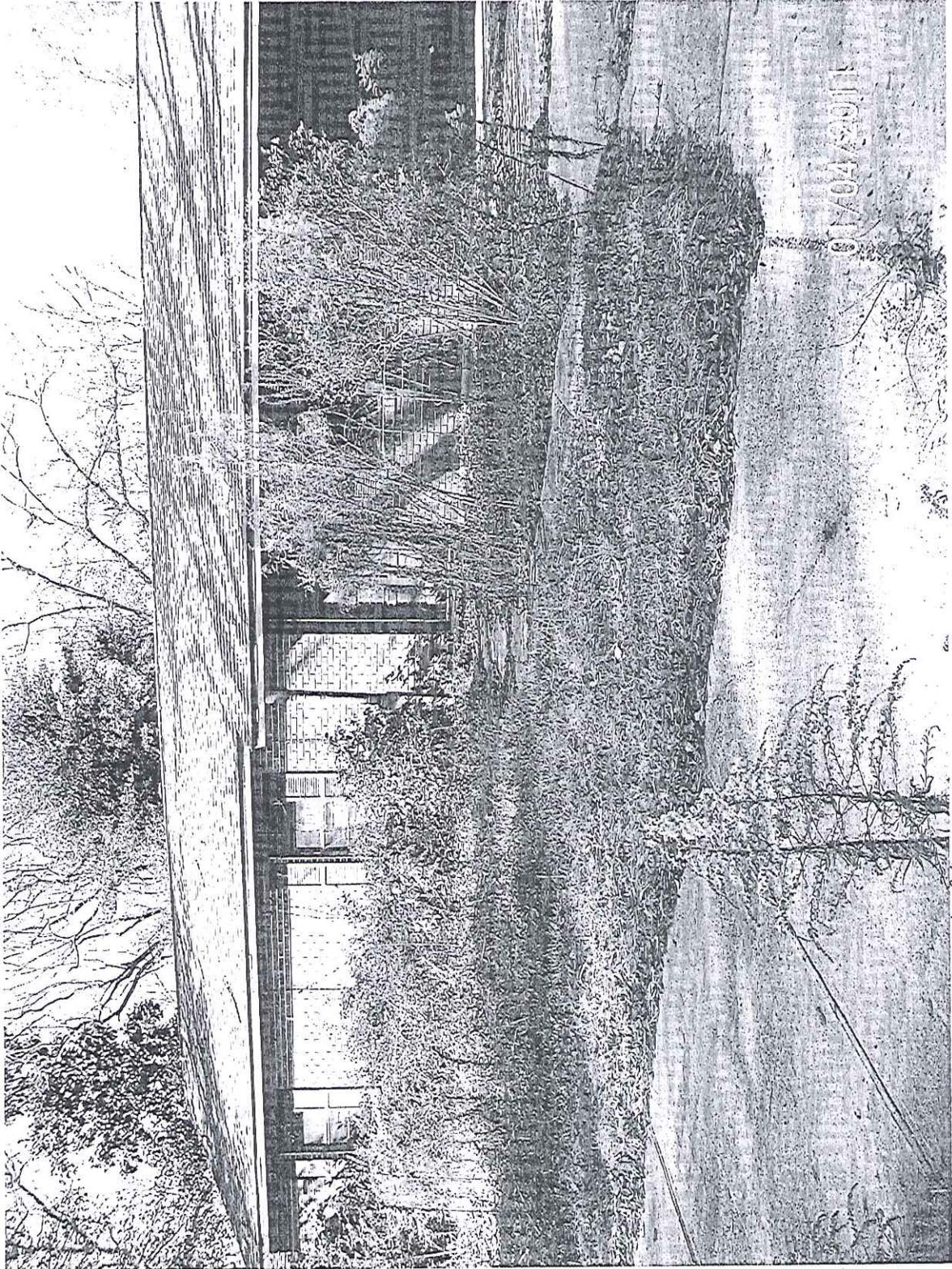
1/4/2011

Minutes of January 4, 2011
 Mayor and Board of Aldermen

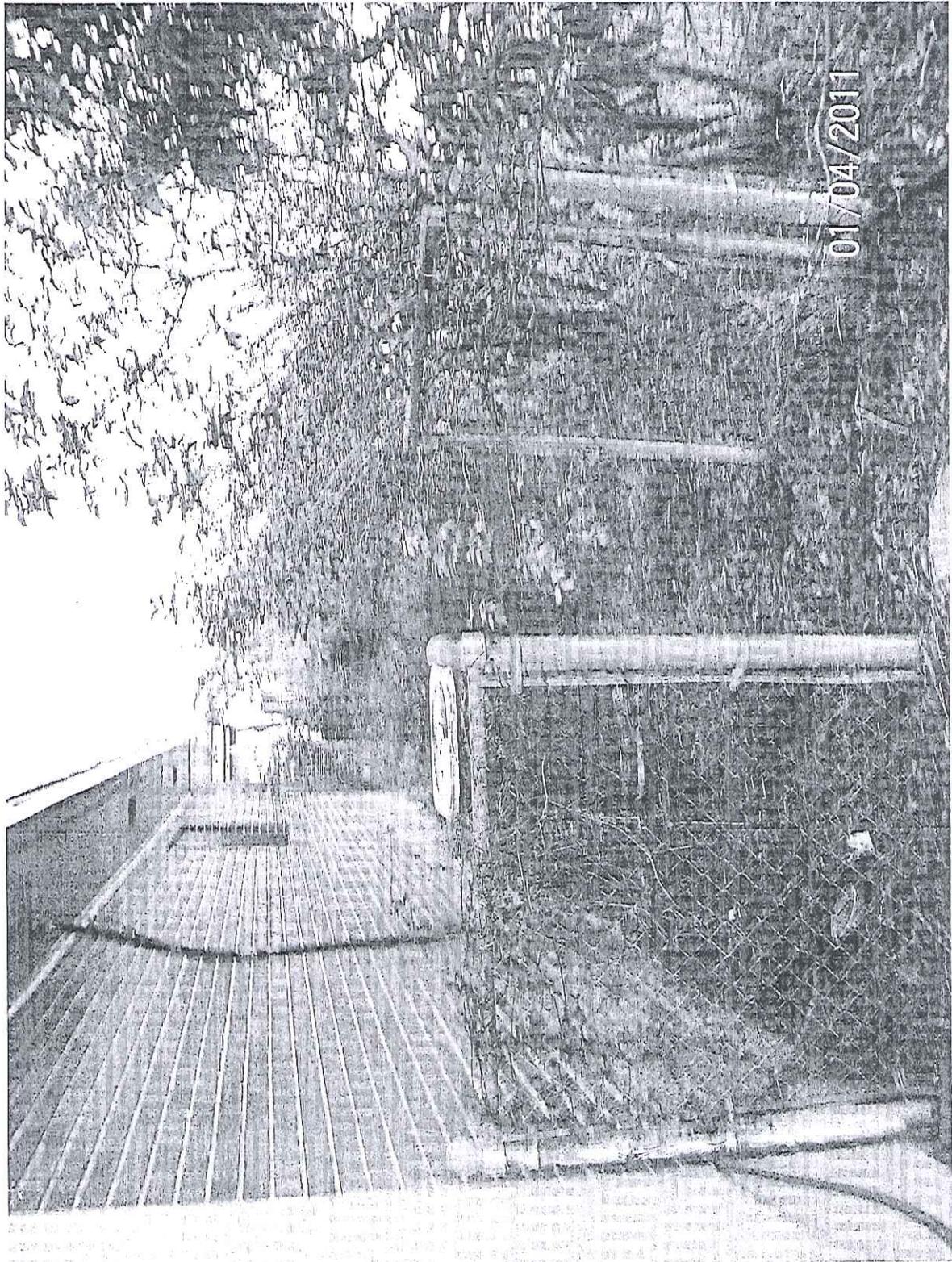


- The Clerk further reported that the Legal Notice of Public Hearing was posted on the subject property by Building Official Earl Levens as required by state law.
- The Clerk submitted photographs depicting the subject property taken on January 4, 2011, by Building Official Earl Levens, as follows:

Minutes of January 4, 2011
Mayor and Board of Aldermen



Minutes of January 4, 2011
Mayor and Board of Aldermen



- The Clerk submitted a sworn affidavit affirming the posting of said Notice of Public Hearing and the validity of the photographs depicting the subject property, 449 Klondyke Road, Long Beach, Mississippi, as of January 4, 2011; said affidavit is as follows:

Minutes of January 4, 2011
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared EARL LEVENS, known to me to be the Building Official of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That he is the duly appointed and acting Building Official of the City of Long Beach, Mississippi;

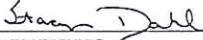
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of photographs of those certain properties to determine the state of the property in its then condition on the date of such public hearings; and other matters pertaining to such public hearings and the business of the zoning/code enforcement in and for the City of Long Beach;

3. That on or before December 24, 2010, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Todd Smith, and located at 449 Klondyke Road, Long Beach, Mississippi and at the City Hall, 645 Klondyke Road and 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on January 4, 2011, he did take and cause to be processed photographs depicting said property in its then condition, to be submitted as exhibits at the public hearing scheduled for January 4, 2011.

This the 4th day of January, 2011.


REBECCA E. SCHIRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 16th day of November, 2010.


NOTARY PUBLIC

-My Commission Expires-



AFFIDAVIT-PHOTOS;POST NOTICE

The Mayor opened the floor for public comments from the property owner or his representative and no one came forward to be heard.

There being no further discussion or comments, Alderman Anderson made motion seconded by Alderman Hammons and unanimously carried to close the public hearing and take official action, as follows:

Minutes of January 4, 2011 Mayor and Board of Aldermen

The Mayor and Board of Aldermen, Long Beach, Mississippi, took up the matter of the public hearing on the property located at 449 Klondyke Road, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Lishen offered and moved the adoption of the following Resolution and Order:

RESOLUTION AND ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI ADJUDICATING THE PROPERTY LOCATED AT 449 KLONDYKE ROAD, LONG BEACH, MISSISSIPPI, TO BE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY AND REQUIRING OWNER OF SUCH PROPERTY TO CLEAN SAID PROPERTY.

WHEREAS, the Mayor and Board of Aldermen having made due investigation therefore do now find, determine, declare and order as follows:

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 449 Klondyke Road, Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of December 7, 2010, on its own motion did set a hearing to determine whether or not the subject parcel, in its then condition, was in such a state of uncleanliness as to be a menace to the public health and safety of the community in accordance with Miss Code Annotated Section 21-19-11, as amended, said hearing to be held January 4, 2011, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section

Minutes of January 4, 2011
Mayor and Board of Aldermen

21-19-11;

2. That, having served the owner of said property, either by registered mail as is evidenced by the return receipt included in the materials produced at said hearing, or by personal service by police officer as evidenced by the return of service of such police officer, or my posting and publication of same, such service being in accordance with said MCA Section 21-19-11, and proof of same being spread upon the minutes of the Governing Authorities taken of such hearing, hereby made a part of the record of these proceedings;

3. That the Mayor and Board of Aldermen having considered testimony evidence adduced at hearing regarding the condition of the subject property and the observations of individual Aldermen concerning the condition of the subject property in its condition on the date of hearing, and being fully advised in the premises, do find and adjudicate that the property is, in its present condition, in such a state of uncleanliness as to be a menace to the public health and safety of the community and constitutes an attractive nuisance. It is therefore,

RESOLVED AND ORDERED BY THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 449 Klondyke Road, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0611N-01-001.000, and according to said tax records is owned by Todd Smith, is at present in such a state of uncleanliness as to be a menace to the public health and safety of the community and an attractive nuisance.

2. That the aforesaid owner is hereby order to clean said parcel of land within ten (10) days from the entry of this Resolution and Order, and that such cleaning

Minutes of January 4, 2011
Mayor and Board of Aldermen

shall include:

Removal of all discarded materials, dangerous items, and such other rubbish and/or debris as described in any notice or as appearing on said property contributing to the property constituting a nuisance and menace overall to the public health and safety, and abate or cause to be abated the conditions otherwise existing and constituting a menace to public safety and health as testified and/or described in general at the hearing, and as contained in the report letter of Claire Leatherwood, Zoning Enforcement Officer, dated October 7, 2010, and attached hereto.

3. That in the event that said owner shall fail to complete cleaning of the subject property within ten (10) days from entry of this Resolution and Order, then the governing authority shall proceed to clean the subject property as required by paragraph 2, above, by the use of municipal employees or by contract, with the cost of same, together with a penalty of \$1,500.00 or 50% of such actual cost, whichever is greater, to be, at the next regular meeting after completion of such clean-up, assessed against the said parcel of land.

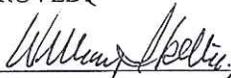
Alderman Anderson seconded the motion to adopt the foregoing resolution and order, and the question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kaye H. Couvillon	voted	Aye
Alderman Carolyn J. Anderson	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Aye

Minutes of January 4, 2011
Mayor and Board of Aldermen

The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this the 4th day of January, 2011.

APPROVED:



William Skellie, Jr., Mayor

ATTEST:



Rebecca E. Schruff, City Clerk

Minutes of January 4, 2011
Mayor and Board of Aldermen

City of Long Beach

BOARD OF ALDERMEN
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kaye H. Couvillon - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

October 7, 2010

91 7108 2133 3938 0606 7982

NOTICE OF NON COMPLIANCE WITH ZONING ORDINANCE

449 Klondyke Rd.
Long Beach, Ms. 39560

Reference: 449 Klondyke Rd. Long Beach, Ms. 39560
Parcel # 0611N-01-001.000

Dear Mr. Smith,

You are hereby notified that you are in violation of the following:
INTERNATIONAL PROPERTY MAINTENCE CODE: CHAPTER 3 :
SECTION, 302.1 & 302.4 (SEE ATTACHED)

After inspecting the above referenced property, it has been determined that you are in violation of overgrown grass and weeds. You have 14 days to bring this matter into compliance. You may call 228-863-1554, my cell 228-669-2318, or take this notice with you to the Permit Office, located at 645 Klondyke Road for directions and/or corrective measures..

Failure to comply with this notice constitutes a violation and is chargeable as a misdemeanor

By order of
City of Long Beach
Claire leatherwood
Ordinance Officer

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822
www.cityoflongbeachms.com

Be it remembered that a regular meeting of the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held at 5:00 o'clock p.m., Long Beach City Hall, 201 Jeff Davis Avenue, in said City, it being the first Tuesday in January, 2011, and the same being the time, date and place fixed by Laws of the State of Mississippi and ordinance of the City of Long Beach for holding said meeting.

There were present and in attendance on said board and at the meeting the following named persons: Mayor William Skellie, Jr., Aldermen Leonard G. Carrubba,

Minutes of January 4, 2011
Mayor and Board of Aldermen

Sr., Gary J. Ponthieux, Bernie Parker, Kaye H. Couvillon, Ronnie Hammons, Jr., Mark E. Lishen, Carolyn J. Anderson, City Clerk Rebecca E. Schruoff, and James C. Simpson, Jr.

There being a quorum present sufficient to transact the business of the City, the following proceedings were had and done.

The meeting was called to order and there were no bids, presentations or proclamations.

The Mayor announced that the Long Beach High School Cheerleaders ranked 5A in state competition.

There were no amendments or public comments regarding the Municipal Docket.

Alderman Anderson made motion seconded by Alderman Hammons and unanimously carried to approve the regular meeting minutes of the Mayor and Board of Aldermen dated December 21, 2010, as submitted.

Alderman Hammons made motion seconded by Alderman Parker and unanimously carried to approve payment of invoices as listed in Docket of Claims numbers 010411 and 010411B, inclusive of Application for Payment Number 12B, ReflecTech, Inc., in the amount of \$55,333.00, HMGP Fire Station Number 2 Project.

Based upon the recommendation of Mayor William Skellie, Jr., and certification by the Civil Service Commission, Alderman Parker made motion seconded by Alderman Ponthieux and unanimously carried to hire William F. Angley, Harbor Master, H-15-VII, effective January 20, 2011, with a one (1) year probationary period.

Mr. Angley came forward to answer questions and participate in discussion. After considerable deliberation, it was noted for the record that, according to Civil Service Rules and Regulations, the Harbor Master is a municipal employee and as such, falls under the supervision of the Mayor.

Minutes of January 4, 2011
Mayor and Board of Aldermen

Alderman Ponthieux made motion seconded by Alderman Anderson and unanimously carried to extend the Proclamation of Civil Emergency, Hurricane Katrina, to protect and preserve the public health and safety of the community.

It was noted for the record that the Proclamation of Local Emergency, BP Deepwater Horizon Oil Spill is discontinued and the Clerk was directed to remove said item from the agenda.

Alderman Anderson made motion seconded by Alderman Parker and unanimously carried to approve CDBG three (3) Requests for Cash and payment of eight (8) invoices, as follows:

Minutes of January 4, 2011
Mayor and Board of Aldermen

MEMO

DATE: December 30, 2010
TO: Honorable William Skellie, Jr.
City of Long Beach
FROM: Ann Frazier
Jimmy G. Gouras Urban Planning
City of Long Beach
RE: Community Revitalization Grant
CDBG Project #R-109-235-02-KCR
Municipal Complex Project
Request for Cash and Summary Support Sheet

Enclosed please find the following invoices for the above referenced project:

1. Starks
Invoice number 21 in the amount of \$380,578.57
For Construction expense
CDBG \$346,650.40 Ins. \$3,860.60 FEMA \$30,067.57
2. JBHM
Invoice number 28 in the amount of \$1,909.03
For Architect/Engineering expense
3. JBHM
Invoice number 29 in the amount of \$3,181.71
For Architect/Engineering expense
4. JBHM
Invoice number 30 in the amount of \$3,181.71
For Architect/Engineering expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 34" in the amount of \$354,922.85 for payment of the above invoices.

Please have the above invoices and Request for Cash and the supporting documentation placed on your next agenda for approval. After its approval, the appropriate official should sign the "Request for Cash and Cash Summary Support Sheet No. 34" and return it along with the supporting documentation for processing to our office at the following address:

JIMMY G. GOURAS

URBAN PLANNING CONSULTANTS, INC.

1100 CHERRY ST. • VICKSBURG, MS 39183 • 601-638-7121 • FAX 601-638-5292 • Email: jggouras@bellsouth.net

Minutes of January 4, 2011
Mayor and Board of Aldermen

MEMO

DATE: December 30, 2010
TO: Honorable William Skellie, Jr.
City of Long Beach
FROM: Ann Frazier
Jimmy G. Gouras Urban Planning
RE: City of Long Beach
CDBG Project #R-109-235-04-KCR
Fire Station
Request for Cash and Summary Support Sheet

Enclosed please find the following invoices for the above referenced project:

1. Reflectech
Invoice number 12 in the amount of \$68,490.25
For Fire Protection expense
Ins. \$4,595.57 FEMA \$11,791.36 CDBG \$52,103.32
2. JBHM
Invoice number 21 in the amount of \$733.00
For Architect/Engineering expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 28" in the amount of \$52,836.32 for payment of the above invoices.

Please have the above invoices and Request for Cash and the supporting documentation placed on your next agenda for approval. After its approval, the appropriate official should sign the "Request for Cash and Cash Summary Support Sheet No. 28" and return it along with the supporting documentation for processing to our office at the following address:

Debra Tompkins
Jimmy Gouras Urban Planning
1100 Cherry Street
Vicksburg, MS 39183

If you have any questions, please do not hesitate to call me or Debra Tompkins at (601)638-7121.

REMINDER

From the date of deposit into your account you have only three (3) working days to distribute funds to avoid penalties from MDA.

JIMMY G. GOURAS

URBAN PLANNING CONSULTANTS, INC.

1100 CHERRY ST. • VICKSBURG, MS 39183 • 601-638-7121 • FAX 601-638-5292 • Email: jggouras@bellsouth.net

Minutes of January 4, 2011
Mayor and Board of Aldermen

MEMO

DATE: December 30, 2010
TO: Honorable William Skellie, Jr.
City of Long Beach
FROM: Ann Frazier
Jimmy G. Gouras Urban Planning
RE: City of Long Beach
Community Revitalization Grant
CDBG Project #R-109-235-03-KCR
Town Green
Request for Cash and Summary Support Sheet

Enclosed please find the following invoices for the above referenced project:

1. AFC
Invoice number 7 in the amount of \$42,588.43
For Town Green Construction expense
2. JBHM
Invoice number 18 in the amount of \$1,301.35
For Special Consultants expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 20" in the amount of \$43,889.78 for payment of the above invoices.

Please have the above invoices and Request for Cash and the supporting documentation placed on your next agenda for approval. After its approval, the appropriate official should sign the "Request for Cash and Cash Summary Support Sheet No. 20" and return it along with the supporting documentation for processing to our office at the following address:

Debra Tompkins
Jimmy Gouras Urban Planning
100 Cherry Street
Vicksburg, MS 39183

If you have any questions, please do not hesitate to call me or Debra Tompkins at (601)638-7121.

JIMMY G. GOURAS

URBAN PLANNING CONSULTANTS, INC.

1100 CHERRY ST. • VICKSBURG, MS 39183 • 601-638-7121 • FAX 601-638-5292 • Email: jggouras@bellsouth.net

Alderman Carrubba made motion seconded by Alderman Anderson and unanimously carried to approve the Police Department Unmarked Vehicle List, as follows:

Minutes of January 4, 2011
Mayor and Board of Aldermen

UNMARKED VEHICLES

Veh #	Year	Make	Model	Color	VIN #	Tag	Exp.
01	2010	Ford	F150	Silver	1FTFW1EV3AFC44551	Pending	Pending
02	2003	Ford	Crown Vic	Dark Blue	2FAFP71W43X139562	HAD 250	Oct 2010
03	2010	Ford	F150	Gray	1FTFW1EV5AFC45135	Pending	Pending
04	2008	Ford	Expedition	Tan	1FMFK15508LA40017	HCH 798	Oct 2010
05	2010	Ford	Crown Vic	Silver	2FABP7BV1AX123272	GRA 278	Apr 2011
08	2005	Nissan	Titan	Gray	1N6AA07B05N529416	Pending	Pending
09	2003	Ford	Crown Vic	Silver	2FAFP71W23X139561	HCF 847	Dec 2010
24	2001	Chevy	Impala	White	2G1WF55K519286444	HAC 646	Oct 2010
25	2008	Dodge	Durango	Gray	1D8HD48208F135168	KAC 779	May 2010
27	2000	Chevy	Impala	Blue	2G1WF52K7Y9297153	HAC 615	Oct 2010
35	2000	Ford	Expedition	Black	1FMRU1562YLA76498	HCH 871	Dec 2011
45	1999	Ford	Taurus	White	1FAFP52U7XG227454	HAC 605	Oct 2010
46	2002	Ford	Expedition	Black/White	1FMPU16LX2LA95979	HAC 623	Oct 2010
75	2003	Ford	Crown Vic	Red	2FAHP71W63X215422	KAC 317	May 2010
78	2004	Ford	Expedition	Silver	1FMPU15L34LB58893	HBH 146	May 2010

Updated: 3 December 2010

Minutes of January 4, 2011
Mayor and Board of Aldermen

UNMARKED VEHICLES

Veh #	Year	Make	Model	Color	VIN #	Tag	Exp.
80	2005	Ford	Crown Vic	Tan	2FAFP71W05X104598	HCH 859	Dec 2011
82	2005	Ford	Taurus	Black	1FAFP53U95A297486	HBG 805	May 2010
83	2005	Ford	Taurus	Gray	1FAFP53U85A295261	HBG 828	May 2010
84	1998	Chevy	Silverado	Maroon	2GCEC19M9W1224941		

Alderman Anderson made motion seconded by Alderman Ponthieux and unanimously carried to accept the quote submitted by Lanier (Ricoh), authorizing the lease for a copier/scanner/fax machine in the Water Department. Said quote is as follows:

Updated: 3 December 2010

Minutes of January 4, 2011
Mayor and Board of Aldermen

December 15, 2010

Quote
For
Utility Partners

Lanier LD528 SP

28 Copies/Prints per Minute B&W
50 Sheet Reverse Auto Document Feeder
Paper Capacity: Two Drawers at 500 Sheets each
Sizes - Statement to Ledger
100 Sheet Bypass Tray
Duplexing, Electronic Sorting
Cabinet Stand
40 GB Hard Drive
Scan to Folder
33.6 Fax modem
Fax from PC

36 Lease \$170.86 (Includes Service Agreement)

Guaranteed Maintenance Agreement Includes: All Parts, Labor, TONER, and Training & Installation. GMA includes a Black and White per copy charge of .0127 in excess of 0 COPIES PER QUARTER.

*Above quotes do not include tax.

Michael Gremlion
Sales Manager
(504) 455-7700

There came on for consideration various derelict properties, whereupon, official action was taken, as follows:

Minutes of January 4, 2011

Mayor and Board of Aldermen

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 601 Klondyke Road, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced thereat and, after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Parker offered and moved the adoption of the following Resolution and Order:

RESOLUTION AND ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI ORDERING AND SETTING A HEARING TO DETERMINE WHETHER THE PROPERTY LOCATED AT 601 KLONDYKE ROAD ,LONG BEACH, MISSISSIPPI, IS IN SUCH A STATE AS TO BE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY SAME CONSTITUTES A PUBLIC HAZARD AND NUISANCE AND SHOULD BE DEMOLISHED, AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Board of Aldermen having made due investigation therefore do now find, determine, declare and order as follows:

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 601 Klondyke Road, Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of January 4, 2011, does consider the premises and structure located on the property located at to possibly be in a state of uncleanness as to be a menace to the public health and safety a public hazard and nuisance to the community;

2. Therefore, in accordance with Miss Code Annotated Section 21-19-20, as amended, a hearing is hereby scheduled to occur on Tuesday, March 1, 2011, at 5:00 o'clock p.m., Long Beach City Hall, 201 Jeff Davis Avenue, such date being not less than thirty (30) nor more than sixty (60) days after service or completion of publication of the notice to the property owner by United States mail, or if the property owner or the owner's address is unknown, by publication of the notice made twice each week during two (2) successive weeks in a public newspaper of the county in which the municipality is located, again as required by law to determine and adjudicate whether such property is in a state of uncleanness as to be a menace to the public health and safety a public hazard and nuisance to the community and should be demolished;

Minutes of January 4, 2011
Mayor and Board of Aldermen

3. The Mayor and Clerk are hereby directed to provide Notice of such hearing to the property owner, Richard Wayne Goss, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-20;

4. That, proof of service by mail or by publication of same, such service being in accordance with said MCA Section 21-19-20, be spread upon the minutes of the Governing Authorities at such hearing, and made a part of the record of those proceedings.

So Resolved and Ordered by the Mayor and Board of Aldermen of the City of Long Beach, Mississippi.

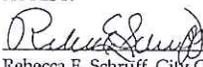
Alderman Anderson seconded the motion to adopt the foregoing resolution and order, and the question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kaye H. Couvillon	voted	Aye
Alderman Carolyn J. Anderson	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Aye

The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this 4th day of January, 2011.

APPROVED:

William Skellie, Jr., Mayor

ATTEST:

Rebecca E. Schrüff, City Clerk

* * * * *

Upon further discussion of derelict properties, the Mayor and Board of Aldermen directed Building Official Earl Levens to meet with Chuck Ryan Used Cars to determine his plans for the removal of his office trailer and plans for construction.

* * * * *

There came on for consideration the position of Economic Development Director and after considerable discussion, Alderman Ponthieux made motion seconded by

Minutes of January 4, 2011
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Alderman Hammons to appoint Mr. Bill Hessel to the position, based upon his qualifications and years of experience.

Upon further discussion, Alderman Anderson offered substitute motion seconded by Alderman Parker and unanimously carried to schedule Economic Development Director interviews for the two final applicants, Monday, January 10, 2011, Long Beach City Hall, 201 Jeff Davis Avenue, commencing at 6:00 p.m., at thirty minute intervals.

There came on for discussion drainage projects and after a discussion of the subject, the Mayor and Board of Aldermen directed the City Attorney to prepare the necessary documents for a drainage bond issue for consideration at the next regular meeting, January 18, 2011.

There came on for consideration insurance premiums and renewal of insurance policies; the Mayor recognized Mr. Tom Sawyer and Mr. Calvin Foster, Sawyer-Foster Insurance Group, agents of record for the city to answer questions and provide additional information.

After considerable discussion, Alderman Ponthieux made motion seconded by Alderman Anderson and unanimously carried to decline the Public Entity Pollution Liability coverage and approve revised premium Option II, as follows:

Minutes of January 4, 2011
Mayor and Board of Aldermen

Insurance & Risk Management Proposal

THIS PROPOSAL PROVIDES ONLY AN OUTLINE OF COVERAGES. THE POLICY SHOULD BE REFERRED TO FOR FULL TERMS AND CONDITIONS INCLUDING ALL COVERAGES AND EXCLUSIONS.

Named Insured: City of Long Beach

Type of Coverage: Liability Package

Carrier: Mississippi Municipal Service Company (Not Rated)

Policy Term: 01-01-2011 to 12-31-2011

Type of Coverage: General Liability

Limits/Deductibles: \$ 500,000 Per Occurrence - State Tort Act
\$1,000,000 Non - State Tort Act
\$ -0- Deductible

Type of Coverage: Automobile Liability

Limits/Deductibles: \$ 500,000 State Tort Act
\$1,000,000 Non - State Tort Act
\$ -0- Deductible

Comments: Uninsured motorist rate is only item based on number of units -Present number of units is 136 - Please review schedule for accuracy and inform us of any changes.

Type of Coverage: Law Enforcement Liability

Limits/Deductibles: \$ 500,000 State Tort Act
\$1,000,000 Federal Statutory or Constitutional Law Violation
\$ -0- Deductible

Type of Coverage: Public Officials

Limits/Deductibles: \$ 500,000 Per Occurrence - State Tort Act
\$1,000,000 Non - State Tort Act
\$ -0- Deductible

Comments: Employment Related Practices coverage included.

Terms & Conditions: Coverage provided per terms and conditions of the Mississippi Municipal Insurance Plan

Premium: \$95,000.00

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Mayor and Board of Aldermen

Insurance & Risk Management Proposal

THIS PROPOSAL PROVIDES ONLY AN OUTLINE OF COVERAGES. THE POLICY SHOULD BE REFERRED TO FOR FULL TERMS AND CONDITIONS INCLUDING ALL COVERAGES AND EXCLUSIONS.

Named Insured: City of Long Beach

Type of Coverage: Auto Physical Damage

Carrier: National Liability & Fire (A M Best Rated A++XV)

Policy Term: 01-01-2011 to 12-31-2011

Deductibles: Stated Amount
\$1,000 value less than \$20,000 Deductible / Comprehensive and Collision
\$2,500 value more than \$20,000

Terms & Conditions: • Schedule and values listed per attached document

Comments:

- A list of vehicles insured for physical damage is enclosed. Please review for accuracy, changes, etc.
- Vehicles to be insured for physical damage must be reported immediately to Sawyer Foster in order to secure coverage.
- Recommend the City review schedule and delete older units. Key in on units that are older, have higher mileage, and are low in value.
- Recommend that city review value of each vehicle and adjust according to Actual Cash Value

Premium: \$ 68,953

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Mayor and Board of Aldermen

Insurance & Risk Management Proposal

THIS PROPOSAL PROVIDES ONLY AN OUTLINE OF COVERAGES. THE POLICY SHOULD BE REFERRED TO FOR FULL TERMS AND CONDITIONS INCLUDING ALL COVERAGES AND EXCLUSIONS.

Property Proposal

Option 2

Named Insured: City of Long Beach

Type of Coverage: Real & Personal Property
All Risks excluding Flood & Earthquake

Carrier: Aspen Specialty Insurance Company (AM Best Rating A XV)
Arch Specialty Insurance Company (AM Best Rating A XV)

Policy Term: 12-31-2010 to 12-31-2011

Limits: \$20,223,700 Total Insured Value

Deductibles: \$5,000 Per Occurrence except
\$1,000,000 Wind/hail

Premium: \$ 147,235.01 All taxes & fees included
\$ 35,388.00 Wind Deductible Buy Down *
\$ 182,623.01 Total Cost Option 2

Other: Terrorism excluded

Ordinance or Law is included at no extra cost this year

Limits:
"A, B & C" combined limit \$500,000

*Wind Deductible buy Down decreases wind/hail deductible to \$20,000 per occurrence (see Exhibit A)

Subject to:

- Favorable inspection, loss control survey and compliance with mandatory recommendations.
- Premium is due within 30 days of binding (inception date)
- Minimum earned premium of 35% will apply, except fully earned in all Tier 1 counties when coverage exists between June 1 and November 1
- Limits are scheduled and not blanket to the policy

Note:

Option 1 – Cost: \$163,096.57

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Mayor and Board of Aldermen

Insurance & Risk Management Proposal

THIS PROPOSAL PROVIDES ONLY AN OUTLINE OF COVERAGES. THE POLICY SHOULD BE REFERRED TO FOR FULL TERMS AND CONDITIONS INCLUDING ALL COVERAGES AND EXCLUSIONS.

Named Insured: City of Long Beach

Type of Coverage: Equipment

Carrier: QBE Specialty Insurance Company (A M Best Rated A X)

Policy Term: 01-01-2011 to 01-01-2012

Insured Location: City of Long Beach

Limits \$1,280,824 Scheduled Equipment
\$125,000 Unscheduled EDP Equipment
\$100,000 Miscellaneous Unscheduled Equipment
(\$2,500 Max Value per item of unscheduled equipment)

Deductibles: 3% Of limit subject to minimum of \$10,000 per occurrence for
Wind and Flood

Terms & Conditions: \$2,500 Per occurrence for all other perils
• Coverage is ACV
• 80% Coinsurance clause

Comments: ➤ A schedule of insured equipment is enclosed. Please review for
accuracy and any deletions or changes.

Premium: ➤ \$19,403.01
TRIA excluded

Minutes of January 4, 2011
Mayor and Board of Aldermen

	RENEWAL PREMIUM OPTION I	RENEWAL PREMIUM OPTION II	REVISED PREMIUM OPTION I	REVISED PREMIUM OPTION II	EXPIRING PREMIUM
General Liability	\$ 95,000 .00	\$ 95,000 .00	\$ 95,000 .00	\$ 95,000 .00	\$ 101,000.00
Automobile Liability	Included	Included	Included	Included	Included
Law Enforcement Liability	Included	Included	Included	Included	Included
Public Officials Liability	Included	Included	Included	Included	Included
Auto Physical Damage 2011 TIV \$2,197,760 2010 TIV \$1,971,005	\$ 68,953.00	\$ 68,953.00	\$ 68,953.00	\$ 68,953.00	\$ 59,919.00
Property 2011 TIV \$20,223,700 2010 TIV \$13,581,257	\$ 154,253.13	\$ 163,096.57	\$152,253.58	\$ 147,235.01	\$ 116,013.50
Wind Deductible Buy Down	N/A	\$ 43,875.00	N/A	\$ 35,388.00	N/A
Equipment 2011 TIV \$1,280,824 2010 TIV \$873,912	\$ 19,403.01	\$ 19,403.01	\$ 19,403.01	\$ 19,403.01	\$ 15,622.91
Pollution Liability	\$ 10,425.00	\$ 10,425.00	\$ 10,425.00	\$ 10,425.00	N/A
TOTAL	\$ 348,034.14	\$ 380,984.14	\$ 345,034.59	\$ 361,953.42	\$ 292,555.41

Citing a possible conflict of interest, Alderman Hammons recused himself from the public meeting.

*

*

Friendly annexation of the Industrial Park was taken under advisement for further consideration at the next regular meeting, January 18, 2011.

*

*

Minutes of January 4, 2011 Mayor and Board of Aldermen

ORDINANCE NO. 583

AN ORDINANCE TO ENLARGE, EXTEND AND DEFINE THE CORPORATE LIMITS AND BOUNDARIES OF THE CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, AND TO DESCRIBE PROPOSED IMPROVEMENTS AND SERVICES FOR THIS ANNEXATION AREA

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN (herein the Governing Authority OF THE CITY OF LONG BEACH, in the First Judicial District of Harrison County, Mississippi, as follows:

SECTION 1. WHEREAS, Brian K. Hammons and Ronald E. Hammons, Jr., by virtue of Warranty Deed recorded as Instrument number 2006-0003045-D-J1 in the Land Deed Records of the First Judicial District of Harrison County, Mississippi, are vested with ownership, right to possession and title to certain real property adjoining the present western boundary line of the City of Long Beach, which parcel constitutes the property hereby sought to be annexed and incorporated into the boundary lines and corporate limits of the City of Long Beach; and

SECTION 2. WHEREAS, the Governing Authority finds and adjudicates that the annexation of the subject property is important to the development of the City for municipal purposes and for overall public welfare, and that annexation by the City of said property would be conducive to planned commercial and residential development and will benefit the property owners, the City, and the citizens of Long Beach and adjoining areas; and

SECTION 3. WHEREAS, the annexation territory in its present form is totally uninhabited and the Governing Authority finds that at this time no individual rights, voting rights or school district interests shall be presently affected by this annexation, and further, the Governing Authority is advised that the intended development of the annexation territory is for commercial purposes and in the future no voting rights or school district interests will be affected, and that extension of municipal services and

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facilities to the area is needed to improve the commercial opportunities in the area and in the entire City of Long Beach; and

SECTION 4. WHEREAS, economic development of the property annexed and of the properties of other landowners in the vicinity of the annexation area in particular, and of the citizens of Long Beach as a whole, shall increase economic development opportunities for all citizens of Long Beach, and the construction of commercial buildings in the area annexed shall provide much needed job opportunities for the citizens of the City of Long Beach; and

SECTION 5. WHEREAS, the Governing authority finds that the private owner of property in the proposed annexation area has agreed in writing with the City of Long Beach to the annexation of said property, and that such annexation is reasonable and required by the public convenience and necessity and shall result in improvement; and

SECTION 6. The Governing Authority therefore adjudicates that the corporate boundaries and limits of the City of Long Beach, in the First Judicial District of Harrison County, Mississippi, be and they are hereby extended and enlarged so as to embrace the following described additional lands and territory in the First Judicial District of Harrison County, Mississippi, to-wit:

LEGAL DESCRIPTION OF AREA BEING ANNEXED:

Parcels of land lying and being situated in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

The South One-half of Lot 2, ANDREWS LAND COMPANY'S SUBDIVISION, Harrison County Mississippi, as per the map or plat thereof on file and of record in Copy Plat Book 4 at Page 281 in the Office of the Chancery Clerk of Harrison County, Mississippi, First Judicial District.

SECTION 7. The entire boundary and corporate limits of the City of Long Beach, Mississippi, as enlarged, modified, extended and fixed by this Ordinance to include the property herein above described in Section 6, shall be defined and described as a whole, as follows, to-wit:

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LEGAL DESCRIPTION (OVERALL BOUNDARY LINE OF ENLARGED CITY OF LONG BEACH):

Beginning at a point 5,000 feet South, 28 degrees East of the Southeast corner of Lot #7 of the Gottschalk's Survey, said point of beginning being the Southwest corner of the corporate limits of the City of Gulfport; thence Westerly parallel with and 5,000 feet distant from the shore line of the Mississippi Sound or Gulf of Mexico to its intersection with the Southerly extension of the Eastern line of Section 21, Township 8 South, Range 12 West, if the same were regularly surveyed in government sections, townships and ranges; thence North along said Eastern line of said Section 21 to the Northern margin of the right-of-way of the Louisville and Nashville Railroad Company; thence continue North along said section line to the Northeast corner of said Section 21; thence Westerly along the North line of said Section 21 to the Southwest corner of the East ½ of the East ½ of the Southeast ¼ of Section 16, Township 8 South, Range 12 West; thence Northerly along the West line of said East ½ of the East ½ and along the West line of the East ½ of the East ½ of the Northeast ¼ of said Section 16 to the North line of said Section 16; thence Westerly along said North line of Section 16 a distance of 1987.13 feet, more or less, to the North mid-section corner of Section 16; thence Northerly along the North-South mid-section line of Section 9 a distance of 2591.28 feet, more or less, to the South margin of Pineville Road; thence Westerly along said South margin of Pineville Road to the West line of said Section 9; thence Northerly along the West line of said Section 9 to the centerline of a drainage canal known and designated as County Canal Number 3; thence Easterly following the meanderings of said Canal Number 3 to its intersection with the South line of the North ½ of the North ½ of the Northeast ¼ of said Section 9; thence Easterly along said South line to the East line of said Section 9; thence northerly along said east line of Section 9 to the centerline of Canal Number 3 as presently constructed; thence southwesterly following the meanderings of Canal Number 3 a distance of 1450 feet more or less to the southerly extension of the east margin of an unimproved right-of-way sometimes known as Wisewood Lane, also being the west line of Block 9, Andrew's Land Company's Subdivision of the SE ¼ of Section 4 and The Fractional Part of the NE ¼ of Section 10 (sic), T. 8S, R. 12W; thence continue southwesterly following the meanderings of Canal Number 3 as presently constructed a distance of 1806 feet more or less to the intersection of the South line of Block 40, said Andrew's Land Company Subdivision; thence Southwest along said South line of Block 40 and Block 43 a distance of 920.77 feet to the East margin of a 30 foot roadway; thence North along said East margin a distance of 2009.83 feet to the north corner of Block 45 of said Andrew's Land Company Subdivision; thence Easterly along the Northern line of said Block 45 a distance of 651.09 feet to the Northeast corner of said Block 45; thence South along the Eastern line of said Block 45 a distance of 659.89 feet to the Southeast corner of said Block 45, said point being on the Northern margin of a 30 foot roadway sometimes known as Prattwood Lane; thence continue South a distance of 30 feet to the Southern margin of said roadway, said point being the Northwest corner of Block 39 of said Andrew's Land Company Subdivision; thence Easterly along the said Southern margin of Prattwood Lane a distance of 1332.78 feet to the Northeast corner of Block 28 of said Andrew's Land Company Subdivision; thence Northerly a distance of 30 feet to the Southwest corner of Block 24 of said Andrew's Land Company Subdivision, said point being on the Northern margin of said Prattwood Lane; thence Northerly along the Western line of said Block 24 a distance of 663.74 feet

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to the Northwest corner of Block 24; thence Easterly along the Northern line of said Block 24 a distance of 644.33 feet to the said East margin of Wisewood Lane; thence Easterly a distance of 30 feet to the Northwest corner of Block 10 of said Andrew's Land Company Subdivision; thence easterly along said north line of said Block 10 and the north line of Block 8 of said Andrew's Land Company Subdivision a distance of 1,043.21 feet; thence South a distance of 179.29 feet; thence Easterly a distance of 271 feet more or less to the East line of Section 4, Township 8 South, Range 12 West, Harrison County, Mississippi; thence Northerly along the East line of said Section 4, Township 8 South, Range 12 West to a point on the south margin of 28th Street, approximately 25 feet south of the Northeast corner of said Section 4; thence westerly 25 feet, more or less, to the southwest corner of the intersection of Beatline Road with 28th Street; thence northerly 25 feet, more or less, to the centerline of 28th Street; thence westerly along said centerline of 28th Street 468 feet, more or less, to the southerly extension of a line drawn parallel with and 453.47 feet west of the west margin of Beatline Road; thence northerly parallel with said west margin of Beatline Road 328.21 feet, more or less, to the north line of Lot 4, Block 4, Cox's Subdivision of the E ½ of the SE ¼ of Section 32, Township 7 South, Range 12 West, Harrison County, Mississippi; thence S 89° 57' 18" E along said north line of Lot 4 a distance of 300.0 feet to a point 153.47 feet west of the west margin of Beatline Road; thence south parallel with Beatline Road 150.0 feet; thence east parallel with said north line of Lot 4 a distance of 193.47 feet to the centerline of Beatline Road; thence south along said centerline 153 feet, more or less, to the north margin of 28th Street; thence east 40 feet to the northeast corner of the intersection of Beatline Road and 28th Street; thence south 25 feet to the North line of Section 3, Township 8 South, Range 12 West, Harrison County Mississippi; thence Easterly along the North line of Section 3 and Section 2 to a point, said point being the intersection of the southerly extension of the west line of Lot 4, Block 32, Cox Subdivision, Section 35, Township 7 South, Range 12 West, Harrison County, Mississippi with North line of Section 2; thence northerly along said southerly extension a distance of 25 feet, more or less, to a point on the north margin of 28th Street at the southwest corner of said Lot 4, said point also being on the east margin of a 25 foot alley; thence continue Northerly along said east margin a distance of 647.5 feet to the northwest corner of Lot 3, Block 32, of said Cox's Subdivision; thence Easterly along said North lot line a distance of 657.7 feet to a point on the west margin of North Klondyke Road; thence Southerly along said west margin a distance of 647.5 feet to a point on said north margin of 28th Street; thence continue Southerly a distance of 25 feet more or less to the said North line of Section 2; thence Easterly along the said North line of Section 2 and Section 1, Township 8 South, Range 12 West to a point, said point being 235.01 feet west of the east line of the SW ¼ of the SW ¼ of Section 36, Township 7 South, Range 12 West; then Northerly along a line parallel with the east line of the SW ¼ of the SW ¼ of said Section 36 a distance of 25' more or less to the north margin of 28th Street; thence continue N 00° 09' 10" E a distance of 1302.63 feet; thence S 89° 56' 57" E a distance of 235.01 feet; thence S 00° 09' 10" W along the east line of the SW ¼ of the SW ¼ of said Section 36 a distance of 1301.06 feet to a point on the north margin of 28th Street, thence Southerly a distance of 25 feet more or less to the North line of Section 1, Township 8 South, Range 12 West; thence Easterly along said North line of Section 1 to a point 232.90 feet westerly of the southerly extension of the west margin of Sunset Avenue, being the east line of Block 14, Two Acre Addition in Section 36, Township 7 South, Range 12 West, Harrison County, Mississippi; thence N 00° 22' 17" W parallel with said Sunset Avenue 25.00 feet, more or less, to the North margin of 28th Street; thence

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continue N 00° 22' 17" West 660.0 feet to the north line of Lot 6, Block 14, said Two Acre Addition; thence N 89° 37' 43" E 232.90 feet to said west margin of Sunset Avenue; thence S 00° 22' 17" E 660.0 feet to the southeast corner of said Block 14, Two Acre Addition; thence continue S 00° 22' 17" E 25.00 feet, more or less, to the north line of Section 1, Township 8 South, Range 12 West; thence easterly along said north line of Section 1 to the North mid-section corner of said Section 1, said point also being the Northwest corner of the U.S. Naval Reservation; thence Southerly along the North-South mid-section line to the center of said Section 1; thence Easterly and Southeasterly along the Western boundary of the U.S. Naval Reservation to the Southeast corner of Section 1, which point is also on the Western Corporate limits of the City of Gulfport; thence Southerly, Northeasterly and Southeasterly along the Western Corporate limits of the City of Gulfport, said corporate limits line being more particularly described as follows:

From the last described point; thence Southerly along the East line of Section 12, Township 8 South, Range 12 West, to the North line of the Widow N. Ladner Claim; thence Northeasterly along said North line to the Northeast corner of said Widow N. Ladner Claim; thence Southeasterly along the East line thereof to the North line of the Claud Ladner Claim; thence Northeasterly along said North line to the East line of Lot #7 of the Gottschalk's Survey; thence Southeasterly along said East line to the Southeast corner of said Lot #7; thence South 28 degrees East 5,000 feet to the Point of Beginning, and there terminating.

SECTION 8. The proposed improvements to be made, and/or extended in and to the said annexed territory shall be completed where needed and economically feasible, as new development shall require, and in accordance with regulations for new development generally imposed upon the property owners, and shall include the following:

- (a) Prepare and adopt appropriate land use, zoning and environmental regulations to preserve and protect the public health, safety and welfare, and to promote orderly and compatible use and development of undeveloped properties, as quickly as good planning procedures allow the annexation territory to be incorporated within the City of Long beach Comprehensive Zoning Ordinance, and within a period not to exceed nine (9) months after the effective date of annexation;

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- (b) Develop an amended Master Plan for capital improvements within municipal boundaries that include the annexed area within a period not to exceed eighteen (18) months;
- (c) Provide an adequate water supply for potable and firefighting purposes; and expand and extend water utility services or encourage such expansion by private utility providers with exclusive certificates of convenience and necessity within a period not to exceed five (5) years;
- (d) Develop and interconnect, or encourage certified private utility providers to develop and interconnect sewerage collector systems to the Harrison County Wastewater Management District sewer interceptors as access to said collection system is available, and where necessary and economically feasible, and as development may occur within a period not to exceed five (5) years.

SECTION 9. The City of Long Beach proposes to render municipal or public services beginning twenty (20) days after the effective date of this Ordinance, or as soon thereafter as otherwise provided, to the extent needed and economically feasible, as follows:

- (a) Police Protection;
- (b) Fire Protection;
- (c) Maintenance of drainage facilities already installed or subsequently installed and constructed appurtenant to property development;
- (d) Garbage pickup and removal as soon as development may require such services;
- (e) Maintenance of public streets at such time as the same may be constructed by the property owner, and/or a governmental unit, and dedicated and accepted according to City standards; and

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- (f) All rights and privileges extended to property owners of the City of Long Beach, and the use and benefits of all municipal services and facilities furnished all present property owners and citizens of the municipality of the City of Long Beach shall be extended to the enlarged area to the extent needed and economically feasible.

SECTION 10. The City of Long Beach, by its Mayor and City Attorney are hereby directed to file a Petition to Confirm this Ordinance in the Chancery Court of the First Judicial District of the County of Harrison, State of Mississippi, which Petition shall recite the fact of the adoption of this Ordinance and the approval of the owners of private property to be annexed, to have the territory included within the boundaries and limits of the City of Long Beach, and shall respectfully demand the Court to enter its Order approving, ratifying and confirming the enlargement and extension of the municipal boundaries and limits of the City of Long Beach, Mississippi, as herein fixed and determined. Said Petition shall have attached thereto a certified copy of this Ordinance and a plat or map showing the boundaries of the area or territory unto which the municipal corporate boundaries and limits are hereby extended and enlarged, and also the boundaries of the City of Long Beach, Mississippi, as they shall exist in the event such enlargement and annexation shall become effective. The Mayor and City Attorney of the City of Long Beach shall, to the extent required by the laws of the United States of America, seek ratification and approval of this Ordinance of incremental annexation by the United States Department of Justice, or such other branch of the United States Government as may be required by laws of the United States of America.

SECTION 11. This Ordinance shall become effective after passage of ten (10) days after the date that a decree, judgment or order ratifying, approving and confirming the enlargement and annexation of boundaries of the City of Long Beach, Mississippi, as adopted herein, shall be entered by the Chancery Court of the First

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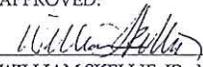
Judicial District of Harrison County, Mississippi, in accordance with the provisions of Section 21-1-17, Mississippi Code of 1972, Annotated and as Amended, and the provision for services to be provided under this Ordinance shall become effective as provided herein after the passage of twenty (20) days after the date that such decree, judgment or order of the Chancery Court, ratifying, approving and confirming the annexation shall become effective.

The above and foregoing Ordinance No. 583 was introduced in writing by Alderman Lishen who moved its adoption. Alderman Carrubba seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

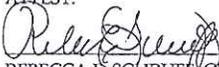
Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kaye H. Couvillon	voted	Aye
Alderman Carolyn Anderson	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Absent, Not Voting

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance Number 583 adopted and approved this, the 4th day of January, 2011.

APPROVED:


WILLIAM SKELLIE, JR., MAYOR

ATTEST:


REBECCA E. SCHRUPF, CITY CLERK

Alderman Hammons returned to the open meeting.

Discussion was held regarding the Retention Pond, Canal #2, however, no official action was required or taken.

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The City Attorney reported on several legal matters, none of which required official action.

There were no public comments regarding matters not appearing on the agenda.

There being no further business to come before the Mayor and Board of Aldermen at this time, Alderman Carrubba made motion seconded by Alderman Anderson and unanimously carried to adjourn until the next regular meeting in due course.

APPROVED:

Alderman Leonard G. Carrubba, Sr., At-Large

Alderman Gary J. Ponthieux, Ward 1

Alderman Bernie Parker, Ward 2

Alderman Kaye H. Couvillon, Ward 3

Alderman Ronnie Hammons, Jr., Ward 4

Alderman Mark E. Lishen, Ward 5

Alderman Carolyn J. Anderson, Ward 6

Date

ATTEST:

Rebecca E. Schruoff, City Clerk